



Debates

WEEKLY HANSARD
SEVENTH ASSEMBLY

Legislative Assembly for the ACT

9 DECEMBER 2008

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Tuesday, 9 December 2008

MR SPEAKER (Mr Rattenbury) took the chair at 10.30 am, made a formal recognition that the Assembly was meeting on the lands of the traditional owners, and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Mumbai terrorist victims Condolence statement by Speaker

MR SPEAKER: Members, I draw your attention to the recent events in Mumbai, India, which give us cause to reflect on the impact that random acts of terrorism can have on individuals, families, communities, towns, cities, nations and the world. As a mark of respect to the victims of the Mumbai terrorist attacks I invite all members to rise in their places.

Members rising in their places—

MR SPEAKER: I thank members.

Petitions Ministerial responses

The Clerk: The following responses to petitions have been lodged by ministers:

By Mr Barr, Minister for Planning, dated 8 July 2008, in response to petitions (2) lodged by Mr Berry (Sixth Assembly) on 17 June 2008 concerning the proposed Canberra Technology City.

The terms of the response will be recorded in *Hansard*.

Gas-fired power station

The response read as follows:

Response for tabling to petition lodged on 17 June 2008 by Mr Berry MLA, in relation to DA 200704152 District of Tuggeranong

The applicant for this proposal has lodged alterations to the Development Application (DA) to respond to many of the concerns raised by the community. The altered DA and Preliminary Assessment (PA) has been renotified consistent with the requirements of the *Land (Planning and Environment) Act 1991*.

The evaluation of a PA and the assessment of a DA are the responsibility of the ACT Planning and Land Authority (ACTPLA) and due process needs to be followed.

The Government has only provided “in principle” agreement to the use of the site for the purpose sought, subject to planning approval.

The petition raises concerns that the magnitude of the social and environmental impacts of the proposed Canberra Technology City remains unknown. The very purpose of a PA process is to ascertain the extent of potential impacts and determine whether higher level environmental assessment is required.

The DA process will determine the suitability of the land for the proposed use after consideration of the requirements of the Territory Plan, relevant legislation, and the outcome of the PA evaluation. As part of its assessment, ACTPLA will also take into consideration submissions from the community. The outcome of the determination by ACTPLA, as sought by the petition, should not be pre-empted.

By Mr Barr, Minister for Planning, dated 16 July 2008, in response to petitions (2) lodged by Mr Pratt (Sixth Assembly) on 26 June 2008 concerning the proposed Canberra Technology City.

The terms of the response will be recorded in *Hansard*.

Gas-fired power station

The response read as follows:

Response for tabling to petition lodged on 25 June 2008 by Mr Pratt MLA, in relation to DA 200704152, Tuggeranong district.

The applicant for this proposal has lodged alterations to the application to respond to many of the concerns raised by the community. The altered application has been renotified and is the subject of assessment.

The evaluation of a PA and the assessment of a DA are the responsibility of the ACT Planning and Land Authority (ACTPLA) and due process needs to be followed.

The Government has only provided “in principle” agreement to the use of the site for the purpose sought, subject to planning approval.

The petition raises concerns that the magnitude of the social and environmental impacts of the proposed Canberra Technology City remains unknown. The very purpose of a PA process is to scope the extent of potential impacts and determine whether higher level environmental assessment is required.

The DA process will determine the suitability of the land for the proposed use after consideration of the requirements of the Territory Plan, relevant legislation, and the outcome of any PA evaluation. As part of its assessment, ACTPLA will also take into consideration submissions from the community. The assessment process is determined by the provisions of the *Land (Planning & Environment) Act 1991* and it would be inappropriate to pre-empt the outcome of the DA assessment in the manner suggested by the petition.

By Ms Gallagher, Minister for Health, dated 21 August 2008, in response to a petition lodged by Ms Gallagher on 17 June 2008 concerning publicly funded chiropractic services in the ACT.

The terms of the response will be recorded in *Hansard*.

Health—chiropractic services

The response read as follows:

In March 2008, ACT Health received a submission from the Chiropractors Association of Australia (CAA) (ACT Branch) to pilot a project to investigate publicly provided chiropractic services in the ACT.

In response to this, ACT Health is conducting a detailed and objective assessment of the proposal. This assessment will be conducted in two parts. Firstly, a literature review will be performed by an independent research organisation to investigate the feasibility and effectiveness of chiropractors working in the public health sector. Secondly, an expert panel will be formed by ACT Health to examine the literature review findings and to assess the proposal by CAA, using key performance indicators and considering the findings in an ACT context.

The Centre for Allied Health Evidence (CAHE) has been engaged to undertake the literature review. The review will primarily aim to examine two issues:

- The effectiveness and safety of chiropractic treatment for specific diagnoses (with reference to the public health system in particular), and
- Treatment outcomes for chiropractors compared with those of doctors, physiotherapists and other allied health practitioners.

A detailed report on findings by CAHE will be provided to ACT Health in the near future. At that time the expert panel will be convened to provide a critical analysis of findings in an ACT context and determine whether publicly-funded chiropractic services would be feasible and desirable in the ACT.

By Mr Barr, Minister for Planning, dated 23 September 2008, in response to a petition lodged by Mrs Burke (Sixth Assembly) on 6 August 2008 concerning planning in Gungahlin.

The terms of the response will be recorded in *Hansard*.

Planning—Gungahlin

The response read as follows:

Response for tabling to petition lodged on 6 August 2008 by Mrs Burke MLA, in relation to the planning and development of Gungahlin

The ACT Government is actively increasing commercial development and employment in Gungahlin. The ACT Government has already located some of its staff in Gungahlin. Chief Minister Jon Stanhope opened the ACTTAB Head Office in Gungahlin in July 2007 as an investment in the economy and community of Gungahlin.

The ACT Government has a number of facilities underway that will bring more ACT Government staff to the Gungahlin Town Centre. Examples include:

- the construction of a large Government Health Centre between 2009 and 2011 (land immediately to the north of Gungahlin Square has been shortlisted as the most likely location); and
- the construction between now and 2010 of a Government Secondary College Precinct, including an expanded Town Library and Canberra Institute of Technology (CIT) centre, immediately south of the Raiders Club.

The Government has also engaged a marketing agent who is actively promoting sites in the Town Centre. The first success has been the recent sale of four sites for small offices. These will suit smaller businesses and professionals such as Solicitors and Doctors.

Attracting Federal Offices to the Gungahlin Town Centre is very difficult for the ACT Government due to changes in Federal Government policy. The Federal Government established offices in the other Town Centres by directing its Departments where to locate. Since the settlement of Gungahlin, Departments now decide their own locations and they have not chosen Gungahlin.

With a new Federal Government in place, I have been actively lobbying for offices in Gungahlin and recently met with the Federal Finance Minister, Mr Lindsay Tanner MP, to promote the benefits of Gungahlin as an office location.

The recent Federal Parliamentary inquiry into the role of the National Capital Authority also called for work to be done at the Federal level on a policy to govern future locations of Commonwealth Government agencies in Canberra.

I urge the petitioners to also seek action from the Federal Government.

By Mr Hargreaves, Minister for Territory and Municipal Services, (Sixth Assembly), dated 30 September 2008, in response to petitions lodged by Mr Mulcahy (Sixth Assembly) on 7, 19 and 26 August 2008 concerning the Gungahlin Drive extension.

The terms of the response will be recorded in *Hansard*.

Gungahlin Drive extension

The response read as follows:

REGARDING: THE RECENTLY COMPLETED GUNGAHLIN DRIVE EXTENSION

The ACT Government notes the petitions submitted by the petitioners, tabled by Mr Richard Mulcahy MLA on 7, 18, 26 August 2008 and makes the following comments:

- The ACT Government announced on 23 July 2008 that it would fund the duplication of the Gungahlin Drive Extension over the next four years should it be returned to Government after the upcoming election.
- Some additional work is already underway to provide a second southbound traffic lane on Caswell Drive and this work will be completed by Christmas 2008.
- The detailed design and documentation of the Gungahlin Drive Extension duplication works will be tendered in September 2008 and construction tenders called in April 2009.
- Construction contracts will be let in June 2009 and the duplication works will be completed by Christmas 2011 at the earliest. It should be noted that the duplication project includes nine major bridge structures and these will be packaged in a way to progress the work as quickly as possible. While the roadworks will have some impact on passing traffic, measures will be put in place to manage this and limit traffic disruption where possible, particularly during the peak periods.

By Mr Hargreaves (Minister for Territory and Municipal Services) (6th Assembly), dated 30 September 2008, in response to a petition lodged by Mr Mulcahy (Sixth Assembly) on 19 August 2008 concerning an intersection in O'Malley.

The terms of the response will be recorded in *Hansard*.

Roads—O'Malley

The response read as follows:

REGARDING: THE INTERSECTIONS AT TYAGARAH STREET AND HINDMARSH DRIVE AND NUMERALLA STREET AND YAMBA DRIVE

Mr Richard Mulcahy MLA on 19 August 2008 and makes the following comments:

- Statistics on motor vehicle crashes are supplied to the Department of Territory and Municipal Services by the Australian Federal Police and indicate all reported crashes in the ACT. The ranking of intersections on the basis of crashes is the means used to identify locations with a poor crash history for possible upgrades. The intersection of Hindmarsh Drive with Tyagarah Street is currently ranked at 211th worst intersection in the ACT and the intersection of Yamba Drive and Numeralla Street is outside the worst 500 intersections in the ACT on the basis of crashes over the last two years.
- In that context, the Department of Territory and Municipal Services has no immediate plans for upgrades at either of these intersections but will continue to monitor the situation for any changes that might occur.

By Mr Barr, Minister for Planning, dated 3 October 2008, in response to a petition lodged by Mr Pratt (Sixth Assembly) on 28 August 2008 concerning the proposed Canberra Technology City.

The terms of the response will be recorded in *Hansard*.

Gas-fired power station

The response read as follows:

Response for tabling to petition lodged on 28 August 2008 by Mr Pratt MLA, in relation to DA 200704152, Tuggeranong District

The evaluation of a Preliminary Assessment (PA) and the assessment of a development application are the responsibility of the ACT Planning and Land Authority (ACTPLA) and due process needs to be followed.

The petition raises concerns that the magnitude of the social and environmental impacts of the proposed Canberra Technology City remains unknown. The very purpose of the PA process is to scope the extent of potential impacts and determine whether higher level environmental assessment is required. As a result of this process the applicant has been directed by the Minister for Environment to undertake a higher level of environmental assessment in the form of an Environmental Impact Statement (EIS) for the project.

The DA process will determine the suitability of the land for the proposed use after consideration of the requirements of the Territory Plan, relevant legislation, and the EIS evaluation. As part of its assessment, ACTPLA will also take into consideration submissions from the community. The assessment process is determined by the provisions of the *Land (Planning & Environment) Act 1991* and it would be inappropriate to pre-empt the outcome of the DA assessment in the manner suggested by the petition.

It should also be pointed out that the preamble to the petition is factually incorrect – ActewAGL is not a Territory owned corporation.

By Mr Barr, Minister for Planning, dated 15 October 2008, in response to a petition lodged by Mr Mulcahy (Sixth Assembly) on 27 August 2008 concerning fencing at Griffith oval.

The terms of the response will be recorded in *Hansard*.

Griffith oval

The response read as follows:

Response for tabling of petition lodged on 27 August 2008 by Mr Mulcahy MLA, in relation to the planning application to fence Griffith Oval (No. 1)

On 6 February 2008 a development application (DA) to fence the Griffith Oval No. 1 with a 1.2 metre high 'picket fence' was lodged with the ACT Planning and Land Authority (ACTPLA). The proposal included gated pedestrian and vehicle access points.

The lease of the oval is administered by the ACT Department of Territory and Municipal Services (Sport and Recreation) under an Executive lease.

The Griffith Oval is the main training ground for the ACT Brumbies Rugby Union Team. The fence was proposed to provide a safe and clean training environment.

The territory Plan land use policy for the oval is Urban Open Space.

ACTPLA assessed the DA under the requirements of the Territory Plan and on 9 May 2008 ACTPLA approved the DA with conditions imposed to meet the objectives of Urban Open space. Conditions included lowering the height of the fence to a maximum of 1 metre; providing additional pedestrian openings to correspond with desire lines; widening pedestrian openings and deleting gates; and relocating the cricket practice nets.

As the Minister for Planning and the Minister for Sport and Recreation, I support the proposal to fence the oval.

Under Section 189 of the *Planning & Development Act 2007*, the Planning and Land Authority may revoke a development approval if:

- (a) satisfied that the approval was obtained by fraud or misrepresentation; or
- (b) if the approval is in relation to a place registered, or nominated for provisional registration, under the *Heritage Act 2004* – if the applicant is convicted of an offence against this part or the *Heritage Act 2004*.

The Legislative Assembly, therefore, has no power to “disallow” a development approval.

By Mr Barr, Minister for Planning, dated 15 October 2008, in response to a petition lodged by Mr Smyth on 28 August 2008 concerning zoning issues in Monash.

The terms of the response will be recorded in *Hansard*.

Development application 200812308

The response read as follows:

Response for tabling to petition lodged on 28 August 2008 by Mr Brendan Smyth MLA, in relation to the inconsistency of Development Application No. 200812308 with the zone objectives.

Under the new Territory Plan introduced on 21 March 2008, Sections 123-125 and 130-136 Monash are zoned RZ2 – Suburban Core Zone. The change in the name of the zone is a result of the introduction of the restructured Territory Plan 2008. Prior to 31 March 2008, development in these sections was required to comply with the A10 Area Specific Policy under the previous Territory Plan. The planning provisions applicable to the RZ2 Zone are fundamentally equivalent to those under the A10 Area Specific Policy. The zone objectives of RZ2 – Suburban Core Zone are as follows:

- a) Create a wide range of affordable and sustainable housing choices to accommodate population growth and meet changing household and community needs

- b) Ensure that development addresses the street and the existing neighbourhood characteristics in scale, form and site development
- c) Facilitate efficient use of existing social and physical infrastructure and services in residential areas close to commercial centres
- d) Provide opportunities for home based employment consistent with residential amenity
- e) Provide for a limited range of small-scale facilities to meet local needs consistent with residential amenity
- f) Promote energy efficiency and conservation and sustainable water use

Development Application No. 200812308 was lodged on 8 August 2008 seeking approval for the consolidation of two standard residential blocks, variation to the crown lease to allow maximum 11 dwellings on the consolidated block, demolition of two existing single storey dwellings, the erection of a two-storey building containing 11 apartments with basement car parking, associated landscaping, paving and other site works.

DA200812308 was notified from 18 August 2008 to 8 September 2008 and has received 24 representations. It is currently being assessed by the ACT Planning and Land Authority against the policies of the Territory Plan. Issues such as traffic impact, parking, bulk and scale, overlooking and any other relevant issues raised in representations will be given due consideration during the assessment process.

Paper

Assistant Speakers—appointment

MR SPEAKER: For the information of members and pursuant to standing order 8, I nominate Ms Burch, Mrs Dunne and Ms Le Couteur as Assistant Speakers and present the warrant of nomination.

Inaugural speeches

MR SPEAKER: I wish to remind members that this is Mr Coe's inaugural speech, and it is traditional that those speeches are heard in silence.

MR COE (Ginninderra), by leave: It is with appreciation and humility that I am before this chamber making my maiden speech today. Firstly, Mr Speaker, may I congratulate you on your election as Speaker of this Assembly.

I come here representing the ACT electorate of Ginninderra, as a proud member of the Liberal Party. The Liberal Party is a party of initiative and enterprise, and I will seek to bring those attributes to my work here in this place.

My selection as a Liberal candidate was not made until seven weeks before the recent territory election. I was selected soon after the announcement that long-time Liberal MLA Bill Stefaniak would not be recontesting his seat. Bill served the people of Canberra in each of the first six Assemblies of the territory and served as a minister, shadow minister and Leader of the Opposition. Bill was a well-respected local member, and always fared well at the elections he fought. He was well supported by his wife, Shirley.

Bill was instrumental in bringing positive reforms to policing and education in the territory when he was a minister in the former Liberal government. The introduction of mandatory literacy and numeracy tests for primary school students, move-on powers for police, alcohol-free zones and the Bail Act are all part of Bill's legacy in this place and are all reforms that I strongly endorse.

Bill was very supportive of me when I joined the party at the age of 16 and in year 11 at school. I, like thousands of others, had met Bill on numerous occasions at shopping centres, sporting matches, school presentation days and other community events. Bill had widespread respect in the community—respect that I, too, hope I can earn.

Our great city is here because of the vision of the fathers of Federation to create a national capital that was independent of any of the colonies rivalling for the privilege. However, for many years prior to becoming the national capital, Canberra was a place for pioneering nation builders who had often travelled from the other end of the world—people who wanted to work hard to make the lives of their children better than their own. The result is that generations of people have come to Canberra to invest in the future for themselves, their family and their country.

The point I make is that we live in a city synonymous with service. Whether you look at the pioneers who put this region on the map, the nation builders who planned it, the developers who built it, the civil servants who made it their home, or the industry which helped to sustain it, Canberra is a resourceful place and one that is yet to reach its full potential.

My electorate of Ginninderra, north-west of the city, is an area rich in tradition and history. The first pioneer owner of the area of Ginninginninderra, as it was originally known, was Lieutenant George Thomas Palmer. The area was later known as Palmerville, and Palmer's grants totalled 5,300 acres. Before coming to Australia, Palmer had served in the British forces against Napoleon. In 1806, he travelled to New South Wales on the *Albion* and settled as a free immigrant. By 1828, he ran almost 2,000 head of cattle and 6,000 sheep in the region. It was the determination of settlers such as Palmer which brought development to the region and, unknowingly, helped to lay the stones for a future capital city—the city I grew up in and am now honoured to serve.

I was born at Royal Canberra Hospital almost 25 years ago. I grew up in Wanniasa and Nicholls and was educated in schools in Tuggeranong and Belconnen. I grew up in the family home in the suburbs with mum, dad, two brothers, a backyard, friends, church, school and a community. I grew up in an environment where mainstream values were respected and not scoffed at or denigrated. I have taken great strength from my family's support over the years, and from the lessons, insights and character building that I grew up with. I could not have asked for anything more, and I am grateful for the opportunities my family gave me and the sacrifices my parents made to ensure we had the best upbringing possible.

Throughout the world, the story of parents sacrificing much for the betterment of their children is not uncommon. I believe the family is the most important institution and

we must do all that we can to support and encourage families and the important role they play in our society.

My career to date has included working for three organisations that each represent much that is great about Australia. The first, Young Achievement Australia, gives young Australians business experience through hands-on enterprise programs. It wasn't started by government, but by individuals who thought that young Australians should have the opportunity to get more business experience under their belts than was provided in the education system.

The second, the Australian Homeland Security Research Centre, is a private think-tank that produces publications, runs courses and adds to the debate on national security issues. Despite being a small private operation, the centre punches above its weight in informing and stimulating public debate on what are increasingly pressing matters of national and international concern.

The third organisation I have worked for is the national headquarters of the Returned and Services League of Australia, where I was the national research adviser. Since 1916, the RSL has been a champion of Australian values and ensuring that programs are in place for the wellbeing, care, compensation and commemoration of serving and ex-service Defence Force members and their dependants.

What the RSL, the Australian Homeland Security Research Centre and Young Achievement Australia prove is that government is not the sole repository of wisdom on matters of public policy and the provision of advice and support for others. In these examples, whether it be enterprise education, veterans' welfare or national security research, the private sector has an important role to play and government can learn much from such innovative businesses. The tradition that these organisations represent is the active involvement of individuals to make their communities better. They do not do so by coercive legislation, physical force, or even expectation, but they volunteer their energies and resources out of their sense of duty.

It is at this point that it is appropriate to lay out what it is that I believe, and why I am here today. I am proud to be a member of the Liberal Party in the ACT Assembly. After joining the party in 2000, I became a member of the ACT Young Liberals—an organisation of which I remain a proud and committed member today. The Liberal Party has a great tradition in Australia, and especially here in Canberra. Many of the great landmarks, great developments and great decisions in this city were made in the Menzies era or in other Liberal governments that followed.

The Liberal Party was founded on the principles of freedom, limited government and the integrity of the individual. These are also my own principles, and I will do my utmost to uphold them and ensure that the Canberra Liberals will always continue to hold them.

I believe all people in Australia are privileged to live in a country with the immense freedoms which we all enjoy. Australia is a wonderful nation with a proud history, with great resources, an entrepreneurial people and Judeo-Christian principles forming the foundation of our modern society. It is this heritage which has brought about so much of our success as a nation.

Whilst I firmly believe in the separation of church and state, I recognise the importance that faith plays in many of our lives, and it is a real disservice to free speech when some of the more strident people in politics attempt to sneer at those who have Christian conviction, or to argue that they should be shunted to the fringes of any policy debate.

We are fortunate to be in a country with the freedoms, wealth and opportunities that we all enjoy. For a country of just 108 years, we are a stable democracy with integrity in our society which is the envy of the world. However, we as a nation had the advantage of not having to start from square one. We were a formation of autonomous colonies with democracy in action in each. These colonies were born on the back of the Westminster tradition.

The Westminster parliamentary tradition is one to which this Assembly subscribes. It is a tradition that has grown up over centuries of gradual refinement and long-held convention. I believe in a constitutional monarchy because of the stability and protection it has provided to safeguard our democracy against short-term political interests. The Crown is central to our political system, so long as the Crown is subject to parliament and the parliament is subject to the people.

As citizens of Australia, we are all shareholders in our nation, and this ownership is something which I take seriously. When I nominated as a candidate for election to this Assembly, I did so because of my determination to improve this city and to help get the priorities of this Assembly right. I believe the role of government is to secure and safeguard, not to stifle and suppress. I believe that good public policy is best achieved when government focuses its efforts on its core functions and doing them well.

One of the most important reasons I decided to seek election was because of my frustration with the current government—a government that has neglected the provision and upkeep of basic services such as public safety, roads and hospitals—and, of course, their poor financial management. Instead, this government has spent valuable taxpayer resources on satisfying their delusions of grandeur and has sought to turn Canberra into the nation's leading social laboratory.

The government has put much of its focus in recent years on the introduction of civil unions, the Bill of Rights, and an extortionately expensive, luxurious prison, in a city with magistrates and judges that are strongly disinclined to penalise convicted offenders. Then there were the tens of thousands of taxpayers' dollars the government spent on a statue of Al Grassby.

I find it staggering that the Chief Minister saw fit to nominate Terry Hicks, father of Guantanamo Bay detainee and self-confessed terrorist David Hicks, for Father of the Year. Mr Hicks is not even a Canberran, yet in Mr Stanhope's political mission he saw fit to overlook so many Canberra fathers that work hard to help our community in extraordinary circumstances. Yet this government, that has put so much stock into being socially progressive, has no qualms collecting money on the backs of problem gamblers through poker machines. I stand against these things not only because they were the wrong priorities for the government but because they are also wrong in the absolute sense of the term.

Everywhere one can look, one can see a litany of near or actual government disasters that represent poor value for taxpayer money, from the ludicrous busway, now thankfully on hold, to the almost as ludicrous single-lane Gungahlin Drive extension, which should have been built as a dual carriageway from the very beginning, and which was finally only brought about when the government panicked in the lead-up to the last election campaign.

I do not understand why, in a city the size of Canberra, the cost of a block of land 20 kilometres from the city centre is out of reach for the average Canberran; yet, if you drove into the city from that block, you would pass seemingly endless acres of undeveloped, underutilised paddocks. How could it be, in this city, that there is not enough land available for families to invest in their future? This government has escalated the cost of land in this town to a point where too many young Canberrans cannot afford to buy a home in the town they grew up in.

Furthermore, in our new suburbs, we have roads that are so narrow that they bear greater resemblance to an English country lane developed 500 years before the invention of the car than they do to roads that can have one car pass another without side-swiping the pedestrian on the footpath which was never built.

I want to see this Assembly focus on the real issues of concern to Canberrans. This Assembly should be discussing how to manage our hospitals better, how to deter people from committing crime, how to get better results in our schools, how to keep our taxes low, how to support employment in the ACT, the territory's infrastructure needs, and the safety and security of our citizens. Unfortunately, this Assembly gets sidetracked with issues of little significance and forgets about the people we are here to represent. The taxpayers of Canberra deserve better than this.

I come to this place with a commitment to seek to change the priorities of this Assembly and return the focus of government back to core business. In the late 1980s, advocates of self-government for the territory lobbied hard to give Canberrans autonomy to run their own affairs through a parliamentary process with its own jurisdiction. They fought for transparency and accountability through a public chamber, committees and, most importantly, elections. This Assembly should be a trophy for that vision. Instead, what this Assembly has done is slowly erode the influence of voters by removing decisions from this place and entrusting them to the hands of bureaucrats, magistrates, judges, commissioners, executive directors, advocates, presidents and territory-owned corporations. What the Assembly has done, to a large extent, is to outsource the very rights the Assembly was meant to protect, to unelected, less accountable or even unaccountable bodies. I am not saying that I am against such legal arrangements; I am simply against having too many of them.

As a consequence of this outsourcing of responsibility, successive Assemblies have moved away from the core business of running the territory and have pottered around with insignificant projects while important business is left unattended.

It is with great regret that I believe that many Canberrans have lost confidence in this Assembly and say that we should just be a council or that we should go back under

the control of a federal department. But when people say this, it drives a stake through the heart of democracy, as, at first glance, it seems that democracy has failed them when, in actual fact, the Assembly has failed democracy by discharging the duties entrusted to the Assembly to unelected bodies.

I have done my best to articulate a vision that was not only my agenda for my campaign but also an agenda that is relevant to Canberra's future.

There are many people that I would like to thank who helped me to get to this point in my life. I would like to thank the leader's office, including Zed Seselja, Ian Hagan, Steve Doyle and Tio Faulkner. I would like to thank the following friends that supported me during the campaign: Christine Bollen, Peter Brooks, Don and Fran James, Melissa Jennings, Chris Keane, George Lemon, Sally McDonald, Brian Medway, Steph Smythe and Ron and Carol Tanner.

To the group of Liberals that worked ridiculously long hours for the best part of a month, I am very grateful. They are: Ella Bauman, Candice Burch, Lauren Callahan, Sam Jackson-Hope, Michael Keating, Jimmy Kiploks, Duncan McDonald, George Ober and Henry Pike. Thank you to my uncle, John Salisbury, who was essentially full time on my campaign.

I would also like to thank the following friends for their contribution: David, Gail and James Dumbrell, Jessica Mack, Dave Steel and Jonathan Wegner. I am grateful to my past employers and good friends Trish Grice, Athol Yates and Derek Robson. All three gave me a tremendous amount of support and latitude at work, and I am very grateful for the roles they played over the past five or so years.

I am very grateful to the following long-time friends and supporters: Jason and Kat Briant, for their friendship and commitment; Daniel and Melissa Clode, for their ongoing support and belief in me; John Cziesla, for his guidance throughout my time as a party member; Jeffrey Davidson, for his insight and perspective; Gary Kent, for his advice and dedication to the Liberal cause; Sandy Tanner, for his dedication, loyalty and trust; and Gerry Wheeler, for his confidence in me over a number of years. I am very thankful to Kath Stevenson for her patience, dedication, care and the important role she plays in my life.

Finally, I would like to thank my very supportive family, who have helped me in every aspect of my life. To my parents, Bruce and Barbara, brothers Philip and James, grandmother, Jean Salisbury, and deceased grandparents Alan Salisbury and Stephen and Thelma Coe.

There are many other people that are too many in number to thank individually here. I am blessed with a wonderful group of friends that have given me so much support over a long period of time. I look forward to serving the people of Ginninderra in this Assembly and contributing to the debate about the future of the territory.

MR SPEAKER: Before I call on Mr Doszpot, I would like to recognise the presence in the gallery of two former members of the Legislative Assembly, Mr Greg Cornwell and Mr Bill Stefaniak. On behalf of all members, can I welcome you back to the Assembly.

MR DOSZPOT (Brindabella), by leave: I thank the Assembly for the opportunity to speak today, and I congratulate you, Mr Speaker, on your election as Speaker of the Seventh ACT Legislative Assembly. I also congratulate our other six newly elected MLA colleagues who join us in this Assembly. I look forward to working with all of you over the next four years—and, of course, with other colleagues in the government, and in our opposition ranks who have also been re-elected.

With eight new faces in the Assembly, the first few weeks of going through Assembly “kindergarten” sessions together and learning about our new roles have given us an interesting opportunity to get to know each other prior to the eventual cut and thrust of everyday Assembly business life. This opportunity to become better acquainted at the start of our new political careers could lay the foundations for some new directions and perhaps improved cooperation. However, I dare say that this has probably been the idealistic vision of all of our predecessors in the previous six Assemblies before the political realities, pragmatism and cynicism kick in.

I would like your indulgence, Mr Speaker, to give you a brief background on my formative years and to pay dedication to the vision and courage of my parents, Stephen and Anna Doszpot, and their long and selfless journey from Hungary that eventually brought me to Canberra and now here today.

In 1956, the population of Australia was 9.5 million. The national focus was on the introduction of television in September and the staging of the Olympic Games in Melbourne in November. Robert Gordon Menzies was the Prime Minister and Johnny O’Keeffe was emerging as the “wild one” of Australian rock ’n roll.

In 1956 in Hungary, the country of my birth, economic collapse and low standards of living caused by the reorganisation of the economy under the Soviet model provoked working class discontent, which gradually spread to the agricultural industry, the intelligentsia and university students. There was also growing opposition to the military occupation of Hungary by the Soviet Union.

On 23 October 1956, Hungarian students protested against the Soviet occupation of Hungary, which led to a spontaneous popular armed revolt that lasted until 4 November 1956. The revolution, led by former Prime Minister Imre Nagy, deposed the incumbent Soviet-backed government, disbanded the unpopular state police, and forced the withdrawal of the Soviet military presence, giving Hungarians a few precious days of freedom, a “Budapest Camelot”, before being subsequently crushed by the ruthless Soviet military machine, with a great loss of life.

Against this background, Mr Speaker, my family made plans to escape. My father had already been imprisoned for two years by the communists in 1948 for being a Catholic youth worker, and he was now targeted again. We became refugees from religious and political persecution in Hungary, and on 17 January 1957, Stephen and Anna Doszpot and their three children escaped from Hungary’s communist regime, fleeing to Yugoslavia.

Our escape was a great adventure for me as a child of eight, but a traumatic and a hazardous experience for my parents with three young children under eight years of

age to protect. To me, the hardships of life in various refugee camps that we were shunted between during our eight long months in Yugoslavia were not evident. Instead, it was a great adventure, and episodes are still fresh in my mind as being a happy time. This is a great compliment to our parents for their ability to shield us from the deprivation and dangers of the refugee experience of which they bore the full brunt then and for the rest of their lives.

Our family was very fortunate to eventually be granted asylum in Australia, and we arrived in Sydney on 17 September 1957. We settled in Sydney, and I grew up in Leichhardt, with my childhood full of happy memories. My father became a passionate St George Budapest soccer fan and, as with thousands of other immigrants and refugees, soccer played a significant role in our assimilation into our new homeland. After completing my school years at Christian Brothers High School in Lewisham, I started work, which eventually led me to a career in sales and marketing. In 1974 I was posted to Canberra, and it was only then that the full impact of my parents' journey and sacrifice became clear to me.

My wife, Maureen, and I had jobs to go to. We only had to travel 300 kilometres to start our new life in Canberra. We had a house and savings and, at that time, no children. Contrast this with my parents who had nothing—just the clothes on their backs. They simply walked out of Hungary in very dangerous circumstances with their three young children and set their sights on a destination 14,000 kilometres away—to a country they knew nothing about, except that it was free and far from the terrors of communism.

Mr Speaker, in paying tribute to my parents' journey, sacrifice and bravery that eventually gave their five children opportunities beyond their wildest imaginings, I would also like to recognise the many immigrants and refugees from the multitude of backgrounds with similar stories of courage and initiative, whose contributions to their homeland have affected quite considerably the social, cultural, scientific, artistic, business and sporting life of our present day Australia, including our own Canberra community. I hope that my own journey will give some encouragement to others to continue to contribute to this society of which their parents dared to dream.

Maureen and I came to Canberra in 1974, and we quickly fell in love with our new city in a big way. It became evident to both of us that Canberra was an ideal place to raise our family. I do believe in strong family values, and have been married to my wife, Maureen, for over 30 years. We were married on FA Cup night, so I can never forget the anniversary date, the year of the famous Arsenal-Liverpool encounter. My wife is a primary school principal, and our daughter, Amy, has followed in Maureen's footsteps as a primary schoolteacher, while our son, Adam, is an accountant and IT security specialist.

Over the last 25 years in Canberra, I have led a number of major multinational ICT companies, established my own international marketing consultancy and have had extensive involvement in the print and electronic media as well as being involved in our multicultural community. I have pursued my passion for sport through my role as a player, coach, administrator, commentator and, finally, President of Soccer Canberra.

The Olympic Games have also played a significant part in my life, starting with the 1956 Olympics in Melbourne, which has been linked with the heroic freedom fight by those young revolutionaries in Hungary and which was the catalyst for my family's refugee journey from Budapest to Sydney.

That Olympic connection continued for me in Canberra in 1998, when I was appointed the ACT SOCOG event director to run the Olympic football tournament in our capital city. It also became my personal Olympic highlight when I was chosen as an Olympic torchbearer in September 2000. The circle of Olympic connection was completed in 2001, when I was elected the President of the ACT Olympic Council and I became a strong advocate of the Pierre de Coubertin awards and their involvement with the ACT high schools and colleges. Baron Pierre de Coubertin said:

The most important thing in the Olympic Games is not to win but to take part, just as the most important thing in life is not the triumph but the struggle. The essential thing is not to have conquered but to have fought well.

In these troubled times, de Coubertin's words are particularly moving and relevant. His objective was not the transitory glory of a few medals and broken records by a highly trained sporting elite but the development of strong and healthy young men and women, brought up on the highest principles of sport and fair play.

As an educational theorist, de Coubertin was convinced of the importance of sport for the development of the individual. He believed that the qualities of initiative, teamwork, sportsmanship and fair play should be encouraged in all young people who participated in sport and competitive games.

I would like to pose a challenge to all of us here today. The challenge is: dare to be different! In today's society, where values are at times hard to define, let us take a leaf out of the Olympic ideals. Maintain our involvement and energy within our community, embrace the enthusiasm and principles of fair play, be a credit to our family, society and country, and become positive role models for those around us.

The people I have most admired in everyday life and in politics are those who dare to be different, who dare to challenge established views, who realise that ideology alone is not the answer and who demonstrate, by example, that being true to yourself and to your values is the starting point and that substance and integrity do and should matter in politics as they do in life.

My own political journey began in 1983, as I completed a major in political science at the ANU. Former Prime Minister Gough Whitlam was a visiting adjunct professor, and my fellow mature age students and I were fortunate to have insights from one of the major participants in the 1975 constitutional crisis. Gough shared the history of that period with us or, perhaps more accurately, he shared his vision of history over that period. Nevertheless, it was a privilege, and perhaps it was only coincidental that during this period that I became a strong advocate of the principles of Robert Gordon Menzies and the Liberal Party.

Mr Speaker, my presence in this place today is the result of an interesting mix of circumstances and influences. Being the child of Hungarian refugees also imposes on me responsibilities not only to those with a direct connection to my own background but to the wider multicultural community. As our troubled times bring more and more demands on our community to accept displaced peoples from ever different backgrounds, I am aware of my responsibility to ensure that we offer compassion and refuge to those in need, and also to assist them with their responsibilities to their new homeland. All my recently gained shadow portfolio responsibilities—education and training, disability, multicultural affairs, and sport and recreation—have all been areas of passionate interest to me, and I look forward to the opportunity to continue my interaction with the Canberra community in all of these areas.

After two unsuccessful attempts in 2001 and 2004, I now come to this place in 2008 a little bit later in life than I intended to, and a lot later in life than most of my current colleagues in this Assembly. However, I come with experience, ideas, passion and energy from a varied and exciting career in the commercial sector that includes management, international marketing, the ICT industry, and research and development, including most recently with the CSIRO.

Over the past few months, we have all been observers of the dramatic global shift in the economic landscape. The way in which we approach the current problems and business opportunities has changed, and will continue to be impacted by the current global economic situation well into the future. What are the ramifications of the changing global financial business environment for Canberra? What might that mean for our local business and community?

This is a time for bipartisan cooperation and support at the federal and local levels. How governments and oppositions work together nationally and here in Canberra and the way we address the critical issues will be of paramount importance to businesses and to our workforce. The wellbeing of our citizens and the protection of our economy, including job security, will be the yardstick for our community to measure the effectiveness of our governance of this city state of ours.

Mr Speaker, these are changing and uncertain times, and our efforts and abilities to work together in our local Assembly with the federal government and state governments to address the issues and seek solutions are critical. Much more will be required of all of us than ever before. I dare say that this will be viewed as far more relevant and critical in the present environment than any personal ambitions and needless political point scoring.

It is essential that we all work together towards ensuring that our children and grandchildren are provided with world competitive learning and education; that our citizens live in a healthy and safe territory where illness is treated promptly and at a high standard of quality; that our environment is maintained and conserved for our benefit and the benefit of future generations; that the needs of those who suffer disadvantage or adversity are addressed with care and compassion; that our city's infrastructure and services meet the economic, social and environmental aspirations of our society; that our city has a strong economic future by creating an environment in

which businesses across all sectors can thrive and operate fairly; and that we work cooperatively with other governments on those matters which are transboundary in nature.

I am also very conscious of my own responsibilities to represent my constituents as I carry the message that I have heard over and over again during our lengthy election campaign from my electorate of Brindabella. It is a message that has been constant, simple and direct: please ensure that the government addresses and prioritises the urgent needs of our community, especially in health and education.

Mr Speaker, like all of us who have taken up the challenge of public office, I am committed to making a positive contribution and, hopefully, a significant difference to the lives of my constituents in Brindabella and to the people of Canberra. I look forward to interacting with all members of this Assembly as we work towards discharging our responsibilities with due care and diligence over the next four years.

My motto in life has been “respect for the past and a vision for the future”. I have already spoken about the vision for the future. In this, the 20th year of the Assembly, as we prepare to celebrate the foundation of self-government and of this Assembly, I believe it would be appropriate to pay respect and to remember some of the past contributors.

On 3 June this year Trevor Kaine, one of the pioneers of ACT self-government, died after a lengthy illness. Along with many other Canberrans, I attended his state funeral and we paid tribute to a remarkable man. Trevor was the first leader of the parliamentary Liberal Party and Leader of the Opposition following the inaugural Assembly elections in March 1989. He will be best remembered as the ACT’s second and the Liberal Party’s first Chief Minister, serving from 5 December 1989 to 6 June 1991. Trevor went on to serve as opposition leader from 1991 to 1993 and as minister in a range of portfolios in the Carnell government. He served in the Assembly until 2001.

Canberrans will remember that Trevor was a member of the advisory ACT assembly that existed prior to self-government, having being elected to this body in 1974 and again in 1982. As the ACT celebrates the 20th anniversary of self-government, I would urge that this commemoration include recognition of the key role played by the late Trevor Kaine in the territory’s fledgling democracy.

I would like to thank my family, my friends and my local community for the support and encouragement they have given to me over the long seven-year journey to reach the ACT Legislative Assembly. The bitter fruits of unsuccessful previous campaigns seem very hard to remember now. Perhaps because of those experiences, the current success seems all that much more worth while.

To my wife, Maureen, and my children, Adam and Amy, and their families, Annette, Isabella, Kasia and Noah, I would like to say that I could not have embarked on this journey without all of you. Words cannot adequately express my gratitude for your patience, love, support and understanding. To my family in Sydney, my mother who always believed in the eventual successful outcome, and my brothers, sisters, nieces and nephews, your support and encouragement were invaluable.

To my old friends and new friends in Canberra and in Sydney, who grew in great numbers with each campaign, I have to say the same. Your support, energy, encouragement and your trust in me are things I will never forget. Nor can I adequately thank you. Hopefully, with your continued support, I can repay some of the energy and faith that has gone into these seven years by making a difference to our Canberra community.

I cannot name all of you, but I would be remiss not to name three individuals. Firstly the late Heinz Assel, one of the bravest and most generous of men I have known. Heinz passed away last year after a lengthy fight against a terminal illness. It was Heinz who encouraged me, despite his personal pain, and campaigned strongly through 2001 and 2004 before his illness took him from us. His example, friendship and courage made my darkest hours quite insignificant. The success of 2008 is dedicated to him and to my parents.

Two other friends, Albert Orszaczky and Poul Bergild, have also been with me for the whole of the seven-year campaign; so my sincere thanks go to three very proud Aussie friends of German, Hungarian and Danish backgrounds for their incredible long-term commitment and support to this son of refugees.

Like many other newcomers to this proud land, my parents found peace, freedom, and opportunities while their direct contribution in return was their energy, work ethic, values and traditions. As a child, my parents always impressed on me their gratitude for the opportunities that their new homeland and our democratic system provided to them and their five children.

As the eldest of those five children, I now stand here fully aware of the privilege that my election to our ACT Legislative Assembly represents as well as the responsibility that is on my shoulders to try and repay to Canberra and Australia the generosity shown to the family of refugees 50 years ago.

I am proud to be finally one of the team of Liberals who will work with Zed Seselja over the next four years to represent our constituents and the Canberra community, and I hope that I have also answered the question that many people have been asking me about why I was so persistent and determined to seek election to our ACT Legislative Assembly. Thank you.

MR HANSON (Molonglo), by leave: First and foremost, I express my gratitude to the people of Molonglo for allowing me the privilege of representing them for the next four years. I congratulate my fellow members on their election to the Assembly, in particular, the seven who join me here for the first time. With minority government we have an opportunity to work together in the Assembly to achieve great outcomes for the people of Canberra and I look forward to working with each of you towards that end.

I come to the Assembly from the Army, which I left in August this year after a career spanning almost 23 years. It will not be a surprise, therefore, if I say that the Army has had a profound effect on who I am. Although my military service has on occasion

taken me away from loved ones and put me in situations of danger and discomfort, I have benefited enormously from the experience and feel privileged to have served with so many great Australians.

I will bring some of the benefits of my military experience to the Assembly and I intend to approach my job with the same work ethic, planning ability, leadership, management and organisational skills that are characteristic of an Army officer. I intend also to carry with me the sense of duty, moral courage, teamwork and integrity that have been instilled in me throughout my service.

Across Canberra there are many serving ADF personnel, ably supported by their public service colleagues, and I salute them for the contribution that they make in ensuring our safety and in providing security and stability across our region and across the globe.

My life until quite recently has been somewhat nomadic. I grew up overseas and, since moving to Australia in 1983, have not stayed long in any one place. I have served throughout the world and been posted to many locations in Australia. I chose to settle in Canberra because, of all the wonderful places in our nation, it is without doubt the best city in which to raise a family.

There is no doubt that Canberra is underrated, but I am sure that those of us who live here and appreciate what it offers would agree that it is something special. Canberra finds the path between country town and city that provides the best of both worlds. It is a spectacular national capital, hosting such icons as Parliament House, the War Memorial and Lake Burley Griffin, and increasingly it is a city with confidence that has a vibrant cultural life. Our suburbs also have a sense of community not present in most cities, and we are not as proud of them as we should be.

A city is its people, though, and I have been lucky enough to meet thousands of Canberrans over the last several months during the election campaign. I liked what I saw and, with only rare exceptions, I found my fellow Canberrans to be industrious, good humoured, polite and compassionate. We are a remarkably friendly and civil society.

Not all of us are doing it easy, however, and I make special mention of those I found who are doing it tough; in particular, the elderly and the disabled and those who care for them. They need as much support as we can offer and I will be making it my goal over this term in the Assembly to do all I can to improve their quality of life.

I will also make it my goal to help improve the quality of life of Indigenous people in the ACT. As shadow minister for Indigenous affairs, I look forward to learning more about the history and culture of the Ngunnawal and Ngambri people and to ensuring that all Aboriginal and Torres Strait Islanders living in the ACT are well represented here in the Assembly.

Government does not act alone in helping the disadvantaged, and I pay tribute to the many volunteers in Canberra who contribute so much to our city. The clubs, associations and individuals who give of themselves in the interests of others deserve

our recognition and support, and I thank them for what they do. I make special mention of the RSL, Rotary, Legacy, and the National Brain Injury Foundation, with whom I have had some association lately.

I come to the Assembly as a member of the Liberal Party and consider myself a liberal by the definition of the word. I follow the ideal of Sir Robert Menzies, who said, "We took the name 'Liberal' because we were determined to be a progressive party, willing to make experiments, in no sense reactionary but believing in the individual, his rights and his enterprise, and rejecting the socialist panacea."

I am enthused by the rejuvenation that has occurred in the Liberal Party at this election and I am very proud to be a member of a party that is well led, is united and is focused on the task of opposition. We will keep the government honest and accountable and we will provide the people of Canberra with a very credible alternative government.

Although Canberra has so much to offer, the Stanhope-Gallagher Labor government has a record of neglect and mismanagement that has left many in the community wishing that they could retreat to what they consider were Canberra's better days. I am confident, however, that better days are before us and that, despite the toils and troubles that any city confronts, our future will be bright and full of opportunity. Our responsibility here is to identify those opportunities and to deliver better outcomes for the people of Canberra.

My vision for our future is a vibrant, progressive and sustainable city where our health care, our schools, our roads, our public transport and our economy are, once again, the envy of the rest of Australia. When I compare our future with that faced by many of the people I have worked with in such places as Papua New Guinea, East Timor and Iraq there is no doubt that we sometimes do not appreciate how good we have it.

In many of the places I have served with the Army, freedoms were only recently won and at great cost in both wealth and in human lives. In part, as a result of this experience, I treasure the individual freedoms that we have, and I have a moderate's view of the world. I reject zealots and extremists at both ends of the political spectrum.

I have great respect for all religious faiths and I believe in a secular society where men and women of all races and religion and those without religious beliefs are treated equally. I believe that a person's morality is measured by their actions rather than by their creed.

I support individual freedoms over collectivism and I believe in choice. I believe in an individual's right to choose the school that best meets the needs of his child or her child. I believe in an individual's right to negotiate with his employer as part of a union or as an individual.

I support a woman's right to choose, and I am encouraged to serve an Assembly where nearly 50 per cent of its members are women. I believe in advancing the rights of gay and lesbian people.

Although I embrace these freedoms, they are only possible in a society that has strong laws that are upheld and enforced fairly and with conviction. Individuals have a responsibility to adhere to our laws, and I will be working to ensure that the police have the powers and the resources to enforce those laws properly.

As we each have a responsibility to adhere to society's laws, I believe we each have a responsibility to contribute to the society in which we live. We must look after the disadvantaged in our society by providing them with genuine opportunities to succeed, and equally we must avoid any handouts that serve only to satisfy our sense of charity in the short term but ultimately act as a disincentive for advancement. We must foster a sense of aspiration across our society rather than a sense of entitlement.

Much of this sense of purpose in life is formulated at a young age and there is no more important institution than the family. I believe we should support and encourage our families as much as we can but in doing so acknowledge that each family is unique. Mum, dad and the kids is not the only model that works, and those single parents and other family members looking after our young and most vulnerable are equally deserving.

Many of the social problems we face in the ACT, including homelessness, poverty, domestic violence and crime, stem from the three ills of problem gambling, alcohol abuse and illegal drugs. They are complex issues that we need to confront openly and aggressively on a range of fronts, including high-quality education, appropriate laws and compassionate medical and counselling services. To that end, problem gambling is a particular issue that the Labor Party must confront before they can convince me that they speak with moral authority on issues of social justice.

Although I have laid out for the Assembly some of what is important to me, the people of Canberra are less interested in ideological debates occurring in this place than they are in our focusing on the issues that are fundamental to the good governance of the ACT. I refer in particular to the management of health, education, housing, development and the economy.

Turning firstly to health, it is clear that with a growing and ageing population the provision of good health care is the greatest area of risk faced by the ACT. Despite the vast amounts of money we are currently spending, our system is under immense pressure and is failing us in some strategic areas. We must do what we can now to provide better health care but, importantly, we must think long term and be prepared for the increased demands on our system that are predicted.

I look forward to contributing to the health care debate as the shadow minister and intend to present a case for a greater focus on preventative health and primary care in our communities that would in turn reduce pressure on our overstretched hospitals.

Although provision of health care is a large and complex issue, an area where we can all help in an important way is to become organ donors. I encourage us all to do so and to look at how we can make it simpler for the rest of the community to become donors. I thank all of our dedicated health care workers here in the ACT and pay tribute to the wonderful job that they do.

Education is an area close to my heart, with one child at school here in the ACT and another due to enter the system in a couple of years. I am a great believer in both public and private education. Although the territory government's financial priority is appropriately directed towards our public schools, I acknowledge the sacrifice that many parents make providing private education for their children and recognise that without their contribution our tax burden would be much greater. Teaching is an undervalued profession in Australia and I offer my personal thanks and praise to all of our hardworking teachers here in the ACT.

Housing consumes the bulk of most weekly budgets, and home ownership is an aspiration that remains beyond too many Canberrans, particularly the young. We need to reduce the levels of stamp duty paid by first home owners and increase the amount of land released, amongst other measures, to ensure that home ownership is a realistic aspiration for us all.

I also am concerned by the disgraceful state of repair of many of the public housing complexes in the ACT, in particular those closest to the city centre. There is a case for renewal of the estate, and this is where we need to look most urgently.

We need to look at new options for the development in our city centre and town centres and not be afraid of high rise. High rise can be both more affordable and reduce the environmental impact of development. I am pro growth and I believe we should provide opportunities for Canberra to become a more sustainable, progressive and vibrant city. Part of this means enhancing our water infrastructure to ensure that we have adequate supply in the future and we are proofed against drought.

Of course, much of what I have discussed in the areas of health, education, housing and infrastructure is only achievable with a strong economy. In these uncertain economic times, good management of our economy is paramount, and I believe that over the course of the last few decades Liberal governments at the federal, state and territory levels have proven themselves more capable in this regard.

We need to strengthen and diversify our economy, and in my view we should become the smart centre of Australia. We should be the first choice for industries focused on education, the environment and technology.

We must be more business friendly as a city and review how our regulation and taxation frameworks could better support existing businesses and act as an incentive for new businesses to come to the ACT.

A way we could improve the business environment is to reduce duplication. There is too much duplication in process and bureaucracy across the various levels of government in Australia, between the ACT and our neighbours in New South Wales and within the ACT. The simplification of the mass of regulations governing any number of transactions affecting business and personal lives would make us more efficient and enable us to deliver more effective services.

Mr Speaker, my key objectives for the next four years are threefold. First and foremost, I will represent the people of Molonglo to the best of my ability. Second, I

will at every opportunity hold the government to account. Third, I will be working with my fellow members of the opposition to provide quality policies that offer the people of Canberra an alternative government they can have confidence in.

In conclusion, I would like again to thank the people of Molonglo for entrusting me with the opportunity to serve as their representative. I also thank the Liberal Party members who selected me to represent our great party and those volunteers and staff who have worked so hard on the campaign. I congratulate Winnifred Rosser on the outstanding job she does as party president in the ACT, and I express my gratitude to those who stood as candidates and were unsuccessful. I especially congratulate Zed Seselja and Brendan Smyth on the great job that they are doing as the Liberal leadership team.

I would like to thank all of my friends and supporters who have contributed so much of their time and resources to my campaign. They include Greg and Margaret Cornwell, Dianne Anderson, Yvonne Symington, June O'Donnell, Virginia and Paul Berger, Natalie and Matt Colbert, Jo Giugni, Brent Hannah, Rochelle Hill, Amy Keenan-Dunn, Angela Michelson, John Sykes, Verity Hughes, Lance Reese, Karen Rush, Pam and John McAllister and David Toohey. It is great to see so many of them in the Assembly here today.

I would like to thank my family, who have been my closest supporters: my father Brian and my sons, Will and Robbie, and especially my mother, Wendy, who worked so hard through the campaign.

Finally, to my wife, Fleur: I love you very much. Thank you for supporting me in all that I do and for the sacrifices you have made over the years to allow me to follow this path. Thank you for your friendship and thank you for your love.

Committees—standing Establishment

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (11.25): Congratulations, Madam Deputy Speaker, on your appointment to your role. I seek leave to move a motion to establish the general purpose standing committees of the Seventh Assembly.

Leave granted.

MR CORBELL: I move:

That:

- (1) The following general purpose standing committees be established and each committee to inquire into and report on matters referred to it by the Assembly or matters that are considered by the committee to be of concern to the community:

- (a) a **Standing Committee on Public Accounts** to:
- (i) examine:
 - (A) the accounts of the receipts and expenditure of the Australian Capital Territory and its authorities; and
 - (B) all reports of the Auditor-General which have been presented to the Assembly;
 - (ii) report to the Assembly any items or matters in those accounts, statements and reports, or any circumstances connected with them, to which the Committee is of the opinion that the attention of the Assembly should be directed;
 - (iii) inquire into any question in connection with the public accounts which is referred to it by the Assembly and to report to the Assembly on that question; and
 - (iv) examine matters relating to economic and business development, small business, tourism, market and regulatory reform, public sector management, taxation and revenue;
- (b) a **Standing Committee on Education, Training and Youth Affairs** to examine matters related to early childhood education and care, primary, secondary, post secondary and tertiary education, non-government education, youth services, technology, arts and culture;
- (c) a **Standing Committee on Health, Community and Social Services** to examine matters related to hospitals, community, public and mental health, health promotion and disease prevention, disability matters, drug and substance misuse, targeted health programs and community services, including services for older persons and women, families, housing, poverty, and multicultural and indigenous affairs;
- (d) a **Standing Committee on Justice and Community Safety** to perform the duties of a scrutiny of bills and subordinate legislation committee and examine matters related to community and individual rights, consumer rights, courts, police and emergency services, corrections including a prison, governance and industrial relations, administrative law, civil liberties and human rights, censorship, company law, law and order, criminal law, consumer affairs and regulatory services;
- (e) a **Standing Committee on Planning, Territory and Municipal Services** to examine matters related to planning, public works, land management and municipal transport services, sport and recreation and heritage; and
- (f) a **Standing Committee on Climate Change, Environment and Water** to examine matters related to climate change policy and programs, water and energy policy and programs, provision of water and energy services, conservation, environment and ecological sustainability.

- (2) The **Standing Committee on Justice and Community Safety** when performing the duties of a scrutiny of bills and subordinate legislation committee shall:
- (a) consider whether any instrument of a legislative nature made under an Act which is subject to disallowance and or disapproval by the Assembly (including a regulation, rule or by-law):
 - (i) is in accord with the general objects of the Act under which it is made;
 - (ii) unduly trespasses on rights previously established by law;
 - (iii) makes rights, liberties and/or obligations unduly dependent upon non-reviewable decisions; or
 - (iv) contains matter which in the opinion of the Committee should properly be dealt with in an Act of the Legislative Assembly;
 - (b) consider whether any explanatory statement or explanatory memorandum associated with legislation and any regulatory impact statement meets the technical or stylistic standards expected by the Committee;
 - (c) consider whether the clauses of bills introduced into the Assembly:
 - (i) unduly trespass on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make rights, liberties and/or obligations unduly dependent upon non-reviewable decisions;
 - (iv) inappropriately delegate legislative powers; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny;
 - (d) report to the Legislative Assembly about human rights issues raised by bills presented to the Assembly pursuant to section 38 of the Human Rights Act 2004; and
 - (e) report to the Assembly on these or any related matter and if the Assembly is not sitting when the Committee is ready to report on bills and subordinate legislation, the Committee may send its report to the Speaker, or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publication and circulation.
- (3) If the Assembly is not sitting when the Standing Committee on Planning has completed consideration of a report on draft plan variations referred pursuant to section 73 of the Planning and Development Act 2007 or draft plans of management referred pursuant to section 326 of the Planning and Development Act 2007 the Committee may send its report to the Speaker, or,

in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publication and circulation.

- (4) Each committee shall consist of three members, composed as follows:
 - (a) one member nominated by the Government;
 - (b) one member nominated by the Opposition; and
 - (c) one member nominated by the Crossbench.
- (5) In addition, the membership of the Standing Committee on Administration and Procedure, established under standing order 16, be composed of:
 - (a) the Speaker, as Chair;
 - (b) one member nominated by the Government;
 - (c) one member nominated by the Opposition; and
 - (d) one member nominated by the Crossbench.
- (6) Each committee shall have power to consider and make use of the evidence and records of the relevant standing committee appointed during the previous Assembly.
- (7) Each committee be provided with necessary staff, facilities and resources.
- (8) The foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.
- (9) Nominations for membership of these committees be notified in writing to the Speaker within 15 minutes following conclusion of the debate on the matter.

The motion outlines the government's proposals to establish the standing committees of the Legislative Assembly for this the Seventh Assembly. There are six standing committees to be established, along with a scrutiny of bills committee. The motion also deals with the membership and composition of the Standing Committee on Administration and Procedure, which is established under standing order 16.

I will speak briefly to the particular matters that members should have drawn to their attention. The government has sought to establish standing committees first and foremost to be consistent with agreements entered into between the government and the ACT Greens and, second, to provide a workable committee structure that reflects the portfolio responsibilities of respective ministers, noting, of course, the very important and new role which the standing committees will play not only in scrutinising and watch-dogging the work of the executive but also in joining with ministers in discussing policy directions and collaborating on matters of concern to the community, future policy directions and issues that warrant further and broader discussion.

The committees to be established are: the Standing Committee on Public Accounts, and the government reiterates its commitment to ensure that this committee is chaired by a non-government member; the Standing Committee on Education, Training and Youth Affairs; the Standing Committee on Health, Community and Social Services; the Standing Committee on Justice and Community Safety; the Standing Committee on Planning, Territory and Municipal Services; the Standing Committee on Climate Change, Environment and Water, consistent with our commitments to the ACT Greens in this regard; and the Standing Committee on Justice and Community Safety, which will perform the subordinate role of a committee for the scrutiny of bills and subordinate legislation.

It is proposed that for all of the committees there be three members: one member nominated by the government, one by the opposition and one by the crossbench. As I have noted already, the government recognises the importance of the public accounts committee not being chaired by a government member and that remains our commitment. Finally, the membership of the Standing Committee on Administration and Procedure is equally one member of the government, one member of the opposition, one member nominated by crossbench members and of course Mr Speaker as the chair.

These changes I think reflect the importance the government places on a strong and robust committee structure for this Assembly and one that covers the broad range of responsibilities taken on by executive members.

I should note that Mrs Dunne has foreshadowed a range of amendments. In relation to the proposal to establish a standing committee on public works, the government do not support that proposal. We believe the existing mechanism whereby individual standing committees examine public works relevant to their portfolio is an appropriate one, along with, of course, the mechanism for the estimates committee to examine proposed public works when they are put forward as part of an appropriation bill.

As for Mrs Dunne's other foreshadowed amendments, the government will support the insertion of the context of community health for the standing committee on health and will support the inclusion of families in relation to the Standing Committee on—

Mrs Dunne: Health, community and social services.

MR CORBELL: Health, Community and Social Services—thank you, Mrs Dunne. We will also support the changes proposed in relation to how the membership is outlined in the motion. I think the effect is the same; it is just a cleaner wording of the motion. I commend the motion to the Assembly.

MRS DUNNE (Ginninderra) (11.30): We in the opposition generally support the motion moved by the manager of government business in relation to the establishment of general purpose standing committees. I must apologise to the Assembly because my amendments were drawn up yesterday and I notice that the final motion moved by the minister takes into account some changes that I proposed. As a result, I will not be moving amendments Nos 2, 3, 5 and 6 on the list that I circulated. They were simple,

straightforward amendments to make the motion better, and the government has taken those on board.

The opposition is a strong believer that this Assembly, like all other parliaments in the country, should have a standing committee in relation to public works, given some of the failures in capital works that we have seen, especially in the Stanhope years, as a result of the inadequate scrutiny of public works in the ACT.

It is worth noting that, for instance, in the commonwealth parliament the public works committee is the pre-eminent committee and is not formed by a resolution of the chamber nor by the standing orders but by its own act of parliament. It shows how important the expenditure of public moneys is to the national parliament. I think it is the case that every other parliament in the country has a public works committee whose job, sole job, it is to scrutinise the spending on, especially, large-scale public works. We may not have had all of the problems that we had with the Gungahlin Drive extension if we had had proper scrutiny of public works in that area over a long period of time.

The Liberal opposition have for some time held the view that we should have a stand-alone public works committee and, as you will recall, in the previous Assembly we took steps to set this up. It was a policy that we took to the last election—it was a policy that was widely accepted—that we need to have a better handle on the way we manage our infrastructure. The record of the Stanhope government is highly inadequate in this regard and the scrutiny provided through the estimates process is insufficient.

I notice that the proposed Standing Committee on Planning, Territory and Municipal Services has a two-word reference to public works. It will not be high on the priorities of that committee because it is inherently a busy committee. I have been a member of predecessors of this committee. It is a very busy committee and I do not know that it will have the appropriate resources or manpower to deal with the very important issues of how we spend our public moneys.

One of the things that we have never done in the ACT since self-government is scrutinise the expenditure of public moneys by territory-owned corporations. We have been through one phase of large-scale expenditures by large territory-owned corporations, in the form of Actew, and we are about to see even larger expenditures in building of the enlarged Cotter Dam and the Murrumbidgee to Googong transfer. These are matters that should be scrutinised, should be carefully watched, on behalf of the people of ACT, by this Assembly. That is why we feel so passionate about this matter and why I now move amendment No 1 circulated in my name:

Insert new (1)(aa):

“(1)(aa) a **Standing Committee on Public Works** to examine matters related to existing and proposed capital works projects in the public sector, including works undertaken by territory owned corporations, and including the management and environmental impact of such works;”.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and

Emergency Services) (11.36): As I previously indicated, the government will not be supporting that amendment in relation to the establishment of a stand-alone committee on public works. We believe the committee system is going to be working at a very high level of efficiency already and it would be difficult to insert an additional standing committee at this time. I note, however, the view that public works could be included in the terms of reference for the Standing Committee on Planning, Territory and Municipal Services and that public works would be included in that function. The government will support that proposal.

I should also highlight for the clarification of members that there is a typographical error in the motion that I have circulated. The reference to scrutiny of sport and recreation matters appears twice, once for the Standing Committee on Education, Training and Youth Affairs and again in the terms of reference for the Standing Committee on Planning, Territory and Municipal Services. It should only appear in relation to the Standing Committee on Planning, Territory and Municipal Services, not in relation to the Standing Committee on Education, Training and Youth Affairs. I trust that can be dealt with as a typographical error.

MS BRESNAN (Brindabella) (11.37): The Greens will not be supporting the proposal from the opposition to establish the standing committee on public works. We are instead prepared to support Mrs Dunne's later proposed amendment to the terms of reference to the Standing Committee on Planning, Territory and Municipal Services to give it a specific reference to oversight of the capital works program.

Members are aware that, in our parliamentary agreement with the Labor Party, Labor lent its support to the establishment of a standing committee on climate change, environment and water in the context of the need for us to reshape the way we live on the planet, and in Canberra particularly—to take steps sooner rather than later. So we are confident that there is a need for this Assembly to support a climate change committee to provide some of the drive and scrutiny needed to back up the challenge to government to move towards these changes. It is our view that this will address the environmental impacts.

In the past, capital works had been overseen through the relevant portfolios. I note in this motion that the planning, territory and municipal services portfolio already encompasses public works but I accept that the opposition has taken a more comprehensive approach. Given that we are in a new era, it would seem, of capital work intensive urgent government investment, a more comprehensive approach is appreciated.

The Greens support Mrs Dunne's amendments Nos 2, 3 and 4. The first two seem to ensure the content covered by the committees is comprehensive with community health and family services. The third one I have already spoken to when I discussed our position on the proposed stand-alone public works committee. I would also like to note that we would have preferred to see amendment No 5 include the qualification that the chair of the public accounts committee should be held by a non-government member. We are happy to support amendment No 6.

Question put:

That **Mrs Dunne's** amendment No 1 be agreed to.

The Assembly voted—

Ayes 5

Noes 11

Mr Coe
Mrs Dunne
Mr Hanson
Mr Seselja
Mr Smyth

Mr Barr
Ms Bresnan
Ms Burch
Mr Corbell
Ms Gallagher
Mr Hargreaves

Ms Hunter
Ms Le Couteur
Ms Porter
Mr Rattenbury
Mr Stanhope

Question so resolved in the negative.

MRS DUNNE (Ginninderra) (11.45), by leave: I move amendment No 4 circulated in my name:

Omit (1)(e), substitute:

“(1)(e) a **Standing Committee on Planning, Public Works and Territory and Municipal Services** to examine matters related to planning, land management, proposed capital works projects in the public sector, including works undertaken by territory owned corporations, and municipal transport services and heritage;”.

I gathered from the comments made by members that members may be minded to support this amendment, which raises the status of public works scrutiny in the standing committee where it is established and ensures that members have the remit to undertake scrutiny of capital works undertaken by territory-owned corporations. I think in this present environment with major capital works being undertaken by Actew that this is most important. I commend the amendment to the chamber.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (11.47): The government will be supporting this amendment. We acknowledge that there is a view that public works matters should be dealt with through this committee. We have no objection to that. I think it is worth noting that public works are not unscrutinised under the arrangements that were proposed, insofar as relevant standing committees could deal with public works relating to each of those portfolio areas in their own fashion. However, I think there is some value in capturing the work of territory-owned corporations, particularly given the fairly large-scale capital works activities that a number of territory-owned corporations will be undertaking over the next couple of years, in particular Actew.

I now seek leave to move an amendment to Mrs Dunne's amendment No 4 to insert the words “sport and recreation” after the word “heritage”.

Leave granted.

MR CORBELL: I move the following amendment to Mrs Dunne’s proposed amendment No 4:

After “heritage”, add “sport and recreation”.

Mr Corbell’s amendment to **Mrs Dunne’s** proposed amendment agreed to.

Mrs Dunne’s amendment, as amended, agreed to.

Motion, as amended, agreed to.

Standing orders—adoption of temporary orders

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (11.49), by leave: I move:

That the following temporary orders be adopted for the remainder of this Assembly with effect from the sitting on 10 December 2008:

(1) Standing order 27

Omit “10.30 am”, *substitute* “10 am”

(2) **Standing order 69(d)**

Omit

“(d) Bill be agreed to in principle

Main Appropriation Bill for year

Mover_____not specified

Member next speaking_____not specified

Any other Member_____15 minutes

Other bills

Mover_____20 minutes

Member next speaking_____20 minutes

Any other Member_____15 minutes”

substitute

“(d) Bill be agreed to in principle

Main Appropriation Bill for year

Mover _____ not specified

First opposition member next speaking _____ not specified

First crossbench member next speaking _____ not specified

Any other Member _____ 15 minutes

Other bills

Mover _____ 20 minutes

First government or opposition member next speaking _____ 20 minutes

First crossbench member next speaking _____ 20 minutes

Any other Member _____ 15 minutes”

(3) Standing order 69(i)

Omit

“(i) Debates not otherwise provided for

Mover _____ 15 minutes

Member next speaking _____ 15 minutes

Any other Member _____ 10 minutes”

substitute

“(i) Debates not otherwise provided for

Mover _____ 15 minutes

First government or opposition member next speaking _____ 15 minutes

First crossbench member next speaking _____ 15 minutes

Any other Member _____ 10 minutes”

(4) Standing order 74

Omit “2.30 pm”, substitute “2 pm”

(5) Standing order 79

After “discussion”, first occurring, insert

“on sitting days other than those in which private Members’ business has precedence.”

(6) Standing order 79

Omit “2 hours”, substitute “1½ hours”

(7) Standing order 118 (a)

Omit “confined”, substitute “directly relevant”

(8) Standing order 118

Insert new paragraph

“A Member who believes a response given to a question was in the form of a ministerial statement, may seek the leave of the Speaker to respond to the statement at the conclusion of Question Time for a period not exceeding five minutes.”

(9) Standing order 172

Omit “sitting”, substitute “sitting period”

(10) Proposed new standing order 254A

Request for explanation concerning government response to Committee report

254A. If a government response to a committee report has not been tabled within three months of the presentation of the report, the Chair of the committee may without notice:

- (a) ask the relevant Minister for such an explanation or a statement in relation to the government response to the committee report; and
- (b) the Chair may, at the conclusion of the explanation or statement, move without notice “That the Assembly takes note of the explanation”.

In the event that the Minister does not provide an explanation or statement to the satisfaction of the Chair, that Chair may, without notice, move a motion with regard to the Minister’s failure to provide a government response, or an explanation or a statement.

Today the government is outlining a range of proposals to amend the standing orders of the Assembly to have regard to the range of matters the government has agreed to in its agreement with the ACT Greens. We are pleased to put in place these important reforms to the temporary orders of the standing and temporary orders of the Assembly. They make important changes that, for the first time, reflect the fact that in this Assembly there are two opposition parties in this place. We no longer have the

situation where one non-government party will have the monopoly on scrutiny and on engagement in debate in this place. In particular, the changes proposed to the standing orders reflect the fact that, with the emergence of another major non-government party in this place, it is necessary to amend the standing orders to take that into account.

I would draw members' attention first and foremost to changes in this regard. My proposed amendment No 2, for example, recognises that, in relation to bills being agreed in principle and time limits on debate for those bills, the mover and the member next speaking will each be accorded periods not specified in the standing orders. This will, for the first time, formalise an arrangement that has been in place in this Assembly for some time whereby the Leader of the Opposition or the shadow treasurer and the leader of the crossbench party will each be able to speak in reply to the budget bills for the same period of time as the Treasurer.

In relation to other bills, the proposal is, again, to accord equal status not only to the opposition member responding to a bill proposed by a minister but also to the crossbench member responding. Each is being given equal periods of time. So these are important changes that reflect the fact that, for the first opposition member next speaking and the first crossbench member next speaking, each is entitled to equal periods of time in debate.

There are also changes to the meeting times of the Assembly itself. The government proposes that, instead of the Assembly meeting at 10.30 on a sitting day, it meet at 10 am and, in relation to question time, that that occur at 2 pm rather than the previous arrangement of 2.30.

There are a number of other changes that are worth reflecting on. There is provision, for example, in relation to the notice period that members are required to give for matters of public importance. Previously the requirement was that that be given two hours prior to the commencement of the sitting. The change, which has been discussed across the parties, is to provide for 1½ hours. I think that reflects the ongoing practice of requiring an MPI to be notified to the Speaker's office by 8.30 am on a sitting day. There was previously a proposal to make that 9 am, but I think members have agreed to split the difference and to make it 1½ hours.

There are also important changes to the procedures for question time itself, and these will be the matters that, I think, will be of most interest to many people outside the Assembly. The first change is a change in relation to the rule relating to relevance. Currently, answers to questions must be relevant to the question that has been asked. The change to standing order 118(a) is to make it clear that, rather than the answer being confined to the subject matter of the question that was being asked, it must be directly relevant. This will be an important change and one that will still require significant discretion and judgement on the part of Mr Speaker during question time. Nevertheless, it is one that we believe will help clarify the arrangements for ministers answering questions in this place.

A new paragraph in standing order 118 is also worth drawing to members' attention. This change recognises that, where a member believes that an answer to a question

was, in effect, a ministerial statement on the part of the minister, that member may seek the leave of the Speaker to respond to the statement, at the conclusion of question time, for a period of not longer than five minutes. This change, I think, acts as a disincentive to ministers to give ministerial statements through question time.

There are, of course, mechanisms for providing for ministerial statements, and the government believes that they should be exercised appropriately and where needed. But this change reflects the fact that, where matters are effectively becoming broader debates or discussions, there is the opportunity for other members to participate in that.

I think it would be worth noting the government's view that this is not a provision that should be exercised regularly but clearly it does depend, to a degree, on the answers given by ministers themselves during question time. We look forward to seeing how that proposed change operates in practice.

The other changes, again, accord with the commitments given by the government in its agreement with the ACT Greens. In particular, the proposal in standing order 172 is relevant here. The proposal is to provide for bills introduced by the government not being debated in the same sitting period. This is an important change and one that reflects the importance of scrutiny in this place.

Finally, there is a proposed new standing order 254A that deals with a request for explanation concerning a government response to a committee report. Currently we have provisions in place in the standing orders—for example, a failure by a minister to answer within a set period of time a question taken on notice or put on the notice paper and members are entitled after that set period of time to ask ministers a question as to why their question has not been answered—and the same mechanism is now proposed in relation to government responses to committee reports. The proposal is that if, after three months of the presentation of a committee report there has not been a government response to that committee report, the chair of the committee may ask the relevant minister for an explanation as to why a response has not been forthcoming in that time.

I think these are important accountability measures, measures that the government is embracing. We think that they improve the operations of the Assembly and we want to see the Assembly moving forward in a collaborative fashion—in a fashion which engages with all members effectively and makes good use of the time of the Assembly. I commend the motion to members.

MS LE COUTEUR (Molonglo) (11.58): As Mr Corbell said, these amendments to standing orders have come about because of the ALP and the ACT Greens' parliamentary agreement. The parliamentary agreement sets out in clause 4 a commitment to an agenda for parliamentary reform.

Amendments to the standing orders of the Legislative Assembly form a very important part of the new direction for the Assembly, and the Greens are immensely proud of having caused these changes to the Assembly process and see it as an important part of the continuing evolution of democracy in the territory. I would like to emphasise the fact that this motion is a Greens initiative and represents our ideas

for the improvement of the parliamentary process. The changes reflect the new parliament and we appreciate the support of the other parties.

Parliamentary standing orders articulating the rules of debate have been around since the 1700s and have taken a variety of forms and covered all manner of subject matter. It was not until 1870 that the New South Wales parliament adopted the standing orders as continuing resolutions, a practice continued in all Australian parliaments ever since. The Australian Capital Territory (Self-Government Act) 1988, section 24, provides the basis upon which our standing orders are created. We are fortunate to be part of an institution that has amended the standing orders relatively frequently to reflect the values of the Assembly of the day. House of Lords standing order 15, for example, provides for secret sittings at which only the lords, Clerks and Sergeant-at-Arms may be present. As I said, these amendments reflect the continuing evolution of the Assembly and the move to better processes as we learn from the experiences of the past.

Every public institution needs clear rules on the operation and procedures that govern their activities, and none more so than the Legislative Assembly. The gravity of the functions performed in this place is second to none. We have the capacity to change the direction of society and have profound impacts on every individual that lives in our community. We owe it to all of those we represent to ensure the processes we go through in determining the laws of the territory and the mechanisms available to the Assembly to scrutinise government action are something that the people of the ACT can be proud of and have faith in.

In many ways the ACT is the leading jurisdiction. We have progressive human rights legislation and have taken the lead on a number of social and environmental issues. However, at times, we have remained trapped in politics. Debates and the issues before the Assembly have been used as point scoring and small-mindedness rather than as a tool for good governance and accountability.

Question time has sometimes become almost farcical, with ministers being permitted to push a line on a particular issue rather than answer the question. Assembly *Hansard* has examples of answers to questions that make only a meagre attempt to answer the topic of the question. It is intended that, by amending standing order 118 and requiring that the answer be directly relevant to the question asked, this will no longer be the case and, in formulating questions, members will be able to simply state a question and have it answered without having to wonder about what sort of tangent the minister might take in response to it.

We often hear comments fired across the chamber in disrespect of standing orders. This does nothing to enhance the image of politicians or inspire confidence in the activities of the Assembly. With time, and in conjunction with the other initiatives, hopefully we will see a greater focus on the content of debates rather than political grandstanding.

Further, as part of this and in recognition of the greater role that the crossbench now plays in the Assembly, changes to standing order 69 and the time limits placed on speeches are being amended to ensure that each of the three party views represented in the Assembly gets an equal hearing.

As has been outlined, a central theme of the amendments is to ensure better government accountability and greater legislative scrutiny by the Assembly. The previous Assembly, a majority government, did not do a good job on this front. Consultation and consideration of different views did not feature highly. Amendments to the functions of Assembly committees and the inputs they have on the decision-making process will be an important part of this Assembly. Provision requiring government responses to committee reports is essential, given the new and expanded roles for committees in the Seventh Assembly.

It should also be remembered that this is only the beginning of the reform. There are two important amendments which are not reflected in this motion: a requirement that all government amendments to bills be considered by the scrutiny of bills committee unless the Assembly agrees the amendment is of an urgent, minor or merely technical nature; and, secondly, a mechanism to resolve disputes for orders of papers, through the provision of an independent arbiter to determine whether a claim of executive privilege is legitimate, such as is provided for in the New South Wales upper house. These amendments will be moved in the February sitting, giving us time to ensure we are fully aware of the way they are to be implemented and function in the new Assembly.

I would like to finish on the note that this Assembly is in the very unique position of being not only governed by its rules but also making them. We are the ones, through the Speaker, who must apply the rules as well as adhere to them in our conduct. I very much hope that this Assembly respects and uses the standing orders to the fullest extent possible to achieve the best outcome for people of the ACT.

The Greens support the amendment that I believe is going to be moved by Mrs Dunne. It does make sense that matters of public importance be included on the morning's notice paper and it helps all of us and our staff prepare for the day. It is not onerous and most of us would be submitting MPIs the night before anyway.

MRS DUNNE (Ginninderra) (12.05): I thank Ms Le Couteur for her contribution because it sets in context this motion that is being moved today. We would not be seeing this motion if we were still in the throes of a majority Stanhope Labor government. I thought that the gritted teeth through which the minister said that he embraced these changes was ironic. I think that there is a political treatise to be written on whether you can embrace political change whilst being held in at least a half-nelson.

The opposition supports the changes to the standing orders. I think that, for the most part, they are very welcome. The substantive changes, especially to question time and particularly creating some accountability for ministers in relation to government responses to committee reports, are most welcome indeed. I have not quite had the opportunity to explore whether the new standing order 245A will have effect in relation to committee reports which are outstanding from as far away as 2004 and which have still not been responded to by this government. I look forward to the committee chairs being able to test that in the coming days.

As I said, the Liberal opposition supports these changes. I have a word of caution. We welcome the extra sitting hour every day. I am a little concerned, but not sufficiently concerned at this stage to move an amendment, about the bringing forward of question time to 2 pm. For members who are not used to this place, we do not actually go out and have a two-hour lunch, but most members on a sitting day find it difficult to do all the work that is required of them and grab a sandwich on the run. I think that the cutting back of the lunch break to an hour and a half will make it difficult for members of the Secretariat, for members of the media as well as for members of the Assembly to do the things that are required of them in the lunch break on a sitting day.

I just put a pin in that because I suggest that, while we welcome an extra hour, it might be easier in the long run to add that to the end of the day rather than cut into the lunch break. We will keep a watching brief on that.

Apart from that, the only other reservation that the opposition had was the short time frame for dealing with MPIs that was proposed in the original draft. I spoke to the Clerk about this and he assured me that the blue would go out at the usual time and that a supplementary blue would be issued if a matter of public importance arose on that day. I think, in the spirit of environmental awareness, one blue would suffice and it does allow for better planning of the day for those parties who are not cognisant of what the MPI might be. I think that it allows for better planning of the day.

Generally speaking, I think that this will be an improvement and I look forward to the interpretation of what “directly relevant” will mean and the impact that that will have on question time.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (12.09), in reply: I thank members for their support and I welcome their endorsement of these proposed changes. There will of course be a need to see how they work in practice. As with any changes to the standing and temporary orders, it will be necessary to make a judgement as to whether or not the changes that have been put in place are actually achieving the effect that members were seeking. Obviously if that is not the case, there is the opportunity for members and the Assembly overall to revisit that.

I should draw to member’s attention that the proposed changes are to the temporary orders of the Assembly. These are temporary orders for the duration of this term and they will automatically expire at the end of this term. I think that allows us some flexibility in determining their effectiveness or otherwise and, indeed, for future Assemblies to decide whether or not they should explicitly adopt them, moving forward. I commend the motion.

Question resolved in the affirmative.

Development Application (Block 20 Section 23 Hume) Assessment Facilitation Bill 2008

Mr Stanhope, by leave, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Indigenous Affairs and Minister for the Arts and Heritage) (12.10): I move:

That this bill be agreed to in principle.

This bill allows for the processing of a development application for a data centre on block 20, section 23 Hume by 26 March 2009. As members will recall, in response to the real threat of the proposal not going ahead, the proponent, Technical Real Estate, wrote to me on 11 November 2008 seeking assurances associated with the identification of an alternative site.

I established an interagency taskforce chaired by the Chief Minister's Department to provide advice to the government on the transfer of the project to another site, to provide advice to government on the criteria for project relocation, and to report to government on the issues and matters to be resolved around the timely transfer of the project to the new site.

The task force comprised representatives of ACT Health, the Department of Territory and Municipal Services, the Department of the Environment, Climate Change, Energy and Water, the Land Development Agency and the ACT Planning and Land Authority. The task force examined a number of potential sites and rated them according to size, zoning, proximity to existing services, proximity to residences, the existing land tenure, past site studies, ecological and heritage issues.

On balance, the district of Tuggeranong site was considered most suitable, with the next most suitable site being block 20, section 23, which has the following characteristics: it is zoned industrial compared to broadacre; it is unleased and unoccupied territory land; the LDA has undertaken the appropriate ecological and heritage surveys and site investigations to clear the site for use as industrial land; it was originally offered for sale by the LDA as an englobo industrial estate but was passed in at auction in late August 2008, meaning it could quickly be made available; it is further away from residential development; and it is close to existing services.

The relocation proposal to the new site, regardless of the status of the statutory planning approval process to the Tuggeranong district development application, will require the planning process to begin again. In the circumstances, this would result in unreasonable delays and duplication of effort. The government believes that situation to be unacceptable, sending the wrong message to the business community that the ACT does not support economic growth, and may inadvertently reduce the confidence of the business community for investment in the territory.

To facilitate the processing of the DA for the new site within the same time frame as the existing DA, special purpose legislation is required and should be passed by the Assembly in the December sittings. The task force has prepared such legislation—the

Development Application (Block 20 Section 23 Hume) Assessment Facilitation Bill—which I am tabling today.

The bill recognises that significant planning and environmental studies have already been undertaken in respect of both the proposal and the new site, including consultation on those matters. It also recognises that many of these matters have already been addressed, are generally transferable to the new site or are capable of being addressed by supplementary information required as part of a DA for the new site.

In this context, the key features of the bill I am tabling today include: it provides for the assessment of a DA for the new site, including associated infrastructure and off-site works under the Planning and Development Act in the merit track. It provides for a shorter assessment time of 30 working days, which would include a 15-day working period for notification, including receipt of any public representations. It contains a sunset provision setting out when the legislation will cease to apply, being one year after its commencement. It clarifies that the proposed use of the land is a communications facility and it includes a regulation-making power to enable the date by which DA lodgement is required and to enable development related to the new site to be prescribed.

While the new bill will facilitate the timely processing of the development application on the new site, the proponent is still required to provide a business case demonstrating the financial viability of the proposal.

As I said at the start of this speech, the government is introducing this legislation because it believes it is necessary to ensure that this very significant investment in our economy proceeds. We are determined that this project does proceed and prosper for the benefit of the people of the ACT. I commend the bill to the house.

Debate (on motion by **Mr Seselja**) adjourned to the next sitting.

Committees Membership

MADAM DEPUTY SPEAKER: I have been notified in writing of the following nominations for membership of committees:

Administration and Procedure—Standing Committee

Ms Burch
Ms Bresnan
Mrs Dunne

Climate Change, Environment and Water—Standing Committee

Ms Porter
Ms Hunter
Mr Seselja

Education, Training and Youth Affairs—Standing Committee

Ms Burch
Ms Bresnan
Mr Hanson

Health, Community and Social Services—Standing Committee

Ms Porter
Ms Bresnan
Mr Doszpot

Justice and Community Safety—Standing Committee

Ms Burch
Ms Hunter
Mrs Dunne

Planning, Public Works and Territory and Municipal Services—Standing Committee

Ms Porter
Ms Le Couteur
Mr Coe

Public Accounts—Standing Committee

Ms Burch
Ms Le Couteur
Mr Smyth

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (12.16): I move:

That the Members so nominated be appointed as members of the relevant standing committees.

Question resolved in the affirmative.

Appropriation Bill 2008-2009 (No 2)

Ms Gallagher, by leave, presented the bill, its explanatory statement and a Human Rights Act compatibility statement and supplementary budget papers.

Title read by Clerk.

MS GALLAGHER (Molonglo—Treasurer, Minister for Health, Minister for Community Services and Minister for Women) (12.17): I move:

That this bill be agreed to in principle.

The papers I have tabled provide the detail of all items covered in this bill. The government foreshadowed during the election campaign its promise to deliver a second appropriation to address a number of immediate needs and today we fulfil that promise. This bill delivers on the election commitments which we indicated through

the campaign would be introduced immediately. It is largely one-off and targeted to those in most need.

This bill achieves three main outcomes. First and foremost, the bill provides urgent assistance to the vulnerable in the community who have been severely affected by the deteriorating national and international economy and who are most in need of our help. Secondly, the bill provides, in a responsible and responsive manner, initiatives to stabilise the economy against the trickle-down impacts of the global financial crisis. And, finally, the bill provides for increased accountability and transparency of the Assembly.

Turning to the first objective, the stresses associated with the increased costs of living this year are affecting many individuals and families in the ACT, and will be particularly felt leading into the Christmas period. This bill provides for immediate action to help reduce pressure in these areas. We are providing \$1 million of emergency relief via welfare and community groups to individuals and families to assist in meeting some of the increased costs of living. While we are now seeing fuel prices declining, other necessities like food and utilities continue to increase and this assistance will make a real difference for those Canberrans.

We are providing \$2½ million of emergency relief to acknowledge the significant contribution made by the territory's carers and volunteers. We will ensure that volunteers, carers, foster carers and kinship carers receive assistance in the form of petrol vouchers and bus tickets to alleviate increased transport costs to ensure the continuation of this important community work. And we are providing just over \$2 million via direct grants to school parent groups in acknowledgement of the important roles which they play within the school communities. This will see a one-off grant of \$15,000 per school to be spent on projects to improve each ACT public and non-government school. It also provides a one-off \$1,500 grant to preschool parent associations. The funding will be rolled together into a \$16½ thousand grant in cases where there is only one parent association.

As promised during the election campaign, we are providing \$100,000 to the RSPCA to manage a spike in demand for a number of key services, primarily the provision of animal shelter, an animal welfare inspectorate role and wildlife services. There is no doubt that there is a link between the increasing financial household stress many are facing and the demand for animal welfare services.

I now turn to the second objective. The territory's economy remains robust. We are not, however, immune from the impacts of the global financial crisis and the moderating Australian economy. We are undertaking responsible and responsive initiatives to help stabilise our economy against these global impacts.

The bill provides for the implementation of the first home owner boost scheme. The scheme, introduced in October 2008, provides an additional \$7,000 to first homebuyers purchasing an established home and \$14,000 to first homebuyers entering into a contract to purchase a newly constructed home before 2009. The introduction of the scheme, coupled with our important housing affordability framework, will boost our economy and provide an increase of first homeowners in the territory in the next six to 12 months.

We are also providing \$500,000 over two years in business and industrial support for community organisations. This initiative will review community sector contracts and provide organisational effectiveness and industrial relations advice to non-government organisations. This will assist a structural change in this very important sector of our economy. We are also providing \$500,000 for a domestic tourism marketing campaign, aimed at positively influencing visitation numbers to the national capital. This will provide a much needed boost to our economy and our businesses.

The bill provides funding in support of our elite sporting teams, recreational activities and enhanced cycling infrastructure in the territory. We are providing: an additional \$2½ million boost for the provision of additional and necessary work to enhance cycling infrastructure in the ACT; \$200,000 towards the development of an ACT motorsport strategy for the promotion and growth of motorsport in the ACT; \$80,000 for the expansion of the national league team program, which supports the ACT's elite teams competing in defined national-level sporting competitions; and additional support for the ACT Brumbies.

Our commitment to addressing climate change is reflected in the funding of a number of new initiatives, including: \$10.4 million over four years for the new Department of the Environment, Climate Change, Energy and Water, bringing together the government's response to, and oversight of, environmental, climate change, energy, water and sustainability issues. This includes funding of \$725,000 over four years to implement the renewable energy feed-in tariff by March 2009; \$75,000 towards the Building Council green star rating scheme; an external adviser for the request for proposals process to build and operate a large-scale solar power facility; and \$1.9 million in this year for further works at the Canberra International Arboretum and Gardens.

The bill provides an extra \$5.6 million over two years for regional facilities as a result of our consultation with the community over the use of former school sites. Funding will see expanded community facilities at Cook and Village Creek and a refurbished regional community facility at Holt. All of these will contribute to the vitality of our city and the strength of our economy.

Finally, this bill also addresses key and high priority commitments promised in the government's 2008 election campaign and identified in our parliamentary agreement with the Greens. The bill funds enhanced accountability and transparency of the Assembly. The government acknowledges that the community is seeking greater accountability from its elected representatives. In response to these concerns, the bill provides for increased resources for the Assembly, not only arising from changes to the composition of members but also to the provision of additional capacity to undertake our work and improve overall government accountability and responsiveness.

The bill provides for an increase in appropriation of \$36 million in 2008-09, comprising \$29.8 million for operating initiatives and \$6.2 million for capital initiatives. However, the impact on the territory's net operating balance in 2008-09 is more modest, at around \$16.2 million, as a result of commonwealth offsetting revenue.

The ongoing impact of this bill is more modest, at \$4.3 million in 2009-10, rising to \$4.6 million in 2011-12.

We have a proven track record of managing our resources and meeting our commitments, addressing community needs and investing in priority service areas, while at the same time delivering surpluses. Our economy remains robust, our unemployment levels are the lowest in the country, activity in our construction industry continues to be high, and the effects of lower interest rates and the commonwealth stimulus package are expected to filter through to consumer confidence and household consumption.

We have a strong balance sheet. When other jurisdictions may have cut their infrastructure programs due to their borrowing requirements, our government's ability to continue our program is a testament to our prudent financial management.

This supplementary appropriation delivers on our election commitments. It is responsible and it has been delivered in the knowledge that what lies ahead of us needs careful management as a result of the broader economic circumstances. We have listened, we have taken stock and we have responded in the best way we know how, by giving back to the community. I commend the bill to the Assembly.

Debate (on motion by **Mr Smyth**) adjourned to the next sitting.

Public Accounts—Standing Committee Reference

MR SMYTH (Brindabella) (12.26), by leave: I move:

That:

- (1) the Appropriation Bill 2008-2009 (No. 2) be referred to the Standing Committee on Public Accounts for inquiry and report by Wednesday, 17 December 2008;
- (2) if the Assembly is not sitting when the Committee has completed its report, the Committee may send its report to the Speaker, who is authorised to give directions for its printing, publishing and circulation; and
- (3) resumption of the debate on the question "That this Bill be agreed to in principle" be set down as an order of the day for the next sitting and that this sitting be held on Friday, 19 December 2008.

The purpose of referring this bill to the public accounts committee for urgent inquiry is that part of the large concern about the behaviour of the government in its last term was its lack of accountability, and what we have here is a proposal that seeks to appropriate some \$34 million that the government expects this Assembly to tick off and pass on Thursday.

I think there are three important issues to consider in proposing this referral. There is certainly arrogance, there is certainly scrutiny and there are certainly claims of

urgency. Yesterday, I actually requested a briefing on this bill. I have heard what the government said—that it was urgent—and thought that we might get ahead of the game and, in the spirit of cooperation that appears to be affecting some in this place, I thought that we might be able, through the new Treasurer, to get a briefing so that we might be able to say, “Yes, this can go through quickly,” but unfortunately that was not accorded to me. I am not aware of others in this place who have had briefings before the bill was tabled, but if we are going to do things urgently, and if we really want to make the process of passing bills like this work properly, of course the government—as some ministers did in the last Assembly—can get ahead of the game.

Unfortunately, I was advised this morning that a briefing would be arranged after the bill had been tabled. So, unfortunately, the government, and in particular now the new Treasurer—

Ms Gallagher: You can have one at lunch, Brendan.

MR SMYTH: Sorry?

Ms Gallagher: You can have one at lunch.

MR SMYTH: I can have one at lunchtime. Thank you very much. We could have had one at lunchtime yesterday and we could have avoided this debate.

Ms Gallagher: I don't trust you.

MR SMYTH: The minister says, “We don't trust you.”

Ms Gallagher: No, I don't trust you.

MR SMYTH: Briefings have been given in confidence before, and you know that. The whole point is that this demonstrates the continuing arrogance of the Stanhope government, and it has been passed from the old Treasurer to the new Treasurer. I think that is very disappointing. I would suggest that the Greens take a careful note of the arrogant attitude that we are seeing displayed here this afternoon.

It is also important to consider scrutiny, and the key role of any parliament is to scrutinise spending proposals from the government of the day, particularly in terms of the—

Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour.

Sitting suspended from 12.29 to 2.30 pm.

Questions without notice

Budget—deficit

MR SESELJA: My question is to the Treasurer. In the *Canberra Times* of 5 December 2008 you are quoted as saying “there will be a definite deficit next year”.

This contrasts with the promise made by the Chief Minister during the election campaign that a re-elected Stanhope government would not take the budget into deficit in any year. Treasurer, why has the Stanhope government already broken the promise made by the Chief Minister not to take the budget into deficit?

MS GALLAGHER: I thank the Leader of the Opposition for the question. The election does seem a long time ago. In the context of comments that were made in the election campaign, if you read those comments in their entirety, the Chief Minister's comment is completely correct, as were the claims by the opposition that they too would keep the budget in surplus. I hate to disappoint the opposition but, unless they saw things that no-one else in the world actually saw, they, based on their commitments in the election campaign when they said they would maintain a surplus, would deliver a deficit next year as well.

I hate to say it but the global financial crisis does not exclude the Liberal Party in the ACT when looking at its impact. In fact, when you look at what the Liberals did in the election campaign—not only did they say they were going to deliver bigger surpluses, they were going to deliver I think it was \$35 million worth of savings this financial year—in the context of what we would be seeing now, at a time when government needs to invest in the community, what you would be seeing is a slash and burn approach from the Liberals, which we are actually not seeing.

Mrs Dunne: On a point of order, Mr Speaker. The question that Mr Seselja asked related to the government's approach to the deficit and does not require an exposition on the opposition's approach to the deficit. The question directly relates to the deficit.

Mr Corbell: On the point of order, Mr Speaker: the question related to the alleged commitment to keep the budget in surplus. The minister is quite properly putting context around that by explaining the nature of that commitment made by the Chief Minister and, indeed, how the circumstances would apply equally to the opposition if they were in government.

MR SPEAKER: Ms Gallagher.

MS GALLAGHER: Thank you, Mr Speaker. The comments that were made by the Chief Minister were correct. The comments were: "Our spending, our commitments in the election campaign, would not drive the budget into deficit." Those statements remain true. There is a full transcript of that interview from where those quotes were taken, rather selectively, which clearly shows that.

What has happened since then? I do not know whether the Liberals have been on holiday for six weeks—maybe the leader has been on holiday for six weeks—but let me tell you what has happened. There has been a three per cent cut in interest rates. Each one per cent is a \$15 million hit on our bottom line. Our share investments have taken a hit, just like everybody else's.

Mr Seselja: They did not take a hit then. Nothing happened before the election.

MS GALLAGHER: If you review the financial statements that were released before the election and the ones that we are looking at now, you will see a massive change.

Even in financial policy around the country, there has been a massive change since the election. The comments that the Chief Minister made are true. Our spending, our commitment, would not drive the budget into deficit. Like the rest of the country and like the rest of the OECD, we are looking at very difficult times over the next two years. The Assembly is going to have to work together to look at how we protect our economy, protect budget surpluses into the future, and work our way out of these difficult times.

MR SPEAKER: Mr Seselja.

MR SESELJA: Thank you, Mr Speaker. Treasurer, was this promise not to go into deficit the same as your promise not to close schools prior to the 2004 election?

MS GALLAGHER: I think I have answered that question.

Budget—strategy

MR SMYTH: Mr Speaker, my question is also to the Treasurer. Treasurer, in the *City News* of 4 December 2008, you are quoted as saying:

From my short understanding with Treasury, this seems to be what the whole budget is—it is all estimates and guessing and where things are going to fit to their best understanding at that point in time.

Treasurer, when and on what basis did Treasury tell you that forming a budget is “all estimates and guessing”?

MS GALLAGHER: Mr Smyth has been around here for a long time, and he has been the shadow treasurer for a lot longer than I have been the Treasurer. I think there is an understanding that putting budgets together is based on the best information available at that point in time, and that is why you do things such as the mid-year review, so that you can review the estimates that form part of the budget. In fact, the committee that is formed to review the budget is called the budget estimates committee.

Mr Smyth: So it’s guessing? It could be called a “guessing” budget?

MS GALLAGHER: Look, I don’t stand here and pretend that I have all the answers or all the understanding of the Treasury portfolio. I would be wrong to say that. But what I would say is that when you look at figures, they are the best figures available at the time, and that is the truth, Mr Smyth.

Mr Smyth: But they’re guesses?

MS GALLAGHER: Perhaps I could have been more careful with my language, Mr Smyth; I’ll give you that. But it is true that I don’t stand here with all the answers, and the figures that are put into budgets are estimates at the time, as best as you can foresee into the future, and those estimates change, and we have seen them change a lot, and they are going to change again over the next couple of years.

MR SPEAKER: Mr Smyth, a supplementary?

MR SMYTH: Thank you, Mr Speaker. Treasurer, if budgets are “guessing”, what confidence can we have in any future budgets prepared by you?

MS GALLAGHER: I doubt that you will, being the opposition, but I can honestly tell you I will do my best, I will work hard, and I will take the advice of the Treasury. I probably won't use the word “guessing” again, now that you have drawn it to my attention. I hadn't really noticed it before, and I look forward to working with all my colleagues as we go through the next couple of years. They will be difficult, and I look forward to working with my colleagues, including you, Mr Smyth.

Summernats

MS HUNTER: My question is to the Chief Minister. Will the Chief Minister take some responsibility for addressing antisocial, violent and unacceptable behaviour towards women at Summernats? What specific measures will the government implement to address this unacceptable behaviour?

MR STANHOPE: I thank Ms Hunter for the question. It is a question that has been occupying quite a bit of media space over the last few days, and quite rightly. It is an issue that has occupied the thinking and the minds of the government on a number of occasions, most particularly over this last year. In the course of this year I have met with the Summernats organiser, Mr Chic Henry, and his management team. The Deputy Chief Minister has similarly met with Mr Henry and his management team. In both of those meetings both the Deputy Chief Minister and I raised very directly with Mr Henry, in the context of Summernats, our concerns, individually as ministers and the concerns that the government has, about what quite clearly are some unacceptable aspects of a culture that has developed around Summernats.

Mr Speaker, the government has always been supportive of Summernats. I believe it to be a significant and important event. I believe it is an event that provides enormous joy and entertainment to a very large number of Canberrans and others. It has a significant economic impact on and benefit to the territory. It is something that I personally have always strongly supported, and I continue to do so. But it is not acceptable for women to be confronted in the way that they have been confronted at Summernats and for women to be intimidated and degraded. Both I and the Deputy Chief Minister have raised with Mr Henry the need for him, in his organisation of Summernats, to address issues around a culture that has led to some of the behaviours that we all know exist at Summernats.

Mr Henry has been very open in his discussions with me about his determination to seek to deal with those issues. This is a private, commercial event. It is an event that the government has provided some support to. I have indicated to Mr Henry that the capacity for the government and for me personally to continue to provide the level of support we have, both financially and moral, cannot be maintained if he does not take those steps that are in his power to take to deal with some of the issues.

Mr Henry, to his great credit, has given assurances that he will seek to address these issues in relation to the security that is available and that he will take steps to seek to

deal with some of the individual crowd behaviours that have led to some of the incidents that particularly impact on women and which demean women. To some extent, the government is the owner of the venue. But this is a commercial, private venture. It certainly does have government support and has previously received government financial support, but it is not a government event. Our capacity to ensure that some of the incidents do not re-occur really is not something that I can give personal undertakings on or undertakings on behalf of the government, other than to make the strong and repeated representations that I and the government have made in relation to this matter.

MS HUNTER: Considering your answer, Chief Minister, I wonder what mechanisms you might use to assess the effectiveness of measures to reduce unacceptable behaviour at Summernats.

MR STANHOPE: We assess on a number of bases of course, through observations and reports. Similarly, the minister for police I know has received, and will certainly again receive detailed briefings from ACT Policing in relation to their perspective.

In the context of the conversation or discussion around Summernats, I do recall being briefed, or at least having a conversation with the minister for police in relation to the police perspective on the Summernats which occurred at the start of this year. Despite the incidents that did occur at Summernats in January of this year, the police report in relation to crowd behaviour and behaviour that was against the law and in the context of civil order issues was that Summernats was an event that did not attract their particular attention. Essentially it was safe across the board in a broad sense; Summernats was conducted in a way which the police were not minded to criticise.

I think we need to take all of these things into account when we have a discussion around Summernats and the event. The police report of Summernats in January 2008 was essentially positive. It acknowledged that there were some incidents. There were some very high profile incidents, one of those involving a paid security guard. Certainly there was very high media coverage of incidents which occurred. But in an event which does involve 100,000 people, it would be remarkable if there were not some social order or civil order issues that came to the attention of the police.

Overall, the police were supportive of the way in which Summernats was controlled and the level of security that was provided. It was not an event which particularly attracted their attention this year. To be fair to Chic and to be fair to Summernats and not to demonise this event overly, we need to take some of those reports into account.

Mr Seselja: So leaked memos you do not need to do anything about? It is all right. The job is done.

MR STANHOPE: In the context of this particular event, we will take account of reports by the police, by our own regulatory authorities and by other observations and reports which we have of the event. Of course, I think Mr Henry and Summernats are mindful of the fact that there will be particularly close attention paid to Summernats this year, as there is every year. It is an event that attracts very close media scrutiny, as it should and as it will again this year.

I will just respond to one particular issue which has just been raised, and that was around my lapse. I have apologised quite publicly to Mr Henry for a lapse in my concentration which led me to not provide a confidential Treasury briefing with the security that it deserved. I apologise for that. That was my lapse. It was my carelessness. My lapse led to a significant breach of Mr Henry's privacy and I regret that enormously.

I think it does bear saying, though, and I think it is relevant that the file was left in this building. The file was rifled by journalists from the *Canberra Times* and the ABC. There was no respect for my personal property or the property of the government. The file was rifled. The contents were photocopies and the contents were used by the ABC and by the *Canberra Times*. I apologise and I accept full responsibility for the fact that I did not give that file the security that it deserved and demanded. I was to that extent responsible for the breach of privacy which Mr Henry suffered.

But it has to be recorded that in this building a file with my name on it was rifled by journalists that work in this place. I say this as a warning, perhaps, to new members and everybody in this place. If the ABC or the *Canberra Times* are invited into your office, be aware and be conscious of the fact that there does not seem to be a culture which suggests that it is inappropriate to rifle ministers' files, to photocopy the contents and to take the contents away and use them in the way that the contents of this particular file have been used by the *Canberra Times* and by the ABC.

I am not for one minute suggesting that this was not my fault and that I am not responsible for this breach of confidence. But it needs to be understood that there were other aspects to this particular incident that do bear some reflection. Then there was the remarkable claim in the *Canberra Times* editorial today that I may have deliberately left it there. As if in leaving a file unattended—

MR SPEAKER: Order! Chief Minister, your time has expired.

MR STANHOPE: one expects the *Canberra Times* journalists would take advantage of that file and use it—

MR SPEAKER: Order! Chief Minister!

MR STANHOPE: I must say I never assume—

MR SPEAKER: Order! Chief Minister!

MR STANHOPE: that journalists in this place would work in that way.

Education—government investment

MS BURCH: My question is to the Minister for Education and Training. Would the minister advise the Assembly about how the ACT and commonwealth governments are working together for the benefit of ACT students?

MR BARR: I thank Ms Burch for her question. I congratulate her on her election to this place and, most importantly, for asking her very first question about the most important topic that we can discuss in here, and that is education.

I had the great privilege last Friday of attending the Australian education ministers first biennial forum in Melbourne. The forum included all education ministers and over 350 educational leaders from around Australia and New Zealand. The forum showcased the best practice evidence-based approaches to helping low socioeconomic school communities and improving school workforce development, literacy and numeracy. The biennial forum is set to become a major event on the educational calendar, hosted by a different jurisdiction every two years and bringing Australian educational leaders together to share best practice and innovation.

At this forum all education ministers agreed to the national declaration on educational goals for young Australians, which will henceforth be known as the Melbourne declaration. The key goals of this declaration are that Australian schooling promotes equity and excellence and that all young Australians become successful learners, confident and creative individuals and active and informed citizens.

I am pleased to inform the Assembly that, after a period of 11 long years that saw education used as a political football by the Liberals, a period of new federalism has emerged that through the Melbourne declaration is delivering more than just words.

The Rudd government, as every Labor government does, won the 2007 election largely on the issue of education. Labor has always been the party of education, and I am very pleased to say that, in partnership with jurisdictions such as the ACT, the Rudd government is maintaining that tradition. In contrast to that dark period of 11 years of neglect of public education, the election of the Rudd Labor government has seen the commonwealth joining with the ACT in making massive investments in public education.

For example, and I know those opposite are very pleased to hear about this, we have been working effectively to deliver the digital education revolution, and in just the first round more than 2,800 new computers have been delivered and are operating within 23 ACT schools. We look forward to the further rollout of that program. It was very pleasing to see that the Rudd government did contribute an additional \$800 million to the states and territories to meet the additional costs associated with rolling out this agreement over the next four years.

It is worth noting that the ACT is the best placed of all states and territories to implement this new commonwealth initiative, because we had the foresight back in 2006 to invest \$27 million in a state-of-the-art broadband network for all of our public schools.

It is worth noting that the cooperation moves beyond the digital education revolution. We are working to develop a national curriculum. We are working to develop, and have developed, national testing and national reporting that provide students, parents and carers with the information that they have been asking for. And, recognising that

we live in complex and rapidly changing times, through the Melbourne declaration we have committed ourselves to continue to work together for the benefit of young Australians and the nation as a whole.

A number of goals in the Melbourne declaration align very closely with the key commitments made by ACT Labor during the recent election campaign. We are already committed to working in partnership with the commonwealth on teacher quality to ensure that the best teachers are teaching in ACT classrooms. That is because, as Joel Klein, amongst others, has observed, the magic ingredient in education is teacher effectiveness, teacher quality.

The ACT Labor government has also made significant investments in the important early years of education. Next year we will see four new P-2 early childhood schools opening in the territory, and we have committed ourselves to initiatives that will allow us to close the achievement gap for all students and to invest in the best and brightest through our “gifted and talented” policy.

Under Labor, the ACT education system has developed a very proud reputation of producing students who are amongst the best educated of anywhere in the world, and this is because on this side of the chamber we know that the best investment any government can make is in education, for the future of our city and our nation. That is why this Labor government has invested more in education than any other government in the history of the territory and we will continue over the next four years to work with the commonwealth government to further enhance education in the territory.

Budget—strategy

MRS DUNNE: My question is to the Treasurer. Treasurer, on 11 November 2008, in an interview on ABC Radio 666, you said:

The challenge for me I think is: How are we going to deliver on [our election announcements] and live within our means and present a surplus situation over the economic cycle?

Treasurer, what economic parameters are you using to describe your economic cycle and can you explain when this cycle started and when it will end?

MS GALLAGHER: I am glad to see that when they were on holidays they were all listening to my media comments. It's very flattering—three questions and three quotes from Katy! It's great.

Mrs Dunne: So who was on holidays?

Mr Stanhope: All of you lot.

MS GALLAGHER: Lying back on that banana lounge, listening to Triple 6. I can answer that I don't think there is uniform agreement about what constitutes an economic cycle. In my mind, in my thinking—

Mrs Dunne: It's a guess.

MS GALLAGHER: I can see I'm going to live to regret the word "guess". In my thinking, I am thinking over the next four years. That is the answer I would give.

Mr Seselja: It's an electoral cycle.

MS GALLAGHER: It's actually not an electoral cycle, Mr Seselja. How cynical! It's actually a budget cycle, because you will notice, if you do open the budget papers, that they are presented over a four-year period. The forward estimates are for a four-year period, and that was the context in which I made those comments. And I think it will be a challenge. I am glad to hear my comments read back to me, and I am glad to hear that they were correct, in my head.

Mr Smyth: You didn't want Ted's chart back?

MS GALLAGHER: I've seen Ted's chart, and I think that goes to the original point I made, which was that I don't think there is uniform agreement about what constitutes an economic cycle. I think that will be the challenge ahead. We are facing unprecedented times. We have made some commitments which we stand by. We have always said that we want to deliver surpluses over the economic cycle, and I have to say that over the next two years that will be a challenge, but we are going to work hard at delivering it.

MR SPEAKER: Mrs Dunne?

MRS DUNNE: Thank you, Mr Speaker. Treasurer, how can we hold you to delivering a surplus "over the economic cycle" when you can't predict, or even guess, when a particular cycle will end?

MS GALLAGHER: Well, I answered it.

Mrs Dunne: No, you didn't.

MS GALLAGHER: You pre-empted my answer to your question with your supplementary. I was going to give you an answer which would then flow nicely into the supplementary, but I answered your question. I said it was over a four-year period.

Planning—approval process

MS LE COUTEUR: My question is to the Minister for Planning and relates to ACTPLA's approval process. The minister would be aware that there is a backlog of development applications and the minister would be aware that many applications made under the new planning system are not presented under the correct track—the tracks being code, merit and impact. Could the minister please elaborate on the extent to which this delays the processing of these applications?

MR BARR: I thank the member for her question. Members of the Assembly would be aware that, just prior to the introduction of the new planning system, there was an

unprecedented number of development applications lodged with the ACT Planning and Land Authority. Many developers sought to fast-track their particular development applications to get in under the new system because there are a variety of protections that are in place for the community under the new planning and development system that perhaps, and most particularly in the case of residential development zones, have been seen by the development lobby as hindering their capacity to stack multiple multiunit developments into areas like cul-de-sacs. Through the development of the new planning system, the government was able to crack down a little on what really was inappropriate development in suburban areas. That meant there was a significant bringing forward of development applications.

My advice from the Planning and Land Authority is that all of that backlog has been dealt with through the addition of some extra development staff over the past four or five months. I now am advised that the economic slow down, combined with the new planning system, have seen the number of development applications fall considerably.

There have, however, as Ms Le Couteur has identified, been some issues with development applications being lodged in the wrong assessment track. That largely has to do with the need for further industry education, particularly in relation to the difference between the code and merit tracks. That work has been underway for some time in partnership with the MBA and HIA, who have been very constructive in working with the Planning and Land Authority and with their members, on educating their members about the new system and the advantages that are there in lodging more applications in the code track. Following the roundtable that was held last week with industry, we have been able to further identify areas where industry representatives can take advantage of the new planning and development system to see even more development applications.

The advice from the chief planning executive is somewhere between a further 20 and 30 per cent of DAs could in fact move into either the code or exempt tracks, thereby freeing up time within the planning authority to assess the more complex development applications that come through the merit and impact tracks.

I am confident that, following the extensive consultation with industry in the development of the legislation and the initial teething problems, most particularly around that first set of development applications that were put through prior to the changeover to the new system, the Planning and Land Authority, with additional staff in that development assessment area—and the chief planning executive indicated, I think, last week, a further five staff were going to be seconded into that area for the rest of this calendar year to deal with those issues—we should emerge in 2009 with a more streamlined planning system.

I thank all those in the industry who have been very patient in the implementation of the new system. As members would be aware, making a change of this nature, a fundamental reform of the way planning and development is undertaken in the territory, was always going to be a complex exercise and there would be a period of transition. We are emerging from that period and I think we are well placed now to have a very smooth planning system into the future.

The one danger, of course, is the potential for there to be politicisation of the development assessment process. I would caution all members against going down that path as it will not be constructive for planning and development in the territory.

MR SPEAKER: A supplementary question, Ms Le Couteur?

MS LE COUTEUR: Thank you, Mr Speaker. Given all these improvements, how long is it now taking for development applications to be approved?

MR BARR: That, of course, depends on the particular track in which they are lodged but the general timeframes are 20, 30 and 45 days, depending on the complexity of the development applications. Of course if a DA is in the exempt category it does not need to go anywhere near the planning authority at all. If the proponent is able to demonstrate that their particular development does not require assessment—and there are certain criteria on that that are well published—it just moves directly to building certification rather than needing a development approval. That is another way of streamlining the process.

Schools—enrolments

MR DOSZPOT: My question is to the Minister for Education and Training. The Kingsford Smith school in West Belconnen was officially opened on 15 October, just three days before the ACT election. An ACT Labor media release issued for the opening noted that the Deputy Prime Minister had said that the school “will open in 2009 and accommodate up to 1100 students from preschool to year 10 as well as 90 teaching and ancillary staff”.

However, as we now know, more than 50 parents of students seeking enrolment at Kingsford Smith school in 2009 were advised in a letter dated 26 November 2008, barely three weeks before the end of the school year, that the school will not be offering classes in years 8, 9 and 10 in 2009. Minister, when did you become aware that there was a possibility that Kingsford Smith school would not be offering classes in years 8, 9 and 10 in 2009?

MR BARR: I thank the new shadow minister for education for that question. I wish him well in the shadow portfolio. I hope that he does a considerably better job than his predecessors. I welcome the interest of the shadow minister in this matter, because it is important. As he is a new member to this place, I will advise him of just a little of the background in relation to the development of this magnificent \$45 million new education facility for the people of west Belconnen. I need to state from the outset that the school, in seeking enrolments for the 2009 school year, was very clear with everyone who sought enrolment, most particularly in the senior high school years, that it could only accept provisional enrolments and that a decision would have to be made at a later date as to the capacity of the school, given the levels of interest, to be able to run a program for years 8, 9 and 10.

Students and parents who enrolled for preschool to year 7 were advised at the end of term 3 that their placements in the new school were accepted. I am very pleased to

advise the Assembly that there is something in the order of 761 enrolments in that preschool to year 7 intake. By way of contrast, and to provide some history for the new shadow minister, the three schools that were merged into this new school had, at the time of the 2005 census when the decision was made to close both Holt and Higgins high schools and the Ginninderra district high school, 542 enrolments—

Mrs Dunne: Mr Speaker, I raise a point of order. The question asked quite specifically when the minister became aware of the possibility of classes not being offered in years 8, 9 and 10. Providing a whole lot of background, which any of us who were listening to the minister on the radio this morning would have heard, does not directly relate to the question that Mr Doszpot asked.

MR SPEAKER: Minister, come to the question, please.

MR BARR: Thank you, Mr Speaker. It is important to set that context. From the beginning of this process of seeking to amalgamate two primary schools into a new school and to establish the new high school all on the one site—

Mr Seselja: Just give us the date.

Mrs Dunne: So this is the new cooperation between the territory and the commonwealth?

MR BARR: If the Muppet gallery could just be quiet for a moment, I could make the point that in establishing this new facility, like every new school that has been established in the territory in recent times, there was always going to be the prospect, as we advised parents from the start, that if there was not sufficient interest the full education program might not be offered. This is particularly going to be the case for year 10. If you think logically, if you have completed years 7, 8 and 9 at another high school you are unlikely to want to move and to change schools in year 10.

Mr Smyth: When did you know?

Mrs Dunne: Yes, when did you know?

MR BARR: I have been aware from the start of this process that it was possible that the full education program in years 8, 9 and 10 would not operate if enrolments were not sufficient. I note that no-one is suggesting that the school should go ahead and try to run a year 10 program with six students. No-one is suggesting that. We have all this confected outrage from those opposite, particularly from Mrs Dunne who is making a habit of it already in the first half-hour of question time. For all of that, no-one is suggesting that we try to run a year 10 program at this school with six students.

I have known from the start that there was the prospect that the full education program would not operate in year 1. It will in future years as we expect the strong enrolments in year 7 of 126, which is three-quarters of the total year 7 to 10 enrolment at the former school. To give you an indication, we had 542 enrolments in the three schools from preschool to year 10. We now have over 760 in just preschool to year 7. That is a very important indication of community support for the new school. Just like

Amaroo, which started in 2004 with 153 kids and no year 6 and no high school component and now grown to 1,285 students, this new school will continue to grow. Year 7 will move into year 8 and on into year 9 and year 10. The school will continue to grow. We look forward to offering world class education, but we know the position of those opposite who opposed this investment in the first place and who have suggested that any investment in public education is throwing good money after bad.

MR SPEAKER: A supplementary question from Mr Doszpot.

MR DOSZPOT: Minister, can you tell us why it took so long to notify the parents that the Stanhope Labor government would not keep its promise to open the school at full capacity?

MR BARR: Firstly, the premise in the question is wrong. I need to advise the shadow minister that at no point—

Mrs Dunne: That is not what Julia Gillard said. The Deputy Prime Minister said it would open.

MR BARR: The school will open next year with 761 enrolments, probably more, because by the time we get to February next year—

Mrs Dunne: A preschool to year 10 school is what the Deputy Prime Minister said.

MR BARR: Had there been enrolments of a sufficient level in years 8 to 10 in 2009, that education program would have gone ahead. But there were not. We extended the period to try and get to sufficient numbers until the end of November, but we had advised everyone from the start that if the enrolments were not sufficient—we said we were taking provisional enrolments in years 8 to 10, and did so from the start.

Why did it take so long? It was because we kept the provisional enrolments open for as long as possible to try and get the numbers up to run the full program. Every parent was given advice of provisional enrolment when they approached the school. I have now been advised, on advice from the school principal and the education department, that it is now not appropriate and will not be possible to run an effective education program from years 8 to 10. On that advice provided to me, which is a decision for the school of the department of education, a letter was sent to parents at the end of November—so nearly two and a half weeks ago—advising that years 8 to 10 would not operate.

That is a sensible decision based upon the expressions of interest that have been expressed to enrol in the school. I repeat that no one is suggesting that we try and run an education program with six students in year 10, 21 in year 9 and 23 in year 8. I am sorry and I am disappointed that particularly the year 8 component was not stronger, but I recognise that students are settled into other schools and that those 50 students who have expressed interest in enrolling in Kingsford Smith are already enrolled in other schools, so their places in the ACT public education system are guaranteed at the schools they are currently enrolled in. There were two students who sought to move out of the non-government system into the public system, into this school, and we will very happily accommodate them at another ACT government school.

Transport—light rail

MS BRESNAN: My question is to the Minister for Transport and concerns the ACT government's light rail business case and submission to Infrastructure Australia. Is the ACT government committed to a light rail system for the ACT, and what is the government's contingency plan for developing mass rapid transit in the event that the Infrastructure Australia bid is unsuccessful?

MR STANHOPE: I thank Ms Bresnan for the question. Everybody is aware, as the government announced, that we placed light rail very high on the list of priorities that we believe Infrastructure Australia should support through the Building Australia fund. I think the attitude that each of us has taken, and that successive governments in the ACT have taken, in relation to light rail is that it is potentially very expensive infrastructure for a jurisdiction the size of ours. Some of the estimates that have been provided through previous studies that have been undertaken—the studies and estimates that have influenced the view and attitude of successive governments of both Labor and Liberal persuasions over the last 20 years—have, of course, impacted on the decisions that each respective government has taken.

We as a government saw an opportunity which matched our commitment to sustainable transport and the need for a rapid transport, but sustainable public transport, system to meet the needs of a growing Canberra. But the Infrastructure Australia program, and the request by the commonwealth government for suggestions for investment in each of the states and territories, did provide a window of opportunity for pursuing again the possibility of light rail.

I have to say in response to the question that I do not believe at this stage, particularly having regard to the level of investment made in public transport in recent years and the level of investment which public transport, through ACTION, will require for years to come, that we can piggyback, and continue to maintain significant and growing investments in ACTION, our bus network, while at the same time seeking to fund the roll out of light rail.

Some of the numbers that have underpinned the previous studies are, of course, in the order of billions of dollars. I think it starts at a billion dollars for a bare spine of a system throughout the ACT. I anticipate that the light rail study that is not yet completed but which has been undertaken by PricewaterhouseCoopers will reveal again the level of investment that is required for an operational light rail system within the ACT. That is if the government is serious about light rail. We are serious about public transport; we are serious about sustainability. We are serious about dealing with the impacts of climate change, and we know that public transport and the needs of the transport system are fundamental to any genuine effort we make in dealing with greenhouse gas emissions and climate change. So, yes, we are serious, we are committed, but we are also realistic. And we are also realistic in that, with an annual budget in the order of \$3 billion, which reflects the size of this jurisdiction, and with our other capital projects and priorities—for instance, a billion-dollar investment in health infrastructure which we have committed to over the next 10 years—there is, in the context of light rail, an equation that we have to grapple with; that is, the size of our budget and the capacity to roll out infrastructure as expensive as light rail.

At this stage we await with genuine interest the outcomes of the bid that we have made to Infrastructure Australia, the commonwealth, for funding support, and the extent to which we can continue alone or in partnership in relation to light rail will, of course, be dependent very much on the response of the commonwealth to the bids that we have made to it for infrastructure support.

I don't think any of us doubt the need for us to continue to improve public transport, to continue to attract people to public transport. Since the rollout of our latest improvements to the network, there has been a seven-plus per cent increase in patronage on ACTION. That would, I think, constitute probably the greatest single spike in patronage of public transport since self-government. In the context of the last four months, there has been a 7.4 per cent increase in patronage, and that is a significant spike in our public transport patronage, but of course coming from a base of just eight per cent. That represents the challenge that we all know about here in the ACT, in a city built for the car: we all acknowledge the importance of public transport in dealing with climate change, but at this point only eight per cent of us regularly catch the bus.

MR SPEAKER: Ms Bresnan, a supplementary question?

MS BRESNAN: Yes, thank you, Mr Speaker. Did the previous or present transport minister see the finalised light rail business case prior to it being sent to Infrastructure Australia and can the minister please table in the Assembly the document that was sent to Infrastructure Australia?

MR STANHOPE: The government—or the Assembly—was in caretaker mode at the time that the first draft of the light rail study was received. It was not referred to the government. It was not referred to the minister or to me. It was, pursuant to requests from the commonwealth in relation to its time lines in determining or considering or giving consideration to applications under the infrastructure fund, referred directly to the commonwealth by the Under Treasurer without reference to the government, and I believe that was appropriate.

My regret, I guess—and the difficulty that the government faces in relation to that—is that it was a draft document that had not been completed, that had not received any assessment by the ACT government in terms of the work that was constituted in the draft. It was a first draft report by PricewaterhouseCoopers. Because of commonwealth time lines, the Under Treasurer took the decision, without reference to the government, to refer the document, the draft, to the commonwealth, and indeed the final report has not yet been submitted to the government. I am hopeful that it will be submitted to the government sooner rather than later. I have had some indications that it may be over this next two weeks. If it is, I am more than happy to provide the final report to members of the Assembly, and indeed to the public, when received. But at this stage it is a document that the government has not yet received as a final and on which of course in that sense the government does not have a view.

Hospitals—bed occupancy rates

MR HANSON: My question is to the Minister for Health. Minister, the bed occupancy rate for acute overnight beds in Canberra's public hospitals, as stated in the

2007-08 ACT Health annual report, is 89 per cent. The AMA public hospital report card of 2008, citing the Australian College of Emergency Medicine, has stated that bed occupancy rates over 85 per cent are dangerously high. Minister, why are bed occupancy rates dangerously high and when will you do something about it?

MS GALLAGHER: I thank Mr Hanson for the question. The bed occupancy rates are high because the hospitals are busy. In fact, the bed occupancy rate, since we have been publishing and publicly reporting this figure, has come down. I think a couple of years ago they were into the 90s. So we are actually trending downwards on our bed occupancy rate. We have set ourselves the target of 85 per cent.

As additional beds come on line—and every year we have been opening at least 20 new acute care beds—we expect that bed occupancy rate to continue to decline. Eighty-nine per cent is not where we want to be but it is trending in the right direction. Essentially, the only answer to it, apart from trying to keep people out of hospital in the first instance, is to open more beds. And we are doing exactly that.

MR SPEAKER: A supplementary question from Mr Hanson.

MR HANSON: Minister, when will you set a benchmark that is below the dangerous rate of 85 per cent and when will we achieve that?

MS GALLAGHER: I believe we have. From memory, it is 85 per cent that we have set ourselves as a target.

Mrs Dunne: It is dangerously high.

MS GALLAGHER: Well, I think that is a realistic target to want to achieve considering we are coming down from the nineties. Ninety-three per cent was the figure when we started publicly reporting bed occupancy. We have come down to 89, we are setting ourselves a target of 85 and when we reach 85 we will review that target.

The government has made some very significant announcements around additional beds, additional infrastructure at the hospital and additional services, both to keep people's stay in hospital short and to keep people out of hospital in the first instance. I expect that once we reach that target of 85 we will be able to review that target. I think there is a view that in major public hospitals, such as Calvary and Canberra hospitals are, it would be unusual if we can get it below 85 per cent. We are a referral hospital for the region. Of course, it is something that we would like to see, but let us reach 85 per cent first and review the target after that.

Hospitals—waiting times

MR COE: My question is to the Minister for Health. Minister, the AMA has stated that for presentations in triage categories 3 and 4 in emergency departments a target of 80 per cent is achievable in the short term, up from 70 per cent, and 100 per cent should be the objective in the medium term.

Minister, according to the standards determined by the Australasian College for Emergency Medicine, the percentage of presentations meeting that standard of waiting times in the ACT is significantly less than the target, at 55 per cent and 56 per cent respectively. Given that we are so far behind the achievable targets after seven years of your government, what will you do differently during this term to improve these poor outcomes?

MS GALLAGHER: I thank Mr Coe for the question. The commitments we have made in the election around this are to establish some walk-in centres. We will be looking to establish the first walk-in centre in the emergency department as soon as we can. In fact, the commonwealth's additional money for emergency department reform might mean that we are able to open that a bit earlier than we had planned. We are hoping that that will take some pressure off our categories 4 and 5 particularly—not category 3; they would still need to be seen in the emergency department.

There is a whole range of other measures that we use to continue to meet our triage categories. Additional beds in the hospital allow people to move through the emergency department faster; it is true that access block remains probably the major challenge in meeting our triage categories. If people get into the emergency department and then cannot get out into the hospital, that stops other people from being seen on time. So one of the first things we will do is open some additional beds. That will happen early next year. I think there are an additional 20 to be opened in the second half of next year. We are hoping that that will take again some additional pressure off the emergency department. If we can get our walk-in centres open, or the first walk-in centre open, in the first half of next year, that would be great.

The other area that we will move to work quickly on is the visiting locum service for residential aged-care facilities through a model such as CALMS. Again, that would enable elderly patients, who often spend too long in the emergency department, to be assessed and treated. If we are able to send out a doctor to their residential aged-care facility to provide that care where they live, we think that would be more appropriate, and again that would take some pressure off our emergency departments.

But these are things that will not be solved alone by election promises. It is stuff that remains just hard work—hard day-to-day work by the health department and by those hardworking professionals in the emergency department—that will enable us to meet those triage categories on time, and that remains a focus for all of us.

Solar power

MS PORTER: Mr Speaker, my question, through you, is to the Minister for the Environment, Climate Change and Water. Minister, can you please inform the Assembly of the progress on the government's commitment to the development of a solar power facility in the ACT?

MR CORBELL: I thank Ms Porter for the question. The government is moving ahead with its plans for the establishment of a solar power facility in the ACT. This was one of the key commitments made by the government in the lead-up to the last election and I am pleased to report to the Assembly today on progress in this regard.

Members may have noticed in the appropriation bill tabled by the Treasurer this morning the sum of \$250,000 for this financial year was allocated to fund the procurement of an external adviser to assist the government in the development of its solar power facility initiative. That funding will allow us to engage PricewaterhouseCoopers as the preferred provider of advice in terms of engagement with the market and the establishment of the request for proposal submission. As part of that, PricewaterhouseCoopers will engage Mr Wes Stein, who is currently the leader of the CSIRO's National Solar Energy Centre and manager of renewable energy for the CSIRO's division of energy technology, to assist the government in the technical aspects of the proposal.

We are working to implement what we promised to do at the last election, and this exciting project will help build Canberra's reputation as Australia's solar capital. The development of the request for proposal will involve the development of the necessary parameters to go to the market early next calendar year with a detailed request for proposal from private sector proponents.

The government has indicated its willingness to provide up to \$30 million in assistance for the development of this solar power facility and, at the same time, we have indicated our preference to require at least power generation to the equivalent of 10,000 homes from this facility. Of course, if the scope is there to build a larger scale facility, the government will be very interested in it. Indeed, the request for proposal initiative will allow us to test the market in detail as to what they believe is capable and appropriate for the ACT. This will be a nation-leading project. If we are able to establish a sizeable facility, it will be one of great interest to those outside the territory as well as to our local community.

The funding provided in the second appropriation will allow us to request this proposal in a timely way and I look forward to reporting to the Assembly in more detail early next year on the request for proposal process and the results from that.

Mr Stanhope: I ask that all further questions be placed on the notice paper.

Papers

Mr Speaker presented the following papers:

Study trip—Report by Ms MacDonald MLA—Australasian Study of Parliament Group Annual Conference, Parliament House, Queensland, 10-12 July 2008.

ACT Legislative Assembly Secretariat—Annual Report 2007-2008—

Annual Report.

Erratum.

Standing order 191—Amendments to:

ACT Civil and Administrative Tribunal Legislation Amendment Bill 2008, dated 9 September 2008.

ACT Civil and Administrative Tribunal Legislation Amendment Bill 2008 (No 2), dated 4 September 2008.

Crimes Legislation Amendment Bill 2008, dated 5 September 2008.

Protection of Public Participation Bill 2008, dated 8 and 9 September 2008.

Sexual and Violent Offences Legislation Amendment Bill 2008, dated 5 September 2008.

Tobacco Amendment Bill 2008, dated 11 September 2008.

Unit Titles Amendment Bill 2008, dated 5 and 9 September 2008.

ACT Labor-Greens Parliamentary Agreement Paper and statement by minister

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Indigenous Affairs and Minister for the Arts and Heritage): For the information of members, I present the following paper:

Parliamentary Agreement—For the 7th Legislative Assembly for the ACT—
Agreement between Mr Jon Stanhope, Leader of the Australian Labor Party,
ACT Branch and Ms Meredith Hunter, Parliamentary Convenor of the ACT
Greens, dated 31 October 2008

I ask leave to make a statement in relation to the paper.

Leave granted.

MR STANHOPE: I am pleased to table the parliamentary agreement for the Seventh Assembly between the government and the ACT Greens. It sets out the commitment of both our parties to work cooperatively in the best interests of the people of the ACT. It echoes and reiterates Labor's previously stated commitments regarding engagement, transparency, openness and accountability.

The agreement will see changes made to a number of existing Assembly procedures and practices. Some of these reflect the reality of minority government. Others are reflections of a maturing legislature, a parliament that may be small but which has led the field often before and will do so again when it comes to meeting the needs of the community it serves.

We have flexibility and also a willingness to innovate and our size gives us the capacity to move swiftly. Let us remember that minority government has been the rule, rather than the exception, in this city. Minority government focuses the mind on creative solutions—creative ways to ensure that the executive can still effectively govern and that momentum is maintained on important issues.

Arguably some of the most significant aspects of the agreement are those relating to roles of Assembly committees, including reforms that will allow committees to be better informed of executive decisions and better able to contribute ideas and comments to decision-making processes.

Other aspects of the agreement affect the direct functioning of the Assembly, the times of sitting and improving the accessibility of government information and

deliberations. Yet other aspects are in line with processes already begun last term to overhaul the government's community consultation procedures, to take advantage of new technologies and also to reflect new thinking about citizen-centred governance.

The ACT is a prosperous, liveable, compassionate city that has led the nation in a number of policy debates and that is now poised to lead again as the government redoubles its efforts to create an even more socially, environmentally and economically sustainable city.

This agreement accords with those aspirations and is a sign that Labor and the Greens are prepared to work together, wherever possible, to make government more responsive than ever to the community that every one of us in this chamber is pledged to serve. I look forward to working well and energetically not just with the Greens but with every elected member of this place and with the people who have put us here to make this city a model for others to follow.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens), by leave: The agreement tabled today by the Chief Minister is the framework for a new way of doing things in the Assembly. The ACT Greens' first responsibility as members of the ACT Legislative Assembly is to the people of Canberra. We gave a commitment before the election to a stable and accountable government for the ACT. Indeed, one of the key themes of our campaign was to provide some third party insurance in this Assembly.

As part of the agreement tabled today we supported Jon Stanhope as Chief Minister, and the Labor Party has agreed to a parliamentary reform agenda which will establish the ACT Assembly as a world leader in scrutinising and opening up the processes of government and taking a more collaborative and inclusive approach to the processes of parliament.

We also articulated very strongly in the campaign that real action is needed on climate change and on social equity. The ALP-Greens agreement is also based on a commitment to deliver a responsible and sustainable program of actions to help us face up to the twin challenge of climate change and social inequality.

With just one or two MLAs in past Assemblies the Greens have led the way with legislation, ranging from protecting public participation in decision making to energy efficiency ratings for houses. We have conducted significant and policy-shaping inquiries into children at risk, services for people with disability and maternity services and we have ensured that the government signed on to the UN charter for responsible investment.

Our capacity in this new Assembly to progress reform, to pass legislation, to draw in community and expert evidence and to hold the government to account from the cross bench will be substantially enhanced. With this new reform agenda in place I am confident that we will also be better informed and resourced to investigate and shape future policy.

Working with our Labor colleagues and their staff, we have already started the ball rolling on some of the changes in the agreement. Standing orders have been updated

and, in fact, this morning endorsed. The committee system is in a process of change and there is a new atmosphere of collaboration between the executive and non-executive and between parties.

This agreement also lists an extensive policy program, which we will work with Labor to implement over the term of the Seventh Assembly. It includes measures such as a library in the inner south; legislated climate change targets for the ACT; an improved bus service; small business impact assessments for new large commercial developments and ensuring access to swimming and water survival skills for all primary school students.

The policy program shows the ACT Greens' commitment to not only a more sustainable Canberra but also a more equitable one. Clearly, the election of four MLAs has presented the ACT Greens with an enormous opportunity. We have no doubt that today as a party we have taken an important step. We are here to effect change in how politics is done and how decisions are made and to work constructively with all MLAs.

The ACT Greens will achieve much more for Canberra on the crossbench. I am confident the government and our agreement with the government will achieve much for many in Canberra.

MR SESELJA (Molonglo—Leader of the Opposition), by leave: I want to say a few words about the agreement. As the Deputy Chief Minister pointed out, we have read it from cover to cover.

My first point is a procedural one, and perhaps one of the signatories to the agreement, given it has been tabled, can clarify the amendment that was made to the agreement. It seems to indicate that it was made on the same day as the agreement. I doubt that that is correct. Perhaps one of the signatories to that agreement could clarify when that amendment was actually made.

I think there are a number of good things in this agreement. We obviously believe that there was a better offer on the table that the Greens could have taken up, but they chose not to. Nonetheless, there are some good things and there are some things to commend in this agreement.

We believe in parliamentary reform. We believe that a number of the changes to the standing orders which were passed today will help scrutiny. Hopefully, down the track we can go further with some of those, particularly question time reforms. There are some initial reforms that are directly relevant, and I refer members to the trial that took place recently in the Senate in relation to question time. I think there were some good things to come from that in relation to the length of questions and also the number of supplementaries.

We also believe in strengthening the resources of the Assembly and the committee system. The committee system plays a crucial role in keeping governments to account, and we will play a very active role in that. It is not clear to us why the Greens are taking the lion's share of committee chairs as being more accountable than opposition members. Nonetheless, that is the agreement that we have.

We have also looked very closely at a number of the policy aspects of the agreement. We had discussions with the Greens during the negotiations on a number of them. Most of them we agree with in principle, but I think that there will be challenges faced by the Labor Party, the Greens and the Liberal Party in respect of the cost of some of these commitments and when they can actually be rolled out.

For instance, whilst the target of bus services every half an hour is a noble one, it does come with a very hefty price tag. We need to look at whether that is achievable and, if so, in what kind of time frame that could be achievable, particularly in the context of shrinking revenues. In relation to greenhouse targets, we have supported very strong and sensible targets for reducing emissions and for taking up renewable energy. We will be keeping the government to account on their record when it comes to dealing with this very serious issue.

There are a number of other aspects to the agreement which we will, of course, be looking at very closely. But in the end, regardless of what is in this agreement, we now have an opportunity in this new Assembly for genuine accountability. I think that the best place to ensure accountability of the executive is in the chamber, in the parliament, through question time and private members' day. I think it is very important, when we are considering the number of sitting days and sitting weeks, to remember that the best way to scrutinise the government is to hold them to account in the chamber.

The best way for our Green colleagues to play the role that they have said they want to play in the new Assembly is to push for more sitting weeks. I think what has been put forward by the government is insufficient. It is going backwards from where they were in 2005 when they had a majority. We will be pushing for accountability, as we always do. We are not bound by any agreement with the Labor Party or the Greens, which I think gives us a fair degree of flexibility in prosecuting our case without fear or favour. Whether it is keeping the Greens accountable or keeping the government accountable, we will represent the people of the ACT in the way we believe is best.

We will hold the government to account, in particular, for their spending and for their management of the economy. We will hold them to account for their election promises. We will hold them to account for their other commitments, including the commitments that they have made in this parliamentary agreement.

Executive contracts

Papers and statement by minister

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Indigenous Affairs and Minister for the Arts and Heritage): For the information of members, I present the following papers:

Public Sector Management Act, pursuant to sections 31A and 79—Copies of executive contracts or instruments—

Long-term contracts:

Barbara Reid, dated 18 August 2008.
Carol Harris, dated 7 October 2008.
Craig Curry.
Howard Jones, dated 10 October 2008.
Kaye O'Hara, dated 11 September 2008.
Maureen Sheehan, dated 18 August 2008.
Michael Chilcott.
Nic Manikis, dated 12 September 2008.
Paul Lewis, dated 1 October 2008.
Peter Kowald.
Rosemary O'Donnell, dated 3 September 2008.
Ross O'Donoghue, dated 5 September 2008.
Sandra Georges, dated 18 August 2008.
Wayne Chandler, dated 7 October 2008.

Short-term contracts:

Alan Franklin, dated 12 September 2008.
Andrew Whale, dated 12 September 2008.
Annette Wright, dated 4 September 2008.
Barbara Reid, dated 2 September 2008.
Barry Folpp (2), dated 13 October 2008.
Bren Burkevics, dated 26 September 2008.
Brett Phillips, dated 5 August 2008.
Bronwen Overton-Clarke, dated 12 September 2008.
Carol Harris, dated 29 September 2008.
Daniel Stewart, dated 25 August 2008.
Daniel Walters, dated 7 August 2008.
Danielle Krajina, dated 7 and 12 August 2008.
David Colussi, dated 16 October 2008.
David Snell, dated 19 September 2008.
Douglas Gillespie, dated 16 June 2008.
Floyd Kennedy, dated 16 and 22 September 2008.
Gary Byles, dated 12 November 2008.
Geoff Bell, dated 3 November 2008.
Graham Smith, dated 14 August 2008.
Gregory Newton, dated 7 August 2008.

Helen Shephard, dated 15 September 2008.
Ian Hickson, dated 31 July and 5 August 2008.
James Henry, dated 5 August 2008.
Janet Davy, dated 19 September 2007 and 26 September 2008.
Joanne Howard, dated 29 September 2008.
Ken Douglas, dated 18 September 2008.
Kevin Bell, dated 19 September 2008.
Kirsten Thompson, dated 27 October 2008.
Leanne Cover, dated 10 September 2008.
Marsha Guthrie, dated 25 September and 21 October 2008.
Martin Hehir, dated 2 September 2008.
Megan Cahill, dated 23 July 2008.
Meredith Whitten, dated 12 September 2008.
Michael Battenally, dated 29 September 2008.
Michael Edwards (2), dated 8 and 19 September 2008.
Pam Davoren, dated 29 September 2008.
Patrick McAuliffe, dated 22 August 2008.
Paul Townsley, dated 17 September 2008.
Penny Farnsworth, dated 25 August 2008.
Peter Cartwright, dated 30 July 2008.
Phillip Tardif, dated 29 September 2008.
Rebecca Kelley, dated 18 September 2008.
Robert Carter, dated 19 and 23 September 2008.
Robert Thorman, dated 18 and 19 September 2008.
Rodney Power, dated 12 and 15 September 2008.
Rosemary Kennedy, dated 16 and 18 September 2008.
Sandra Kennedy, dated 19 September 2008.
Sara Lynch, dated 12 and 17 September 2008.
Sarah Byrne, dated 19 September 2008.
Shane Kay, dated 10 and 11 September 2008.
Tania Manuel, dated 7 August 2008.

Contract variations:

Annette Wright, dated 26 September 2008.
Barbara Reid, dated 30 October 2008.
Carol Harris, dated 28 August 2008.
Conrad Barr (2), dated 11 August and 23 September 2008.

David Dutton, dated 4 February 2008.
David Matthews, dated 12 October 2008.
Debra Chase (2), dated 6 August and 29 September 2008.
Helen Shephard, dated 24 October 2008.
Joanne Howard, dated 6 August 2008.
Julie Field, dated 19 September 2008.
Ken Douglas, dated 7 October 2008.
Lana Junakovic, dated 19 September 2008.
Margaret Bateson, dated 16 October 2008.
Mary Toohey (2), dated 19 September and 16 October 2008.
Matthew Kelly, dated 4 and 6 August 2008.
Meredith Whitten.
Neil Brian Bulless, dated 11 August 2008.
Nick Kalogeropoulos, dated 8 October 2008.
Peter Kowald, dated 24 September 2008.
Phillippa De Veau, dated 18 August 2008.
Rebecca Kelley, dated 16 October 2008.
Robert Thorman, dated 7 August 2008.
Ron Foster, dated 7 September 2008.
Rosemary O'Donnell, dated 3 September 2008.
Stuart William Friend, dated 30 September 2008.
Sushila Sharma, dated 23 July 2008.

I ask leave to make a statement in relation to the papers.

Leave granted.

MR STANHOPE: I present a set of executive contracts. These documents are tabled in accordance with sections 31A and 79 of the Public Sector Management Act, which requires the tabling of chief executive and executive contracts and contract variations. Contracts were previously tabled on 26 August 2008. Today I present 14 long-term contracts, 53 short-term contracts and 29 contract variations. The details of the contracts will be circulated to members.

Papers

Mr Stanhope presented the following papers:

Remuneration Tribunal Act, pursuant to subsection 12(2)—Determinations, together with statements for:

Aboriginal and Torres Strait Islander Elected Body—Determination 6 of 2008, dated 9 September 2008.

Community Inclusion Board—Determination 7 of 2008, dated 9 September 2008.

Full-Time Holders of Public Offices—General President and Appeals President, ACT Civil and Administrative Tribunal—Determination 17 of 2008, dated 14 November 2008.

Members of the ACT Legislative Assembly—Determination 8 of 2008, dated 9 September 2008.

Tidbinbilla/Birrigai Board of Management—Determination 18 of 2008, dated 14 November 2008.

Ministerial appointments and administrative arrangements Papers and statement by minister

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Indigenous Affairs and Minister for the Arts and Heritage): For the information of members, I present the following papers:

Administrative arrangements—

Australian Capital Territory (Self-Government) Ministerial Appointment 2008 (No 1)—Notifiable Instrument NI2008-527 (S4, dated Tuesday 11 November, 2008).

Administrative Arrangements 2008 (No 2)—Notifiable Instrument NI2008-526 (S4, dated Tuesday 11 November, 2008).

I ask leave to make a statement in relation to the papers.

Leave granted.

MR STANHOPE: For the information of members, I table the administrative arrangements I announced on 6 November 2008. I note they were notified on 10 November and presented on 11 November.

The most significant change was the government's decision to create a new Department of the Environment, Climate Change, Energy and Water. This reflects the importance accorded to these issues by the government and our determination to have dedicated policy advice and program delivery capacity to lead and drive the ACT government's response to the challenges of climate change.

The administrative arrangements also create new transport and corrections ministries and transfer responsibility for certain acts to better align service delivery and accountability for ministers. They also contain a number of housekeeping changes to reflect the passage of legislation in the Sixth Assembly.

Papers

Mr Stanhope presented the following papers, which were circulated to members when the Assembly was not sitting:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Reports 2007-2008—

Chief Minister's Department (2 volumes), dated 3 and 17 September 2008.

Commissioner for Public Administration, dated 10 September 2008.

Land Development Agency, dated 18 September 2008.

ACT Public Cemeteries Authority, dated 18 September 2008.

Department of Territory and Municipal Services—

Annual report (2 volumes), dated 19 September 2008

Corrigenda.

Cultural Facilities Corporation, dated 16 September 2008.

Cultural Facilities Corporation Act, pursuant to subsection 15(2)—Cultural Facilities Corporation—Quarterly report (for the fourth quarter 2007-2008 : 1 April to 30 June 2008).

Financial Management Act—instruments Papers and statement by minister

MS GALLAGHER (Molonglo—Minister for Health, Minister for Children and Young People, Minister for Disability and Community Services, Minister for Women): Pursuant to the Financial Management Act 1996, I present the following papers:

Financial Management Act—

Pursuant to section 16—Instrument directing a transfer of appropriations from the Department of Territory and Municipal Services to the Department of the Environment, Climate Change, Energy and Water, including a statement of reasons, dated 11 November 2008.

Pursuant to section 16B—Instrument authorising the rollover of undisbursed appropriation of the Department of Treasury, including a statement of reasons, dated 11 September 2008.

Pursuant to section 18A—Authorisation of Expenditure from the Treasurer's Advance to the Canberra Institute of Technology, including a statement of reasons, dated 11 September 2008.

Pursuant to section 19B—Instrument varying appropriations related to the Housing Affordability Fund—ACT Planning and Land Authority, including a statement of reasons, dated 25 November 2008.

I ask leave to make a statement in relation to the papers.

Leave granted.

MS GALLAGHER: As required by the Financial Management Act 1996, I table instruments issued under sections 16, 16B, 18 and 19B of the act. The direction and a statement of reasons for the above instruments must be tabled in the Assembly within three sitting days after it is given. These instruments of the 2008-09 financial year have been signed since the August 2008 sitting period.

Section 16 of the act allows the Treasurer to authorise for the appropriation associated with a service or function to be transferred from the entity to which the appropriation is made to another entity. This package includes one instrument signed under section 16; \$2.2 million of appropriation has been transferred from TAMS to the new Department of the Environment, Climate Change, Energy and Water following the administrative arrangements orders of 10 November 2008. This transfer provides an initial appropriation pending resolution of the final funding arrangements for the new department and underpins a transfer of management and responsibility for policy regarding climate change, energy, water and environmental sustainability, as well as water and energy efficiency programs transferred from TAMS.

Section 16B of the FMA allows appropriations to be preserved from one financial year to the next, as outlined in the instrument signed by the Treasurer. The rollover of appropriation of \$1.523 million has been approved for the Department of Treasury to enable the completion of the upgrade of the Oracle government financial system which was delayed due to protracted contract negotiations with the successful tenderer and additional time required to establish the development environment for the project. Additional time was also required to thoroughly test the operation of the new system and to train staff.

Section 18 of the act allows the Treasurer to authorise expenditure from the Treasurer's advance to meet urgent and unforeseen cost pressures; \$183,000 is being provided as Treasurer's advance to the Canberra Institute of Technology for the provision of grant funding to Lions Youth Haven Inc to deliver learning opportunities at Westwood Farm.

Section 19B of the act allows for an appropriation to be authorised for any new commonwealth grants provided to the territory under agreement where no appropriation has been made in respect to those funds by direction of the Treasurer. This package includes one section 19B instrument. The ACT Planning and Land Authority has received \$250,000 in new funding from the commonwealth from the housing affordability fund enabling the further development of ACTPLA's electronic development assessment system and processes. Additional detail regarding these instruments is provided in the statement of reasons accompanying each instrument. I commend the instruments to the Assembly.

Gambling and Racing Commission

Paper and statement by minister

MS GALLAGHER (Molonglo—Treasurer, Minister for Health, Minister for Community Services and Minister for Women) (3.47): For the information of members, I present the following paper:

Gaming Machine Act, pursuant to section 168—community contributions made by gaming machine licensees—eleventh report by the ACT Gambling and Racing Commission—1 July 2007 to 30 June 2008, dated 13 October 2008.

I seek leave to make a statement in relation to the paper.

Leave granted.

MS GALLAGHER: I present the report on the community contributions made by gaming machine licensees in the period 1 July 2007 to 30 June 2008. The report is a requirement of the Gaming Machine Act 2004 and is made by the Gambling and Racing Commission.

The act requires licensees to make a minimum community contribution of seven per cent of their net gaming revenue each financial year. The legislation outlines the broad purpose that a contribution must meet to be approved by the commission as a community contribution. In addition, guidelines in the gaming machine regulations provide further assistance to the commission and to licensees as to what types of expenditure would be approved as a community contribution.

The areas of the community to which contributions can be made include charitable and social welfare, sport and recreation, non-profit activities and community infrastructure. In order to encourage contributions in two specific areas, the legislation provides an incentive for licensees by allowing a claim of \$4 for every \$3 actually contributed.

These target areas are women's sport and, for the first time, contributions that assist to alleviate problem gambling. The commission's report provides information on three main aspects: the extent to which licensees use their revenue to make community contributions, the level of contributions in each reporting category and legislative compliance by gaming machine licensees.

In 2007-08 the club industry had net gaming machine revenue totalling \$100.3 million, a decrease of 8.4 per cent on the previous financial year. Despite this decrease, community contributions increased in that year. The commission's report outlines that the total value of community contributions from clubs in 2007-08 was \$14.6 million. This is 14.6 per cent of net gaming machine revenue, well above the seven per cent minimum contribution required. It is also a 14.1 per cent increase in dollar terms on contributions in 2006-2007.

As in previous years, the level of contributions to the sport and recreation category consistently and significantly outweighed the level of contributions to other categories. In 2007-08 sport and recreation received approximately \$10.7 million or over 73 per cent of all contributions.

The commission's report shows that contributions to women's sport were \$211,198 or just over 1.4 per cent of total contributions. Even though this is a small percentage in relation to other categories, it is pleasing to note that the level of contributions to women's sport has once again increased, this time by over 27 per cent when compared to the previous financial year.

The figures in the commission's report indicate that contributions to charitable and social welfare organisations have decreased by 16 per cent in comparison to the previous year and now account for less than seven per cent of total contributions. This

significant decrease can be attributed to contributions to problem gambling now being reported separately.

Under the new incentive scheme for problem gambling, contributions totalling \$392,000 were reported. When the categories of problem gambling and social welfare are combined there has in fact been an 8.6 per cent increase in contributions compared to the previous year.

In relation to other categories for the 2007-08 financial year the following contributions were made: non-profit activities, \$2.1 million or 14 per cent of total contributions—an increase of 11 per cent on the previous financial year; community infrastructure, \$202,531 or 1.4 per cent of total contributions. This is a decrease of 8.4 per cent.

While there is no minimum level requirement for community contributions from hotel and tavern gaming machine licensees, nine of the 12 gaming machine licensees made community contributions in the 2007-08 financial year. These licensees contributed a total of \$52,170, which is a 29 per cent decrease compared to the last financial year.

Historically, hotels and taverns tend to contribute to three of the permissible categories. For the 2007-08 financial year, the sport and recreation category received 86 per cent of all contributions made by hotels and taverns, with seven per cent going to charitable and social welfare organisations and seven per cent to non-profit activities. The commission's report contains comprehensive data on gaming machine activity in the ACT.

Papers

Ms Gallagher presented the following papers, which were circulated to members when the Assembly was not sitting:

Financial Management Act, pursuant to section 26—consolidated financial report for the financial quarter and year-to-date ending 30 September 2008.

Annual Reports (Government Agencies) Act, pursuant to section 13—annual reports 2007-2008—

ACT Gambling and Racing Commission, dated 28 August 2008;

ACT Government Procurement Board, dated 3 September 2007;

ACT Insurance Authority, dated 16 September 2008;

ACTEW Corporation Ltd;

ACTTAB Ltd, dated 19 August 2008;

Department of Treasury (2 volumes), dated 22 and 25 September 2008;

Exhibition Park Corporation, dated 31 August 2008;

Rhodium Asset Solutions, dated 12 September 2008;

Totalcare Industries Ltd, dated 16 September 2008.

Annual Reports (Government Agencies) Act, pursuant to section 13—annual report 2007-2008—ACT Health, dated 12 September 2008.

Mr Corbell presented the following papers, which were circulated to members when the Assembly was not sitting:

Annual Reports (Government Agencies) Act, pursuant to section 13—annual reports 2007-2008—

ACT Electoral Commission, dated 22 August 2008;

ACT Human Rights Commission, dated 18 September 2008;

ACT Ombudsman, dated 9 September 2008;

Department of Justice and Community Safety (2 volumes), dated 19 September 2008;

Director of Public Prosecutions, dated 10 September 2008;

Independent Competition and Regulatory Commission, dated 23 September 2008;

Legal Aid Commission (ACT), dated 5 September 2008;

Public Advocate of the ACT, dated 22 September 2008;

Public Trustee for the ACT, dated 1 August 2008;

Victims of Crime Support Program (incorporating Victims of Crime Co-ordinator, Victim Support ACT and the Victims of Crime (Financial Assistance) Act 1983), dated 19 September 2008.

Annual Reports (Government Agencies) Act, pursuant to section 13—annual report 2007-2008—Office of the Commissioner for Sustainability and the Environment ACT, dated 19 September 2008.

Annual Reports (Government Agencies) Act, pursuant to section 13, and in accordance with the Policing Agreement between the Commonwealth and the ACT Government—annual report 2007-2008—ACT Policing, dated 9 September 2008.

Mr Hargreaves presented the following papers, which were circulated to members when the Assembly was not sitting:

Annual Reports (Government Agencies) Act, pursuant to section 13—annual reports 2007-2008—Department of Disability, Housing and Community Services (2 volumes), dated 3 September 2008.

Annual Reports (Government Agencies) Act, pursuant to section 13—annual report 2007-2008—

ACT Cleaning Industry Long Service Leave Authority, dated 8 September 2008.

ACT Construction Industry Long Service Leave Authority, dated 6 and 8 September 2008.

Mr Barr presented the following papers, which were circulated to members when the Assembly was not sitting:

Annual Reports (Government Agencies) Act, pursuant to section 13—annual reports 2007-2008—

ACT Building and Construction Industry Training Fund Authority, dated 2 September 2008;

Department of Education and Training, dated 22 September 2008.

Annual Reports (Government Agencies) Act, pursuant to section 13—ACT Planning and Land Authority, dated 18 September 2008.

Mr Corbell presented the following paper:

Road Transport (Third-Party Insurance) Act—Road Transport (Third-Party Insurance) Amendment Regulation 2008 (No 2)—Subordinate Law SL2008-45, together with its explanatory statement (LR, 30 September 2008).

Petition—out-of-order Paper and statement by member

Mr Corbell presented the following paper:

Petition which does not conform with the standing orders—Green Square, Kingston—Ms Le Couteur (243 signatures).

MS LE COUTEUR (Molonglo), by leave: Over the past couple of years, local business people around Green Square in Kingston have compiled a petition asking for the grass and trees in Green Square to be watered again. The petition has over 240 signatures and, on behalf of the businesses of Green Square, the residents who live nearby and all the people who use Green Square, I have lodged it in the Assembly.

It might surprise some people to hear that the Greens are arguing in favour of watering a conventional lawn at a time when water is becoming increasingly scarce but there are many good reasons to water this lovely patch of grass. The Green Square lawn is an important part of the Green Square precinct and it should be kept green.

It is important to the local small businesses which are an essential part of the ACT economy and whose interests the government so often overlooks. The local businesses benefit from the pleasant environment that having the Green Square adjacent to their businesses created.

Before the grass dried off, children played on it, people sat on it and ate their lunch and had coffee which they bought from the local businesses. Especially now, with the global financial crisis impacting on the small businesses of the ACT, we need to help them all we can through this difficult time.

In recent years, we have seen more medium-density development in the Kingston area. This has been a big step in the right direction to make the ACT more sustainable. Public open space like Green Square is vital for a city that is moving towards medium-density living, where people do not have large backyards of their own, and it is essential that the government maintain lawn areas in areas of our communities where they are used for recreation and for children to play on.

Some areas of public grass are watered in the ACT; so the question of whether or not to water Green Square is a question of priorities, not water availability. Other less-used lawn areas in Canberra are currently irrigated purely for aesthetic reasons. Surely it is better to prioritise watering Green Square rather than to water large tracts of grass that are never used just so that it looks pretty.

Finally, there is the issue of the people and businesses affected by this not being properly consulted on the plan to remove the lawn and re-landscape the area. The fact that a petition has arisen on this issue is an indication of dissatisfaction with the way that it has been handled by TAMS and the government.

For these reasons, I would ask that arrangements be made to maintain the existing lawn at Green Square so as to keep it as a green space for the community to enjoy.

Portfolio responsibilities

Ministerial statements

Mr Stanhope: I ask leave of the Assembly to make a ministerial statement concerning portfolio responsibilities.

Mr Seselja: Just before we grant leave—and we are very happy to grant leave—I would like to put on the record—

MADAM ASSISTANT SPEAKER (Mrs Dunne): Mr Seselja, would you like to seek leave to make a statement?

MR SESELJA: Yes, I would.

Leave granted.

MR SESELJA: I wanted to clarify that we put through a message, I understand, in relation to the forms of the house. Particularly in other places, ministerial statements are made by leave. Leave is a courtesy of the house. We are very happy to extend it but we simply ask, in response to that courtesy, that ministers actually grant us the courtesy of informing us of the nature of the ministerial statement prior to it being made and, if possible, providing some detail. In other parliaments, I understand, they provide an embargoed copy of the speech prior to it going forward.

We believe that is reasonable. We believe that in a new era, where we will be working together, it is a reasonable request to make in order for the Assembly to grant leave. Leave is a courtesy. Ministers should repay that courtesy by giving some information to members so that we can prepare. In some cases we can respond to those ministerial statements. I do not think that is an unreasonable request.

We will grant leave today but we would simply put on notice to the government that we may have to sit down and work out some procedures that are reasonable so that when ministerial statements are to be made by leave we also get some information prior to that statement being made.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services), by leave: I think it is important to clarify the government's view in relation to this matter. I know that this was communicated to your office, Madam Assistant Speaker, earlier today.

It has not been the usual practice in this place, under either majority or minority government, for ministers to provide advance copies of their statements to opposition or crossbench members. Indeed, it was not the practice under the previous Liberal minority government for that to occur. Indeed, it has not been the practice in this place, full stop, ever.

But the government is cognisant of the desire of members to have some understanding of what the statement is about and, to that end, Madam Assistant Speaker, as you would be aware, I, as manager of government business, provided advance notice of the topic of the statement during the government business meeting last week. I intend, wherever possible, to continue that practice so that members are familiar with the nature of the statement, if not its exact content. I think that is a reasonable course of action and, if we do wish to draw attention to the norms in other parliaments, I think we cannot pick and choose in that regard. There are many practices in this place which are never permitted in other parliaments. Nevertheless, they are the norm here.

I think the approach that the government is seeking to adopt is a reasonable one. We will endeavour to give notice and advice on the subject of the statement, but providing advance copies of the speeches, we think, is not appropriate. Of course, there is the opportunity for members to respond to these statements in the Assembly, either following the statement itself or at a later time.

MR SMYTH (Brindabella), by leave: Madam Assistant Speaker—

Mr Barr: This could go on forever.

MR SMYTH: Mr Barr says it could go on forever. Yes, it could. It is preposterous to say that nothing in this place will ever change because we never did it before. This parliament is 20 years old. In May next year we will celebrate our 20th anniversary. In many ways, the forms and practices of this place are still evolving, and you can see that quite easily in the fact that Mark McRae, the former Clerk, is in fact writing a House of Assembly practice. I look forward to seeing that.

I remind members that, where we do not have a practice that governs the way we behave in this place, we do refer to *House of Representatives Practice*. I would like to bring to the attention of members page 486 of *House of Representatives Practice*, which is entitled "Statements by leave". I will just read two paragraphs:

A frequently used practice is to seek the leave of the House—that is, permission without objection from any Member present—to make a statement when there is no question before the House. This procedure is used, in the main, by Ministers to announce domestic and foreign policies and other actions or decisions of the Government. A period is provided in the order of business for ministerial

statements following Question Time and the presentation of documents on Tuesdays, Wednesdays and Thursdays. However, Ministers may make statements at other times as well—in all cases leave is required. Leave is also required for a Member to make a statement when presenting a committee or delegation report outside the period set aside for that purpose on Mondays.

And here is the important bit:

In the case of a ministerial statement, it is usual for a copy of the proposed statement to be supplied to the Leader of the Opposition or the appropriate shadow minister some minimum time before the statement is made. At the conclusion of the Minister's speech, he or she may present a copy of the statement and a motion 'That the House take note of the document' may be moved. The shadow minister or opposition spokesperson may then speak to that motion, with, commonly, standing orders being suspended to permit a speaking time equal to that taken by the Minister. If a motion to take note is not moved it is usual for leave to be given for the opposition spokesperson to speak on the same subject.

That is how it is done in the federal parliament. It is probably not a bad thing to do here, simply because we often adjourn debate on papers. We ask ministers to move that we take note of papers so that the debate can be adjourned. They often go straight on the notice paper and there they sit for long periods of time, because time is short in this place because we only have a limited number of sitting days and weeks.

The theory behind this is that matters can be addressed sensibly. They can be addressed immediately and then they do not have to go on the notice paper, clogging the notice paper. I would be very keen, when we do a more thorough review of the standing orders, perhaps through admin and procedure, that they look at this whole notion of statements being provided. What it means is that we, the opposition and the crossbench, have an opportunity to join in the debate.

The government, by not giving us that notice or by just giving us the title, is not helping. If you are up to speed, if you know something about the issue or if you are aware of the report or whatever, you can jump to your feet and you can speak. But if you want a considered debate in this place it is perhaps something we should consider. It works extremely well in other places, and he or she who breaks the embargo obviously does not get embargoed copies from that point on. But it is quite possible to adopt this process in this place, and I look forward to bringing that before the Assembly some time soon.

Portfolio responsibilities

Paper and ministerial statement

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Indigenous Affairs and Minister for the Arts and Heritage) (4.06), by leave: I thank members of the Assembly. I am not sure there will be very many ministerial statements given over the next four years.

Just over seven weeks ago the ACT government took to the people of Canberra a vision for the future of this city and offered them an experienced team of passionate Canberrans to deliver that vision over the coming four years. The people responded, according us the highest vote of any party and the greatest number of seats of any party in the Assembly. My team and I resolved to live up to and exceed the faith placed in us by our fellow Canberrans and we are utterly resolved that, by the time of the next ACT election in 2012, Canberra will be glad that it took the historic step of electing a third-term Labor government.

By then, in 2012, we will be on the eve of our centenary as a city. There are things that I am determined that this government will have achieved by then and that I as a minister will have delivered by then. But four years lie ahead of us before we get to cut the birthday cake and at least the first couple of those years are shaping up as challenging ones for our city and our community. They are years in which we will face competing pressures and feel the tension of suddenly unobtainable aspiration.

There will be the pressure to deliver on the commitments we must fulfil if we are to become a solar capital and play our part in tackling climate change. Simultaneously there will be the imperative of living within our narrowing means as traditional sources of revenue evaporate due to a slowing in economic activity. There will be the challenge of delivering on our billion dollar rebuild of the public health system while also investing in the other infrastructure this community is ready for:

- new schools, where they are needed;
- wider roads, where the traffic warrants it;

And more:

- activity and infrastructure that drive productivity;
- investment that reflects confidence in our great city;
- investment from a government where, for the first time in our history, the Chief Minister also takes on the potholes and the rubbish, takes on the roads and the traffic, the taxis and the buses, takes on the bus stops and playgrounds and street sweeping and bike paths.

And I do mean take on.

The Labor government went to the election pledging a better city and a stronger community and that is what we will deliver, global recession or no global recession, climate change or no climate change. We are the smartest, savviest, most educated, most aware, most thoughtful and most willing community in the nation. What we confront is challenging but not daunting. What we confront is no more or less than a magnification of the ordinary challenges that communities experience from time to time. As a community led by this government, we will meet the challenges of the coming months and the coming years. We will arrive at 2012 stronger, more resilient and, I hope, more caring.

But it will take a shared effort, not just between government and the ministry or government and the community sector but between government members and others elected to this place. All of us, each one of us, are motivated to run for public office to improve the lives of our fellow Canberrans. So let us do it. I propose to do it by exerting myself, as I already am, in each one of the portfolio areas for which I have assumed responsibility. Each of my ministers is similarly off and running. None has squandered the crucial first weeks of government and each, over the coming days, will articulate this government's immediate and urgent agenda, along with our medium and long-term ambitions for this territory.

For the immediate future, for the coming weeks and months, the supplementary appropriation bill will establish the most urgent new spending priorities:

- a massive injection of assistance for the welfare and community sector;
- a rescue package for the RSPCA;
- closely targeted, meaningful help for those most vulnerable.

These investments, combined with the actions already arising from our high-level industry and community roundtables, signal this government's No 1 priority in the immediate term: protecting our local economy from the worst effects of the global and national downturn. Starting straight away, we have joined the Canberra CBD Ltd for a short, sharp advertising campaign to remind Canberrans that when they spend in our local shops they are supporting their local economy and local jobs. Looking a little ahead, there will be a second campaign concentrating on the tourism sector. But these and other urgent actions are for the weeks and months ahead.

The government went to the election with an agenda and a vision for the four years ahead. It was a vision painted in broad strokes in the Canberra plan: toward our second century, and given shape in the policies we announced and the commitments we made during the campaign. Those commitments remain solid; the vision is bold. It may be that priorities will need to be shuffled or timing rethought, depending on the depth and duration of the economic downturn. But the commitments remain and the vision remains.

The government will deliver the first stage of the most extensive upgrade of our public health system since self-government. The government will continue to improve student outcomes and teacher quality, reduce average class sizes in all remaining years of schooling and deliver the best facilities for students and teachers.

The government will respond to the challenges of climate change. And we are able to do all of these things because our budget remains inherently strong. Unlike other jurisdictions, we are not having to draw back from infrastructure building. Our plans are budgeted for; the money is there.

Make no mistake, our balance sheet will take and has taken a hit. But the impact will be minimised by the protective actions the government took over the course of the last

term—actions that put our finances on a sustainable footing for the first time—as well as by the proactive work we are doing right now, shoulder to shoulder with industry and the community sector:

- work that builds on the government’s plan for the territory’s economic future called capital development: towards our second century;
- a plan to make Canberra an even more appealing place to live, invest and do business;
- a plan to invest in our people, to create an even more resilient, even more highly skilled, even more capable and even more flexible workforce;
- a plan for the infrastructure that supports economic activity—and all of it done side by side, shoulder to shoulder, with the business community;
- a plan that has seen the government co-fund, with the private sector, the Lighthouse Business Innovation Centre, boost the Canberra Business Development Fund and introduce ICon, a small grants program to accelerate the commercialisation of technology-based ideas and opportunities.

We are sinking significant funds into the Australian Plant Phenomics Facility at the CSIRO and the Climate Change Adaptation Research Centre at the Australian National University to drive our existing research strengths and, through these strengths, new opportunities for commercialisation. We are helping aspiring exporters make their first inroads into global markets. And in the period ahead we will continue this strategic work and target the support.

Importantly, as a community and a government, we will also plan, in a comprehensive way never before attempted, for the future infrastructure investments that will allow the economy to grow and diversify. We have already begun, with the release of the discussion paper. Of course some of our decisions are being made for us, including the rebuild of our health infrastructure in response to modelling undertaken over the last term. We will not be finished by 2012 but we will be some of the way.

Also beginning now are the other elements of the billion dollar infrastructure program: major road upgrades, continuing improvements to public transport and the blitz in our own backyard of the shop upgrades and playgrounds, the IT upgrades, the miles of new and restored footpaths. And the final element of the billion dollar program is the \$100 million of infrastructure that will allow this city to play a genuine part in combating and adapting to climate change.

It is a mark of how seriously the government takes this duty to current and future Canberrans that I have established a dedicated Department for the Environment, Climate Change, Energy and Water to take carriage of the government’s ambitious climate change agenda, including the implementation of weathering the change, the government’s climate change strategy, and the delivery of the additional commitments of recent months.

If Canberra is truly to become the solar capital, the work must start now. It will and it has. Within weeks we will have gone to the market requesting proposals for a solar power station capable of powering many thousands of homes. Soon our nation-leading feed-in tariff will be rewarding Canberrans who generate their own green power. Across every department and across almost every area of government, the government will be setting an example and helping Canberrans make their own contribution to tackling climate change.

At times such as this, when there is legitimate anxiety about the future, it is more important than ever for government to engage and inform the community. Late in the last term the government embarked on a review of the ways in which it involves and consults the community. That work now continues in earnest. We want to know how we can reach people in an age when the traditional mass media seem to be reaching smaller and narrower audiences.

We want to know how we can give more useful feedback to those Canberrans who contribute to our vast array of public consultations. We want to have detailed community consultations on issues that go to the substance of who we are as a city and a community. That way, when we talk about complex issues, workable public transport systems, the provisional cost of car parking, the sustainability of neighbourhood schools and local shops, the protection of our biodiversity, the optimal size of our population, we will all know the consequences of action or inaction of taking one decision rather than another.

One such complex issue that we began to tackle in earnest last term in collaboration with industry and the community sector was housing affordability. The result of our detailed consultation and analysis was an action plan consisting of more than 60 separate initiatives going to all aspects of affordability, not just for homebuyers but for renters and those in supported accommodation.

In the lead-up to the election, I announced the government would redouble its efforts on affordability, this time looking for innovative and workable ways to deliver affordable and appropriate housing to older Canberrans, as well as strategies for reducing the incidence of homelessness in our community. There is more we can do as a government, as a caring community, as a construction industry, to ensure that this most basic of human needs is met and that the housing we create to meet that need is truly deserving of the label “home”.

Notwithstanding the economic uncertainty, the construction industry is telling me that the government’s land release targets for residential, commercial and industrial land should not be changed at this time. Of course we will monitor sales data closely over the coming months and respond accordingly. Thanks to the work we have done over recent times we are better placed than ever before to quickly respond to changes in demand, up or down—a capacity that helps stabilise prices.

In a few months, it will be 20 years since we embarked upon self-government in the territory. We are a stable, mature and confident community that is learning how to make the most of its hybrid model of government which collapses state and useful functions into one tier.

When it comes to the delivery of municipal services, there are a number of realities we live with. One is our sprawling nature. Our city boasts four million square metres of footpaths, that is, 12 square metres for every man, woman and child. Last year the government swept 17,500 kilometres of roadway and maintained 49,000 square metres of footpaths. We maintained and replaced 5,134 signs and patched 12,500 potholes. On any comparison of any city of comparable population but normal compactness, our municipal effort is extraordinarily challenging.

Another reality is the simultaneous ageing of much of our public infrastructure. Our urban forest is reaching the end of its natural life, hurried along by years of drought, and must be replaced. The government has begun the massive generational task. Over the next 25 years, 60 per cent of our urban forest will be replaced. I noticed today, being interested in statistics, that we maintain 630,000 trees in the urban area. The City of Melbourne maintains 40,000. The City of Sydney Council maintains 6,000. The ACT government maintains 630,000. And it is a reflection of some of the stresses on ACT government municipal budgets.

And it is not just trees of course that are ageing. Seventy-five public schools opened in Canberra in the 1960s and the 1970s—75 schools in just two decades, 75 schools that are simultaneously showing their age. That is why every single one of our public schools is getting physical upgrades. And that is why over the coming term the government will deliver a massive \$200 million boost to our regular municipal program to improve our urban amenity.

Maintenance and cleaning will be boosted. Paving, lighting and street furniture will be upgraded. We will continue our upgrade of local shopping centres and playgrounds and expand our footpath and cycle path programs—a spring clean to end all spring cleans, a city-wide statement of pride.

While all this is happening on the micro scale, street by street, suburb by suburb, we will be working on the large scale too—duplicating the GDE and extending and upgrading the airport roads. The Flemington Road duplication will proceed, as will the Tharwa Road upgrade, Molonglo Road, the Horse Park Drive duplication, the Kings Highway upgrade, the Athllon Drive duplication and Cohen Street extension and associated public transport improvements for Belconnen. And planning is proceeding for other works, including stage 1 of Majura Parkway, stage 2 of Lanyon Drive and the upgrade of the intersection of Northbourne Avenue and London Circuit.

Over the course of the term the government will continue to implement the integrated public transport strategy, with a major focus on further improving the ACTION bus service and fixing issues with our taxi service. I have already engaged in positive conversation with the taxi providers and expect some real solutions.

Beyond the urban fringe, the government will be busy too over the coming term. This season alone staff from the Department of Territory and Municipal Services will conduct fuel management activities over a staggering 12,000 hectares of forest. Efforts this summer will be concentrated on slashing along major roads, fuel removal from Mount Taylor and Black Mountain, hazard reduction burns, maintenance of access roads in the Kowen Forest and slashing along trails in Namadji.

Our community demands and expects the very best when it comes to the delivery of government services. No government can ever say that it has done as much as can be done or that things are as good as they can get. A city evolves, a community evolves; technology changes as, profoundly, world events touch us deeply or lightly. There is always something new to consider or try or debate.

Over the course of this term the Assembly will have a new source of advice and ideas in the form of the new Indigenous elected body. Over the next 12 months the government will develop a service delivery framework for Indigenous services in consultation with this elected body.

And over the course of the term I am determined to see this community narrow the gaps in achievement and opportunity that still yawn between us and so many Indigenous Canberrans. Among our first investments will be a new program to support Indigenous grandparents who are primary carers of their grandchildren and a genealogy project that will see the formal creation of genealogies for local traditional family groups. And we will embark on a drive to increase the number of Indigenous teachers and teachers assistants in our schools.

Four years sounds like a long time but it passes in a blur of activity. Today I pledge that by 2012 Canberrans, looking back over this term, will see change for the better and not just change for the better but change for the future.

Mr Seselja: I would ask the minister to move that the paper be noted.

MR STANHOPE: Certainly. Thank you. I present the following paper:

Portfolio responsibilities—Ministerial statement, 9 December 2008.

I move:

That the Assembly takes note of the paper.

MR SESELJA (Molonglo—Leader of the Opposition) (4.22): I want to say a few words in response. Of course, we have had only a couple of minutes to look at what is in the speech. We can see now why the government did not want to tell us what was in there, because the generic descriptor of “portfolio responsibilities” did not exactly capture the flavour of the speech, I suppose. It sounded to me a little bit more like a campaign speech. It sounded to me like a highly politicised speech, not a simple—as we would expect from a ministerial statement—statement of portfolio responsibilities, which was the information we were given prior to this time.

I think it highlights the point I made earlier about the need to get some procedures in place for ministerial statements. I can see why there was reticence. I can see why Mr Corbell and Mr Stanhope would not have wanted to tell us what was in this speech. It was a campaign speech, and in that respect it is worth going through some of the highlights package and just giving a brief response.

We see the reference to the supplementary appropriation bill, which establishes the most urgent new spending priorities. But, of course, we see a continuation, with the appropriation bill, of the government's failure to be accountable: \$35 million of taxpayers' money and they do not want any scrutiny of that—in and out of the Assembly in two days. We see that not much has changed in the way that this government operates. They have been re-elected with a reduced margin, without a majority, and yet in many ways they still continue to act like they have one. We will continue to work with the Greens to ensure that that is not the case.

We believe that this bill does deserve to be scrutinised, and scrutinised properly, albeit quickly. We will be happy to make that happen so that it can be done in a timely manner. We have not seen any indication from the government that they would submit to that request.

The Chief Minister mentions high-level industry and community roundtables, which signal the government's number one priority in the medium term of protecting our local economy. There are a couple of points on that. Firstly, a roundtable does not signal anything other than that you have brought people together and sat down and chatted. That, in and of itself, is not a bad thing, but it does not actually mean that there are any actions coming from that. So we will wait to see whether there are any concrete results that do serve to protect the ACT economy in the coming years.

The other thing that needs to be pointed out is that it seems this government only acts when there is a crisis. We wait until there is a global economic downturn—a global economic downturn which, certainly for the last couple of months, everyone has seen evolving. We wait until that takes on very serious proportions before we sit down properly with the business community and look at ways of fixing it. It was interesting that one of the things that came from one of these roundtables was that they should cut red tape in planning. How many times have we heard that? How many times have we heard this government pledge to cut red tape in planning? We have been calling for it, we have been begging for it, the industry has been begging for it and, even with the changes in the system, we saw things get worse rather than better in many cases.

So there is an amount of weasel words there when they talk about cutting red tape in the planning system, because that is what they have been saying for many years. We have seen very little evidence of any success in achieving those cuts to make things more efficient so that we can improve our economy and so that we can have a more vibrant construction industry and a more vibrant economy.

It is worth reflecting on the statement from the Chief Minister that “the government will continue to improve student outcomes and teacher quality, reduce average class sizes in all remaining years of schooling and deliver the best facilities for students and teachers”. I seem to recall the Chief Minister saying that this was a wasteful policy, and that the policy of reducing class sizes post year 3 was a policy that simply could not be afforded. In fact, the education minister stood in this place and said that not only couldn't we afford it, not only did it cost \$90 million, but that it was bad policy and that reducing class sizes in the later years actually made no difference.

Of course, we were proud to lead the way on that, and we were humbled when the Labor Party backed our policy to reduce class sizes, because there actually is benefit in that. So now that we have got some bipartisanship on reducing class sizes in the later years, it is now up to the government to deliver on that, and actually to tell us what their time frame will be for delivery on that. Rather than vague assertions, rather than talking in generalities, we want a time frame as to when and how they will achieve this and how much it will cost. Will it cost the \$90 million they estimated that our years 4 to 6 policy would cost, or will it cost the roughly \$22 million that they assigned to their own policy? We wait with bated breath to find out what will happen then.

The Chief Minister also talked about the territory's balance sheet and how it will take a hit. There is no doubt that it will take a hit. It will take a hit from slowing revenues and it will take a hit from the fact that the Stanhope-Gallagher government has not prepared us for the downturn. They had, I think at last estimate—or “guesstimate” as it is now known—\$1.6 billion over and above the revenue forecasts in a period of six or seven years. And that is with revenue forecast to increase each year. So each year they were budgeting on getting more money and each year they exceeded it, to a total of \$1.6 billion.

Of course, they did not properly invest that \$1.6 billion. They brought us to a situation in the absolute height of the boom where they could barely balance the budget, and they brought us to a situation where even the slightest downturn had the potential to put us into deficit. And now, as we are seeing that downturn, we are seeing the inevitable consequences of a government that did not take the time, in the good times, to invest in the future. They did not take the time to budget responsibly during the good times.

We need to make this point because we sat through Jon Stanhope telling us what a wonderful economic manager he was, because he could deliver budget surpluses at the top of a boom, with stamp duty revenue and GST revenue flowing in—and with the money coming in from our superannuation investments which was the result of the brilliant economic management of Jon Stanhope!

We saw that they took the credit for that, but now, as we see the reverse, with stamp duty slowing, GST slowing and superannuation investments going backwards, it is totally outside their control. These are factors outside their control. If that is true now, that was true before, when they were barely able to deliver budget surpluses at the top of a boom. And that is the fundamental problem. That is why we are going to be facing harder times than we should, because the government did not properly manage this. They did not diversify the economy in the good times and now they have urgent roundtables to discuss getting rid of red tape in the planning system as a way forward. This government's economic record will count against them very strongly, and people will see the impacts of that mismanagement as we face the inevitable downturn as a result of the global financial crisis.

It is also worth talking about public transport systems, which the Chief Minister referred to in his speech. In fact, we have seen the bus system go backwards. We saw

the massive cutbacks to ACTION services—the short-sighted cutbacks. And now we have a promise from the government not only that it will suddenly get serious about light rail, with its \$170,000 study, but also that we will see bus services every half an hour. We look forward to the government delivering on that promise and we look forward to seeing the price tag on that.

But if we are serious about developing a sustainable public transport system, if we are serious about that as a community, we do need to change the way we develop this city. It is not about A10 or core areas. It is not about core areas, because they will not solve the problem. We do need to see greater density in our town centres. We want to see more people living there, to sustain a transport system both economically and socially. We believe that is achievable but it does take some vision and it does have to take place over a period of time. Simply retrofitting it on a city that is as vastly populated in relative terms as Canberra is very expensive and very difficult.

The Chief Minister also talked about economic uncertainty and that the construction industry is saying that the government's land release targets for residential, commercial and industrial should not be changed. We would sound a note of caution on that. I think the residential targets need to be constantly reviewed and constantly upgraded. We have been saying this for a long time: when the slowdown comes, we need to be sure that you do not have too much out there. We had too little; we hope it is about right now. We certainly hope so, but that analysis needs to occur constantly.

We saw statements from the Chief Minister before the election in which he committed to a certain number—I think it was 15,000—with no regard to changing circumstances in the future. A responsible government will look very carefully at that. If we look at our public statements on this matter, we have always sounded a note of caution, but what we did have, particularly from Mr Barr's predecessor, Mr Corbell, was a deliberate policy, a destructive policy, of squeezing supply far too much, which led to significant pain for first homebuyers. Of course, first homebuyers, on the one hand, are now getting some benefit from the Rudd government's initiatives, while on the other hand they are still having money taken by the ACT government.

We have the policies working against each other. We have, on the one hand, Kevin Rudd saying, "We're going to stimulate things and we're going to give more money to first homebuyers to assist them to purchase their first home." I do not recall that that one is means tested. I think it is not. So they are actually working to get people into their first home. On the other hand we have this government actually working against it, with a significant taxation burden. Much of the \$14,000 or \$21,000 that first homebuyers get from the federal government—in some cases most of it—is taken by the ACT government in stamp duty. They are two policies that are not working well together.

Mr Barr: If you're buying half-million-dollar houses; not your average first homebuyers. I don't know what world you live in.

MR SESELJA: I think the position of this government is that \$310,000 is about the cut-off for assistance and if you can find something under that—

Mr Barr: I think you'll find it's closer to \$400,000.

MR SESELJA: It was for a couple of years; at \$310,000 it started cutting out. That is when you can stop getting assistance, and we will phase it out from then.

Mr Barr: I think it is \$420,000. Try \$420,000.

MR SESELJA: That is when it totally phases out, of course. Of course, two teachers on a median income of about \$60,000 to \$65,000 each do not qualify anyway. It does not matter what price they are buying it for, they do not qualify. So this has been their record on giving concessions to first homebuyers. It is a dismal one that is contradicted by their federal colleagues now, who are actually looking to help people into their first homes as a result in particular of the economic slowdown. But we believe there are other reasons for that, particularly with the high price of land caused by Simon Corbell's deliberate slowdown.

We see in the Chief Minister's speech that the government will continue to upgrade local shopping centres and playgrounds and expand our footpath and cycle path programs. Of course, they have been forced to do the footpath and cycle path programs, but with the local shopping centres and playgrounds, we saw their attitude prior to the election—\$2 million for maintenance in an election year, no money after that. So we saw their attitude to looking after local shopping centres. They will tidy them up and make them look nice before the election, with no money after that point.

The Chief Minister then touts the credentials of the government in duplicating the GDE. He claims this as a victory, that they are now going to put the people of Gungahlin and Belconnen through further delays because they did not get it right in the first place. This is somehow a victory. He panicked before the election and announced through a late-afternoon, 5.45 press release that he would be duplicating the GDE. We need to have long-term vision in infrastructure. We saw it with the airport. This government waits for there to be a problem, it waits for there to be a bottleneck, before it upgrades.

Interestingly, I had a briefing from the NCA in relation to what is happening with the Kings Avenue overpass—Kings Avenue and Parkes Way. They are saying that they want a plan. They believe what they will do in the short term will actually be too much, but they are planning for the next 30 or 40 years. That is what we want from this government; that has not been the record so far. We can only hope that there will be a change of approach over the next four years and that the people of Canberra will get the government they deserve, rather than more of the same from Jon Stanhope, Katy Gallagher and the rest of the crew.

Question resolved in the affirmative.

Portfolio responsibilities

Ministerial statement

MS GALLAGHER (Molonlgo—Treasurer, Minister for Health, Minister for Community Services and Minister for Women) (4.37), by leave: I thank the Assembly for giving me the opportunity to outline my priorities for this term of government. I make

this statement covering my major portfolio areas of treasury, health and community services.

Madam Assistant Speaker, the ACT Labor government hit the ground running after the election. We are listening to the people of Canberra. We are investing in our community's future. We are delivering on the commitments we made to the people of the ACT before the election.

As Treasurer, my paramount duty in this environment of global financial uncertainty is to continue the strong, prudent financial management Canberrans have come to expect from the ACT government. The current situation reminds us that the global economy is connected. What happens on the stock market in the United States or in factories in China has an effect on Australia. Our nation is not isolated from the impacts of the downturn and there is an inevitable trickle-down effect on our local economy here in the ACT. It shows we are not immune.

There are, indeed, significant challenges and we should not underestimate the extent of these challenges, nor the impact they will have on our local economy. But we should not be fixated on the doom and gloom when that is not what is warranted. There is fundamental strength in the national and ACT economies.

The commonwealth government has taken decisive action to protect the national economy from the worst of the impacts. The Prime Minister has shown leadership by injecting billions of dollars into an economic security strategy that provides more money for first homeowners, carers and pensioners and tens of thousands of new training places to create more jobs.

Two weeks ago at the Council of Australian Governments here in Canberra, the commonwealth government put additional money into key government services—health, education, training and housing—to stimulate the economy, create more jobs and provide a greater degree of certainty to the Australian community.

As Treasurer I have inherited an economy that is in a very sound position and a budget that has a sound structure. While the challenges we face are significant, they are going to be manageable because of the position of strength from which we come. There are good reasons to maintain confidence in the territory's economy. The ACT is better placed than many jurisdictions to withstand the worst of the economic downturn.

The engine room of our economy, the labour market, remains strong. Unemployment in the ACT is at 2.7 per cent and close to a record low. It has remained so during the unfolding of the global financial and economic downturn. A large proportion of Canberra's workforce is employed in the government sector and with the commonwealth's position of increased spending, our labour market is likely to have less instability compared with other jurisdictions. Our budget is in a strong position. We have reduced significantly the historical mismatch between our revenues and our expenses. We created the buffer to deal with unforeseen circumstances and fiscal shocks.

We worked hard and planned well to achieve this. Going forward, we will underpin our budget policy with a focus on the sustainability of high quality services and fiscal discipline. Our cash position remains very strong. The past discipline we demonstrated in achieving budget surpluses, and banking those gains, means our capital program is assured. Our \$1.4 billion infrastructure program announced in this year's budget will continue, largely financed by cash holdings. I know Mr Seselja will be very interested in that considering the comments made earlier.

We can continue to invest in projects to stimulate the economy. We will deliver on high quality infrastructure for the people of Canberra. We will continue to make this a great and liveable city that will attract families and business. Our investment in education and skills will continue to support our community and our economy. Our efforts on housing affordability are returning results.

In times such as these, it is natural for people to worry about their own security. The people of Canberra can be assured that their government is taking action where it can and that the fundamentals of our economy remain strong. We can and we will build on that strength to provide more certainty and confidence for the people and businesses of the ACT.

There are, of course, some things that we as the ACT cannot control. We will be affected by rapid changes in global share markets and problems with credit markets as they impact on the national economy and trickle down to the ACT. We will be affected by decreases in revenue and we will be affected by the growing demand for government services. Our budget was built to be able to absorb unknown fiscal shocks. However, the magnitude of the shock that we are witnessing, and that is still unfolding, is likely to be larger than the present capacity.

There will be changes to the budget estimates from the last update to the community that was published in September with the pre-election update. The extent of the impact of these external factors was not foreseen even as recently as September. The reality is that they will have a negative effect on our budget. A decline in economic activity, particularly in the housing market, will affect our conveyancing revenue. A decline in the financial markets will impact on our investment returns. We will also be impacted by reduced GST payments.

Further reductions in interest rates will impact on the earnings on our cash balances. The outlook is, therefore, a budget going into deficit in the short term. Further details of this will be outlined in the mid-year review, which I intend to release on 23 December. The government will respond to this situation and will develop appropriate policy responses. This work will be done through the budget process in consultation with the community and will look at innovative and flexible responses. This is the government that listens, that delivers on its commitments and that invests in our community. We are determined to do whatever we can to strengthen our local system to withstand any future shocks. We will work with businesses, industry and the wider community of the ACT to promote and enhance economic stability and capacity.

As an immediate step, the Chief Minister convened a round table on 25 November with representatives of the business, development, industry, tourism and education sectors to start a dialogue on working together to address the local effects of the global financial crisis. Since that meeting, several round tables have been held including one on infrastructure which I convened on Thursday, 4 December.

This meeting was a productive discussion on the types of infrastructure projects that could be undertaken in the ACT to drive investment and spending. We are looking at a range of government and capital infrastructure projects to accelerate. These will range from building projects through to smaller initiatives which will provide certainty for subcontractors and small businesses that deliver these programs for the government. We are looking very closely at all possible ways of removing blockages to the delivery of our projects and accelerating the planning and delivery of projects.

The discussion also focused on what the private and non-government sectors can do to contribute to this. We know that there are around \$3 billion worth of projects likely to come on line over the coming years through private investment. I have asked Treasury to closely monitor the unfolding global and national situation and their impacts on the ACT economy. Our massive health system rebuild will also play its part in stabilising the local economy as we continue through the design, planning and construction phases for new facilities including the women's and children's hospital.

The government is also injecting money into a program to encourage local tourism and for people to spend money here in the ACT. This is particularly important in these final weeks before Christmas. The supplementary appropriation, which I tabled in this sitting period, is a decisive action to address some of the immediate impacts on those most vulnerable and to provide some initiatives that support the economic capacity of the territory.

This government will also focus on enhanced accountability and transparency. This has never been more important than in these times. Heading into the next budget, we will keep the community informed and will remain engaged with industry and business to undertake effective and sensible measures to stabilise the economy. We have already indicated that we are looking at better ways in which to consult the community on its priorities and what it values.

Madam Assistant Speaker, we know that high quality health care is a government service that is highly valued by the community. That is why it is a cornerstone of the government's agenda. ACT Labor knows that every member of our community depends on our public health system. This term we will build on our achievements. We will respond to the community's needs, invest in the territory's future and deliver on the commitments.

Our prudent planning and economic management has allowed us to earmark \$1 billion investment in re-building our public health facilities and getting our service system ready for the future. We know that long-term achievable solutions are needed to address the demand for health services and we know that that will continue to increase. We are working with the community, the medical professions and other stakeholders

on delivering a plan that secures our health future. Over the coming term we will design and build a new \$90 million women's and children's hospital. The project is well underway. We have appointed a design team and staff and consumers are currently looking at the best way to deliver care in the new facility.

We will also build a range of mental health facilities, including an adult acute in-patient unit, a young persons' in-patient unit, and a 15 bed secure unit. We are also doing the planning for a new mental health assessment unit for the Canberra Hospital. We are introducing new e-health capabilities and these new technologies will bring revolutionary changes to health service delivery. We are developing additional operating theatres, with two theatres at Canberra Hospital expected to be operational in June 2009, and one at Calvary, which is due to be operational in March next year.

Planning is also well underway for the neurosurgery suite at the Canberra Hospital. It will be amongst the most advanced neurosurgical suites in Australia. Detailed design has commenced on a new ICU/HTU/CCU at Calvary Hospital. This new facility will address the services needs at Calvary Hospital and will be part of a territory-wide network of critical care services that will be enhanced by an information management system. Construction on this facility is expected to commence in 2009.

This program of capital works will extend across all areas of our public health services. Our network of community health centres will be enhanced by the addition of a new centre in Gungahlin and the refurbishment and expansion of our existing centres to allow for a greater range of services to be provided from these centres.

A key feature of future community health centres will be walk-in centres. We are currently seeking the community's views on walk-in centres and how they will function. Our early thinking suggests that these centres will offer consumers fast, efficient access to health advice, and information and treatment of minor ailments and illnesses. The centres will be staffed by a primary care team including nurses and allied health professionals and will provide free healthcare for patients on a walk-in, no appointments basis.

Walk-in centres will work with hospital emergency departments, GPs and extended hours services such as CALMS to provide a new service model. They will complement existing services, yet fill a recognised gap in access to basic primary care services in Canberra. This redevelopment program is more than buildings. We are equally focused on ensuring that we have the right mix and number of staff to deliver health services in the future.

It is essential that we grow our health workforce to keep in front of demand for services. We are also looking at new ways to provide safe high quality health services outside of the way we are currently providing services if we are to meet community needs throughout the next decade and beyond.

This is the most ambitious and comprehensive program ever developed for the future of our health services. Not only will it deliver the health system of the future; it will also provide a significant boost to the ACT economy at a time when we need it by the engagement of local contractors and creating a powerful workforce attraction.

In many ways my role as Treasurer is enhanced by my portfolio responsibilities in the area of community services. Government strives to provide for a sustainable community—socially, economically and environmentally. There is a connection between managing a strong economy which allows the citizens of Canberra to prosper and participate with support for those in need, those seeking inclusion and those supporting the vulnerable in our community.

We will invest in our community infrastructure, provide specific support services and work with our community partners to improve people's lives. We will be listening, investing and delivering. We will be making further investments in Therapy ACT, in areas like speech pathology, early intervention, family support, equipment, autism programs and therapeutic play groups to ensure the children of Canberra are provided with the support that they require to reach their full potential.

We will continue to invest in services and support to assist carers who tirelessly support some of our community's most vulnerable citizens with a carer's card, a charter of rights for carers and the establishment of a carer's advocacy service. We will provide extra support for grandparents who are the primary carers of their grandchildren and create a flexible support fund to make it easier for carers to access support programs and activities.

We will continue to support a wide-ranging concessions program and will support the vital work of our outstanding non-government organisations by addressing wage, conditions and entitlements provisions to ensure the sustainability of the sector. We will be continuing the revitalisation of former school sites to transform them into regional community centres, and we will develop up to eight neighbourhood halls. I am pleased that all community groups that were offered space in the revitalised facilities have accepted those offers. These facilities are important community assets and are central to our endeavour to build a strong and cohesive community.

I conclude by returning to the connection between the economy and the sustainability of our community. We know that many households are feeling the pressure of rising costs of living and the impact of the current financial crisis. We also know from welfare and charity groups that some householders are doing it much tougher than others. The responses we will provide through the second appropriation will assist these vulnerable groups.

The challenges to the territory's economy are significant. It would be unwise to ignore those challenges. It would also be unwise to talk down the economy because its fundamentals are sound. The principle of prudent financial and economical management will remain at the core of this government's policy agenda. We have a proven track record in managing our resources effectively and prudently. Our financial and budget strategies have worked to provide a buffer against fiscal shocks. Importantly, they have worked to ensure sustainability of high quality public services in priority areas.

This government will keep the community informed and will engage with industry and businesses to undertake effective and sensible measures to stabilise the economy, create certainty for business and confidence for our community.

Madam Assistant Speaker, the ACT government is getting on with the job. We are listening, investing and delivering. I thank the Assembly for enabling me today to outline our range of plans and initiatives aimed at building the ACT into a truly sustainable community. I move:

That the Assembly takes note of the paper.

MR SMYTH (Brindabella) (4.53): I thank the minister for her ministerial statement and the opportunity to respond to it. Unlike the Chief Minister's, it is something that does reflect her portfolio responsibilities and therefore would be truly in keeping with a ministerial statement, unlike the drivel we had from the Chief Minister. But I think the minister is just simply reading, again, the election platform of the Labor Party. It does not bear any scrutiny. When you compare it with the actual outcomes, and you compare it with the commitments made during the last seven years, it certainly does not match what has happened. You only have to refer back to the government's own economic white paper on page 6:

With this in mind, there is a need to diversify the ACT economy to build a strong private sector. We need to do this to lessen the economic dependence we have on Commonwealth activity, and because a stronger and more diverse private sector represents the bridge to the new economy that will help the ACT create a more dynamic and attractive society.

We should also not fear strategies that pursue economic growth and development.

Instead of the story that the Treasurer tells, we really have to go to the truth of the matter, and that is simply this: the government received an extra \$1.7 million of revenue over that which they estimated, and at this point in time as the economic downturn commences they have left us with surpluses in the outyears that are paper thin. If today's Appropriation Bill goes forward, the 2008-09 surplus would be reduced to \$50 million, in 2009-10 only \$10 million, in 2010-11 it would be \$11 million and in 2011-12 it would be \$13 million—and that is paper thin.

The government say: "We worked hard and planned well to achieve this. Going forward, we will underpin our budget policy with a focus on sustainability of high quality services and fiscal discipline." But you can only do that if you are in surplus, and you can only do that, in reality, if you have the recurrent expenses to staff the hospitals, to staff the schools and to staff the shopfronts—and what we do not have is that recurrent latitude in this budget.

Indeed, if the \$1.7 million of revenue that arrived, which they had not expected, had not arrived, we would have had simply a series of deficits from this government. Again the minister's statement says: "Our budget is in a strong position. We have reduced significantly the historical mismatch between our revenues and our expenses. We created the buffer to deal with unforeseen circumstances and fiscal shocks." And what is the buffer in the outyear? The buffer is \$10 million, \$11 million and \$13 million. That is not good financial management.

The minister goes on to say: “A large proportion of Canberra’s workforce is employed in the government sector and, with the commonwealth’s position of increased spending, our labour market is likely to have less instability compared with other jurisdictions.” She talks about the commonwealth’s position of increased spending. But the commonwealth have cut their spending in the ACT. They are not spending in the IT sector and have not done so for 11 months. They are not spending on R&D, and have not done so for almost 11 months. They have cut funding to all the cultural institutions. If the minister can get up and detail where the commonwealth’s position of increased spending in the ACT has occurred, I would be delighted to hear it. But you go and talk to the staff at the War Memorial, at the gallery, at the National Library, at Questacon and at all the other national institutions, and they will tell you that the government have not increased their spending. And if you talk to all the firms that were expecting IT contracts, which disappeared overnight, they will tell you that the commonwealth have not increased spending.

The minister mentions later in her speech the \$3 billion worth of projects likely to come on line. A serious number of those are connected to public service accommodation that the commonwealth government has had on hold since it came to office more than 12 months ago. So I would like the minister to come back into this place and justify her statement that the commonwealth’s position of increased spending means that we are likely to have less instability compared with other jurisdictions. I want to see the increased spending in the ACT.

It is interesting that in 2001 when we left office 60 per cent of Canberrans were employed in the private sector; the figure is now less than 55 per cent. The private sector has suffered under Jon Stanhope; it has not grown. Its numbers as a percentage of the workforce have declined in the last seven years. And this is “the buffer”; this is “working hard and planning well”; this is how “we have demonstrated we can achieve budget surpluses”. What they say here is that they are totally reliant on the commonwealth, and the last 12 months have not shown that we should have any confidence in the commonwealth.

This is directly in contradiction to the economic white paper which says:

We need to do this to lessen the economic dependence we have on Commonwealth activity ...

Yet again last week at COAG we had the commonwealth bailing out the states—in this case the territory’s health system—because this government did not have a plan to fund these services long term; they do not have the buffer that they talk about but have not created. They talk about “our budget is in a strong position”, and we hear from the Chief Minister on many occasions about the embedded savings from the Costello review. But we still have not seen the Costello review. We should have the Costello review tabled, because the Costello review, we believe, is flawed. We need to look at the assumptions that led to the government two years ago cutting funding to tourism in particular and cutting funding of business programs—programs that now would be reaping a benefit in our community, a dividend in our community, in increased revenue to government and increased jobs in the private sector. But of course that went out the window.

At the bottom of page 2 the minister goes on to say, “Our \$1.4 billion infrastructure program announced in this year’s budget will continue, largely financed by cash holdings.” That may be true, but you have to spend it. You have only to go to the record of this government since they came into office to see that they do not deliver on capital works. It is well and good to have a \$1.4 billion infrastructure program that you have no intention of delivering.

We see urgent crisis talks. If the economy is so strong, if this government had created the buffer, if this government were ready for the downturn, why are we having urgent crisis talks with the business community? Because they were not prepared; they have been caught out. You have only to read the statements from the Chief Minister in late August. On 28 August the Chief Minister said:

... the ACT is experiencing a period of sustained economic growth and prosperity.

If we have that period of sustained economic growth and prosperity, why are we having urgent crisis talks and roundtables? Then on 12 September the Chief Minister said on WIN News, “The pre-budget update will show a slight easing in the budgetary position, but it will be, I think, very minor and essentially insignificant.” On 10 September the Chief Minister said on 2CC that the ACT economy was not slowing as much as other parts of Australia. He is caught out. From 28 August until now, 9 December, the Chief Minister has been caught out. The government say that they can deliver capital works. But their record is that they cannot deliver capital works. In their first year in office the underspend was 33 per cent, in their second year 37 per cent, in their third year 36 per cent, in their fourth year 48 per cent, in their fifth year 48 per cent and in their sixth year in office 38 per cent.

This government does not deliver its infrastructure program. It is easy to make promises and say that it has got a program; that is the easy bit. But this government simply does not deliver. The minister went on to say, “We will deliver on high quality infrastructure for the people of Canberra.” The Gungahlin Drive extension? That is high quality—half a road, more than double the price, and by the time it is finished it will cost somewhere between \$200 million and \$250 million. That is good budgeting? That is delivering high quality infrastructure? It is like the busway, where almost \$5 million was spent on a planning study for a busway that will never be built. Mr Hargreaves told us it would be “over his dead body”: “it ain’t going ahead.” We had the fallout in cabinet from that.

The prison: they were going to deliver the prison on time, on budget. We had yet again another pre-election stunt: an opening of a prison with no prisoners. It will not have prisoners for another two or three months, and we see in Appropriation Bill No 2 tabled today more than \$2 million to fund the keeping of ACT prisoners in New South Wales—because this government cannot deliver on its capital works program, and that is the problem for this community.

The minister went on to say, “We will be affected by decreases in revenue.” Shock, surprise, horror! It is what we have been saying for years. It is what groups like the

Property Council have been saying for years: you cannot rely on the single source of revenue, that is property revenue, and its significance to this economy for ever and a day, because when it stops it does stop—and it is stopping and it has stopped, and that is unfortunate.

The minister went on to say, “Our budget was built to be able to absorb unknown financial shocks.” Unknown financial shocks? Where have they been? Every day in the lead-up to the election on the front page was the global financial crisis; it pushed most of the Assembly election coverage off to pages 4, 5, 6 and 7. Unknown? Yet they promised increased spending; they reduced surpluses. The minister went on to say, “We will be affected by growing demand for government surpluses.” If there is growing demand, let us hope in the outyears that it is not more than \$10 million, \$11 million or \$13 million, because that is the paper-thin surplus that we have.

Remember that this is the government that is ready, that is able, to absorb unknown financial shocks. Well, what about the known financial shocks? What about the things that we know are coming? You heard the minister mention them earlier today. Every per cent reduction in interest rates is a loss of payment on interest on our money in holding and on revenue received. The GST revenue is going down. The minister therefore went on to say, “However, the magnitude of the shock that we are witnessing, and that is still unfolding, is likely to be larger than the present capacity.” How is this? We have a statement that says that our budget was built to be able to absorb unknown financial shocks but that the magnitude of the shock that we are witnessing and is still unfolding is likely to be larger than the present capacity. I do not know what the Treasurer is talking about. She says in one line “we can” and in the next line she says it is bigger than what we have got. So perhaps the Treasurer would like to come back and explain what it is that is going on here.

She went on to say: “The reality is that they will have a negative effect on our budget. A decline in economic activity, particularly in the housing market, will affect our conveyancing revenue”—the revenue that this government has lived off. She said, “A decline in the financial markets would impact on our investment returns.” That is also true. She said, “We will also be impacted by reduced GST payments”—that is true, because we have not diversified our economic base—and “further reductions in interest rates will impact on the earnings on our cash balances”.

The minister went on to say, “As an immediate step, the Chief Minister convened a roundtable on 25 November with representatives of the business, development, industry, tourism and education sectors to start a dialogue on working together to address the local effects of the global financial crisis.” What a damning indictment from the Treasurer of the performance of the Chief Minister that they finally started a dialogue. After seven years in office, they finally start a dialogue to work together to address what is going on around the world. It took until after the election, until after the money had dried up, until after he had slid the poisoned chalice of Treasury across the table to the Deputy Chief Minister, for the Chief Minister to start a dialogue with business. What a damning indictment of a man who purports to lead this territory.

The Treasurer went on: “The meeting was productive on the types of infrastructure projects that could be undertaken in the ACT to drive investment and spending. We

are looking at a range of capital infrastructure projects to accelerate.” That is simply because they do not deliver on infrastructure. The statement finishes with the Treasurer reiterating some of these points, and it is interesting that the Treasurer bothers to do that. She says, and this will move to what we will be talking about a bit later on in the day, “The responses we will provide through the second appropriation bill will assist these vulnerable groups.” If they knew that they were vulnerable, why didn’t they do something earlier than today? The downturn has not just arrived three weeks out from Christmas. If they knew that these people were vulnerable, why wasn’t something occurring earlier than today?

We were sworn in on 5 November. Today is 9 December, 34 days later—34 days of inactivity from the government, 34 days of sleepiness from the Chief Minister, 34 days of ignoring the vulnerable by the Treasurer, 34 days of nothing happening and denying these people payments that could have been made much earlier had the government wanted to return to work. But it is because the government have been unable to cope with what has gone before and are unable to cope with the future that they have let these people down.

MR HANSON (Molonglo) (5.08): In the ministerial statement on health the minister has laid out an agenda for improvements in the government health portfolio. She started by saying that high quality health care is a government service that is highly valued by the community. I think that is a statement of aspiration and that people currently waiting in the emergency departments, people who cannot find a GP or are on extended elective surgery lists, or indeed those who are suffering from bed occupancy rates at dangerously high levels, would disagree. So, although I share that statement in principle, that aspiration that the minister has, I would doubt that many in our community would say that they are receiving a quality government service.

The statement that the minister has outlined is very much focused on facilities, on capital works, and what this plan lacks is the detail behind that to say how it will actually improve our service. Certainly there is a capital works plan. But the minister in response to a question today could not actually say how we are going to reduce the dangerously high levels of bed occupancy to below 85 per cent and had no plan beyond there. All we seem to have is a plan to build facilities, without the other requirements to staff those facilities and to provide the other essential services as part of a holistic plan.

Yes, I acknowledge there is a lot of money being spent. But I think it is fair to say that, as the second highest spending jurisdiction in Australia already, we are not getting the results that we deserve, currently or in the future. If you look at where the money is being spent on capital works, and think of this government’s record of delivering on capital works, I fear that, if they follow the pattern with the GDE, we are going to have half a hospital and I fear about when that is going to be delivered.

What really is of concern to me is when the statement says, “It is essential that we grow our health workforce to keep in front of the demand for services.” That is all that is laid out for the most critical area of health that we face, and that is the provision of health professionals, the nurses and the doctors that are going to staff the hospitals. All we have is a statement that it is essential. We are aware of that and we are aware that it is essential to get those people into the ACT now—but there is no plan.

Yes, there are some positive steps being taken in the area of capital works; I acknowledge those and we welcome those. But what this plan lacks is the detail of how we are going to go beyond just capital works to staff those facilities and provide that health system that we need here in the ACT. My real concern from this plan? No more GPs? Do we have more nurses? Are we training more doctors? Are we just doing what we do now, which is spending a lot of money but not getting a lot of outcome?

Question resolved in the affirmative.

Greening the ACT economy

Discussion of matter of public importance

MADAM ASSISTANT SPEAKER (Ms Burch): Mr Speaker has received letters from Ms Bresnan, Ms Burch, Mr Coe, Mr Doszpot, Mrs Dunne, Mr Hanson, Ms Hunter, Ms Le Couteur, Ms Porter, Mr Seselja and Mr Smyth, proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, I have determined that the matter proposed by Ms Hunter be submitted to the Assembly, namely:

Greening the ACT economy.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (5.12): As everyone here is aware, the world economy is in the grip of a global financial crisis. Equally, we are all aware of climate change. In addition, the world has a finite quantity of oil. It is likely that we have already reached peak oil production, and if not we will reach it in the next few years. These three factors mean that business as usual is not viable for the future. Today, I will raise how the ACT government can help the ACT to move from business as usual to a new green economy.

First, I will look at some overseas examples of regional government taking a proactive role to create a green economy. In the United Arab Emirates, the government of Abu Dhabi has started the Masdar city project. Masdar will rely entirely on solar and other renewable energy sources. It aims to create a sustainable, zero-carbon, zero-waste ecology. The city will be home to 50,000 people, which makes it similar in size to the Molonglo development. It is expected to cost \$US22 billion. Ironically, of course, this is financed by oil revenues, but it does show what can be done in a new development.

A more financially modest example can be found in Rizhao, a coastal city of nearly three million on the Shandong Peninsula in northern China. In Rizhao, which means “city of sunshine” in Chinese, 99 per cent of households in the central districts use solar water heaters, and most traffic signals, street and park lights are powered by photovoltaic solar cells. In the suburbs and villages, more than 30 per cent of households use solar water heaters, and over 6,000 households have solar cooking facilities. The Shandong provincial government achieved this partially by providing subsidies. However, instead of subsidising the end users, as we do, the government funded the research and development for the solar water heater industry with the aim of reducing the cost of the heaters. In addition, the city requires all new buildings to incorporate solar panels.

So what can we do here in Canberra? The Greens support a multi-pronged approach to developing the green economy. We support government regulation to ensure that minimum standards are maintained. But we recognise that regulation should provide a floor, not a ceiling, and that regulation can lead to a compliance burden for both business and government. We support government leading by example, and this can be in areas like green procurement and green buildings.

We support targeted business development programs. The ACT government has a wide range of business assistance programs. As far as I can tell, they have one feature in common: sustainability is not one of the criteria. By leaving this out, the government is ignoring one of the most powerful drivers for future economic development. The ACT Greens would like to see all business assistance programs reframed to include sustainability as a significant selection criterion.

We support governments providing correct pricing signals in good time, so that business and the community can adapt. Some of the most significant of these, such as the emissions trading regime, are in the federal sphere, and we urge the ACT government to discuss the best way to incorporate voluntary emission reductions in the scheme. Some are local, such as tip fees and other waste disposal charges.

We support government building on the strengths of the region. A major strength is that the ACT is a knowledge economy, and in particular we have a considerable research capacity which is built on the foundation of the ANU and CSIRO. In this context, we support the government's recent investment in the ANU's new climate change institute. As Professor Will Steffen, the institute head, said, "We can devise a way of using our own city and the Canberra region as one big laboratory to test new ideas." Finally, we support government not getting in the way of business or the community trying to do the right thing.

More concretely, we have put some of the ways to move to a greener economy in our agreement with the Labor Party. I will discuss some of its more relevant features and then move on to other measures that we think are important. A key feature of the agreement is an energy-efficient makeover of Canberra houses rated lower than three stars. This program is a triple winner. It is a winner for the environment because once the houses have been made over they will need less energy to heat and cool them, so less energy will be used and less greenhouse gases produced. It is a winner for the occupants of the houses because it will cost them less to heat and cool their houses. This is particularly important because many of these houses are owned by Housing ACT and most of these tenants cannot afford high energy bills. And it is a winner for the ACT economy. The jobs of insulating houses are inherently local jobs which can be done by local businesses.

Our agreement with the Labor Party provides additional money to double the current retrofitting program for ACT housing stock and immediate funding to assist ACT residents to access the new commonwealth energy efficiency funding. However, as the agreement says, "The parties agree that further initiatives will be necessary to achieve the program aims." We look forward to working with consumers, business and the government to develop the further initiatives. A similar triple winner program

is the plumber visit program, where a qualified plumber visits houses and undertakes maintenance and repairs. It will save water for the environment, costs for the householders and create local jobs.

The agreement calls for the feed-in tariff to be fast tracked. This is a really important green economy stimulus because it sets a long-term price signal supporting renewable energy and lets business and the community work out the best way of supplying it. In Europe, feed-in tariffs have been largely responsible for the huge increase in solar and wind installations and businesses. Importantly, and in support of the feed-in tariff, the agreement calls for “legislating for improved solar access rights” as they are essential to make household-scale solar energy viable. Households should not invest their money in solar panels only to find that a year later their neighbour has blocked the sun to their panels.

Again, in the agreement we have supported the proposed renewable energy plant which, as well as greenhouse gas free energy, should provide continuing local jobs. It could also be the foundation of a new green industry in the ACT. There will be a trial of organic waste collection over the next year, and this could be the start of a new organic waste utilisation business in the ACT.

In addition to these specific agreements with the Labor Party, the Greens would like to see the government take a more active role in refocusing our economy towards a sustainable future. The agreement with the ALP also includes “develop a detailed government strategy, with appropriate incentives, that supports the ongoing growth of the green economy in the ACT”. In doing this, the government will be able to build on a lot of Australian work in this area. Many states have programs specifically designed for this, such as the Queensland sustainable energy innovation fund and the Victorian energy technology innovation strategy. In addition, the ACTU and the Australian Conservation Foundation have recently published a report, *Green gold rush: how ambitious environmental policy can make Australia a leader in the race for green jobs*. It identifies six sectors that are green and could grow. The six are: renewable energy, energy efficiency, sustainable water systems, biomaterials, green buildings, waste and recycling.

I will now move on to areas that we could not include in the agreement. We understand that the ACT Treasurer has proposed an economic stimulus package for February next year. We support this, as we agree with Reserve Bank governor Glenn Stevens who, in a recent speech, said there was nothing wrong with using additional government spending to stimulate economic growth during a slowdown for “worthwhile” purposes.

We see the worthwhile purposes being things that set us up for the future. We should be investing in climate change adaptation and in the development of the green economy in the ACT, and we should be doing it in a way that supports those Canberrans who are less economically fortunate. The energy efficiency makeover program that I mentioned earlier would be a prime candidate for additional funding in the package. So would the plumber visits, bike paths, footpath fixing and improved public transport, which will become even more important when petrol prices rise again.

However, we would also like to see the government make bolder moves into developing the green economy with the stimulus package. For that reason, we suggest that the ACT government should support the ANU solar group in its involvement with the Australian Solar Institute. The Australian Solar Institute is a \$100 million initiative of the federal government, initially to be built around the solar groups at ANU, the University of New South Wales and CSIRO.

While we are sure that the ANU solar group will get significant funding under this initiative, we expect that they will get more if there is co-funding by the ACT government. With that support, the ANU solar group and allied companies such as Spark Solar, Origin Energy, Chromasun, Wizard and others have the potential to form a major cluster of solar research and manufacturing in Canberra.

We also think that the ACT should take a more proactive view of industry support, along the lines of some other states. While we do not support competitive federalism leading to bidding wars for projects, we think that there is a role for targeted government support. Spark Solar is one green company that we are aware of which is trying to get the same level of assistance from the ACT government that has been offered to it by other governments. I assume that there are other companies as well.

I will now move to an area where the government should be showing more leadership, and that is in green commercial buildings. Canberra had the first five-green-star-rated building in Australia, at Brindabella Park, out at the airport, and then the first six-green-star-rated building, for Australian Ethical Investment. The salient point about both these buildings is that they were not built with government assistance or for government anchor tenants. They are examples of the private sector leading the government. The private sector is doing it because it is good for the environment, good for their staff and good for their bottom line.

The commonwealth government has required all new and substantially refurbished buildings, whether owned or leased by the commonwealth government, to achieve 4.5 star energy rating. The ACT government does not yet have a blanket policy for all of its buildings. The ACT government could catch up with or maybe even exceed the commonwealth. Green buildings are a potential growth area for the ACT because of their large number of government tenants, who, in the commonwealth's case at least, demand green buildings. Green building expertise is a potential export industry—at least to the rest of Australia—for the ACT because of the growing demand for more sustainable buildings. A commitment to at least five green stars for new buildings and a rolling program of refurbishment for existing buildings would be a good way for the ACT government to support this industry.

In conclusion, the Greens see that the ACT's economic future can be green. The government has a range of options to help get there. We call upon government, business and the community to support investment in our future to make it so.

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Indigenous Affairs and Minister for the Arts and Heritage) (5.25): I am

very pleased to speak in this discussion of a matter of public importance today, and I commend Ms Hunter for proposing it.

When we refer to the “greening” of the economy, we are really, of course, referring to two things. One is the development of overtly green industries—the manufacture of solar panels perhaps, the establishment of wind farms or the design of hybrid vehicles. But greening the economy is about much more than this. It is about improving the sustainability of all sectors of the economy. It is about collectively reducing our greenhouse gas emissions through greater efficiency and through changes in behaviour. It is about retrofitting our buildings and reducing our power and water consumption. It is even about building better roads to improve commuting times and thereby reduce the length of time cars spend on the road.

Two months ago, just before the election, I released *Capital development: towards our second century*. It is the government’s plan for securing and sharing the economic prosperity of our community. *Capital development* is grounded in the ACT Labor Government’s commitment to a sustainable economy. It is a plan for capitalising on our existing sectoral strengths—strengths that by their nature lend themselves perfectly to the advancement of a greener economy in both the senses that I have outlined. Research and innovation—our raw materials here in the ACT—are in themselves cleaner industries than the energy-intensive, planet-gouging industries that so many cities depend upon. Of course, research and innovation are the very sectors that give rise to the new technologies that allow us to deliberately and consciously minimise our carbon load.

The three strategic themes of *Capital development* all lead us towards an economy that is more sustainable, less burdensome on the environment and more sensitive to the right of future generations to inherit a place worth inheriting. The first theme, investing in people, is about giving Canberrans the skills that will enable them to come up with the solutions to today’s challenges—the skills that will make them part of the answer when it comes to climate change, rather than part of the problem. The second theme, encouraging business and innovation, is about the ACT government supporting partnerships and integration between the scientific and business communities so that new green technologies can be developed in the ACT and applied locally, nationally and globally. This is not only an acknowledgement of our sectoral strengths; it is a means of continuing the diversification of the ACT’s economic base. Our third strategic theme is building infrastructure and planning for the future. The ACT government recognises that expanded, reconfigured and new infrastructure will play an important role in addressing challenges such as climate change and moving our economy towards greater sustainability.

The Labor government’s \$1 billion infrastructure investment program, announced as part of the most recent budget, includes a massive \$100 million to specifically meet the challenges of climate change. But it also involves \$250 million for a more efficient transport system—one of the most proven ingredients of addressing our collective impact on the environment.

Climate change is not a challenge for the ACT alone. That is why, in fashioning a local response, we must look beyond our own remit, beyond our own resources and

beyond our own borders. To do otherwise would be insular and oblivious. Effective long-term sustainability of our economy—locally, nationally and globally—requires cooperation and coordination between government, the private sector and the broader community, not just within the ACT but between the tiers of government and even between nations.

Internally, the government is working with organisations like the ANU. Nationally, we are part of the COAG working groups that are determining the most effective ways of improving our economic sustainability as a nation. Most importantly, we will be part of a national emissions trading scheme that will have far-reaching implications for the Australian and ACT economies. We will continue to work closely with the Australian government and the community during the development and introduction of this scheme and we will refine our economic policies as the impact of the scheme becomes clearer.

The ACT government also participates in the Small Business Ministerial Council Working Group on Climate Change. This working group assesses and shares initiatives across Australia and considers how these can be adapted to the particular circumstances of the small business programs offered by jurisdictions. In addition, the government is committed to providing \$148,000 to fund a service that delivers best practice information and advice on climate change mitigation and adaptation measures to small business, which could be delivered through an existing service like Canberra BusinessPoint. Indeed, there are a number of existing ACT government programs delivered through the Lighthouse Commercialisation and Innovation Centre and Canberra BusinessPoint that are well positioned to support “clean tech” business opportunities. In addition, the new investment facilitation program, which will give payroll tax concessions, was explicitly designed with sustainable industries in mind and will play a valuable role, I hope, in attracting larger sustainable businesses to our town.

Importantly, the government understands that some actions to achieve a sustainable future may have disproportionate effects on some households, particularly those with less capacity to change their behaviour and less capacity to absorb increased prices. We were confronted with just such a situation during the design of our feed-in tariff. I recall at the time that some of those who purported to care about the needy scoffed at the government’s determination to explore this aspect of our nation-leading legislation. Well, these things can be complex. Motherhood statements and grand gestures have their place, but not in government. That is why the government will continue to examine ways to assist low-income, vulnerable and disadvantaged households to mitigate the effects of climate change and to maintain access to essential products and services.

In every area of this government’s activity, we witness a commitment to a more sustainable economy. We have committed \$30 million towards the construction of a large-scale solar power facility for the ACT and are on the point of going to the market to seek proposals. This project is just one that is helping to build Canberra’s credentials as Australia’s solar capital and this government’s credentials as the most sustainable government in the country.

Along with our nation-leading feed-in tariff for renewable energy production, the solar power plant project gives Canberra the potential to become the national leader on renewable energy production and climate change amelioration. Not only will a large-scale solar power facility help the ACT to meet its greenhouse gas emission reduction targets; it will create sustainable jobs for the ACT and provide opportunities for collaboration with other innovative commercial and research organisations in the ACT.

The ACT government also understands that sound forward planning has a central role to play in creating a more sustainable economy. Good planning increases the energy and water efficiency of homes and buildings, more effectively links people, employment centres and services and reduces greenhouse gas emissions.

This government's commitment to sustainable planning is clear. We have adopted contemporary sustainable planning practices in Bonner, east Gungahlin and Molonglo. We have mandated five-star energy ratings for new single residential buildings and encouraged new building owners to achieve even higher energy efficiency ratings. And we have introduced water-sensitive urban design guidelines applying to all scales of development.

Developing a truly sustainable economy does not, of course, happen overnight. The government has a good record to date, but importantly, we continue to refine our sustainability credentials and examine ways in which we can do better for Canberra and, indeed, for all Australians.

MR SMYTH (Brindabella) (5.33): The Chief Minister finished his speech by saying that the government has a good record to date. For members of the crossbench who were not here when we had a debate about this on 7 March this year on a motion by Dr Foskey, I just want to read something from Mr Hargreaves. At the conclusion of his speech Mr Hargreaves said:

However, I do not have the faintest idea what Dr Foskey is talking about when she says she wants the government to "establish the ACT as a centre of sustainability industries".

Dr Foskey retorted, "Come and ask me." Mr Hargreaves said:

I would not waste my time. I am afraid that I do not have a clue about what she is talking about and I suspect that there are many people around this town who share my bewilderment with respect to this proposal. As I mentioned before, I think the ACT has been doing some very positive things.

We have a minister in the Stanhope government who does not have the slightest idea about sustainability industries. We have a man who travels around this country and, I assume, attends conferences around the world as a minister who is responsible for delivering municipal services in this city and he has no idea. What is more, he does not care. That is the measure of the effectiveness of the Chief Minister, the former Minister for the Environment—a position which he has now abandoned—and the Minister for Business and Economic Development in respect of sustainability industries in the ACT. He cannot even get his cabinet to come on board.

We are all aware that Ted Quinlan quit the Assembly, and I think we all know why. The economic white paper is Ted's legacy. One would think that an economic white paper from a government committed to sustainability and improving the economy of the ACT might actually talk about sustainability industries. For those that did not hear it earlier today, I will read again from page 6. It states:

With this in mind, there is a need to diversify the ACT economy to build a strong private sector. We need to do this to lessen the economic dependency we have on Commonwealth activity, and because a stronger and more diverse private sector represents the bridge to the new economy that will help the ACT create a more dynamic and attractive society.

I do not think any of us can deny that. Chapter 5 at page 56 of the economic white paper deals with capitalising on competitive advantages. Among the priority industries listed is environmental industries. They actually did have it. It is like a little fish. Ted had it. He caught it, he had it in his palm and he got it onto page 56 of the economic white paper, and then it just slipped away. As a matter of interest, the nine key industries are information and communication technology, space sciences, biotechnology, public administration, environmental industries, creative industries, sports science and administration, education and defence.

There are six paragraphs on environmental industries and one action. The government's economic white paper, its blueprint for the future—according to the Chief Minister, sustainability is a key note—lists one action. What is that action? Action 26 states:

The Government will undertake an industry and capability mapping exercise for the environment sector. This will assist in better linking R&D to commercialisation partners.

Remember that this is December 2003; environmental industries is a key priority. One action is proposed—a mapping exercise. Some years later we asked some questions to find out how the government was going. On 21 September 2006 I asked a question on notice about action 26 in the economic white paper. I asked:

... has the industry and capability mapping project for the environment been undertaken; if so, what has been the result of this action; if not, why not.

I received a simple, one-line answer from Mr Stanhope. It states:

The answer to the member's question is as follows:

- (1) Industry and capability mapping for the environment sector has not yet been undertaken.

Three years later, on one lone initiative, there has been no action—no mapping, no commitment and no environmental or sustainability industries future for the ACT. As John Hargreaves so eloquently said, the government does not have the faintest idea what Dr Foskey is talking about when she says she wants the government to establish the ACT as a centre for sustainability. End of story.

I want to go back to 1996. In 1996 the ACT has a Liberal government under Kate Carnell. It has an operating loss, courtesy of the previous ACT Labor government, of \$344 million, or 20 per cent of the budget of \$1.5 billion. So the Liberal government has some work to do. We have some problems.

We do some work and we come up with a document called *Creating our future: ACT industry development strategy 1996*. It is a fabulous document. It was a good document then and it is probably just as good now in the light of what the government has not done. Page 15 is headed “Environmental industries—exporting sustainability”. There it is. Twelve years ago the then Liberal government had a plan to make Canberra a centre for environmental industries.

Let us compare the approach of the “we know nothing” ministry with the Liberal Party of 12 years ago that wanted the ACT to become a centre of excellence. In our 2004 policy we said that environmental industries are key to Canberra’s future, and we said it before the last election. Environmental industries are key to the future of the ACT. We have a government that talks the talk but does nothing. It is a problem because the opportunities are slowly slipping away.

But the government also has a role to play. In the mid-1990s, through our *No waste by 2010* strategy, we promoted an attitude inside government that government can fundamentally change the way people think and create opportunities for the private sector to assist government in achieving great environmental outcomes. That strategy has formed an industry around the world. The *No waste by 2010* strategy adopted by a Liberal government has resulted in no-waste networks around the world.

I have to say, Mr Speaker, that when you are sitting in your office, as the minister responsible for *No waste by 2010*, it is an absolute thrill when the no waste network from Wales rings and asks if they can send a delegation from Wales to Canberra to find out how to do it because they want to follow our lead and they want to help change the world.

What happened in 2001? It became “No action by 2010”. In the last seven years nothing has happened to foster the ideas and community involvement that came out of *No waste by 2010*. The beginning was enormous, with our Australian leading—probably world leading—ACT greenhouse strategy commitments in the year 2000 to reduce the threat of global warming. That strategy set incredibly ambitious targets and we knew that we had to involve industry to achieve those targets, both in the way that it behaved and the way that it received and used energy. Again, there was an aspiration there that these things would lead to Canberra being a centre of excellence.

It is fantastic to hear the Chief Minister now, in 2008, talking about making the ACT the solar capital of Australia. But the opportunity has been lost. In 2006, The ANU’s solar breakthrough—slither technology—went from the ANU to Adelaide because the ANU could not get support from this government to keep it here. It went, with Origin Energy, to South Australia and from South Australia it went overseas. The opportunity was lost.

Spark Solar have been taking with the government for nigh on 12 months. Chief Minister, have you read the documents they have provided to you? Do you understand what Spark Solar want to do? They want to commercialise technology that has been developed out of the ANU and keep it in the ACT. You talk about a commitment to sustainability and developing our industry base, but you have no commitment to making it happen. Spark Solar want to be associated with the ANU. They want to stay in the ACT. They want to employ people here. They want to commercialise technology that is being developed by scientists locally. But they are getting no assistance and have received no assistance from a government that is not interested in sustainability industries.

MS PORTER (Ginninderra) (5.43): I concur with the Chief Minister that this government has a good record in greening the ACT economy. There is little doubt that the global economy is changing. We are in a period of uncertainty and change. We are also in a period where we can embrace opportunities to change for the better to address the challenges of climate change and the global financial downturn. The government will play its role, alongside Canberra businesses and the Canberra community, in meeting these challenges.

Looking around me, I see a city well placed to respond to this challenge. More importantly, I see a smart city, a smart economy and a community that can make the most of this change of circumstances to create a new and sustainable future. Climate change is shaping policy across the globe, across the nation and here in the ACT. This government has long recognised that smarter and greener industries are the way to a sustainable future for our economy, our children and our children's children.

As announced by the Treasurer this morning as part of the second appropriation, this government has committed over \$10 million in new climate change initiatives. An important initiative of our new term in office is the establishment of the Department of the Environment, Climate Change, Energy and Water. It will provide an important and reinvigorated focus on how this government leads by example in greening our city and how we can support the community and business in transitioning to a greener, more prosperous economy.

I would like to highlight some of the recent achievements by the ACT government, as well as detail some of the new initiatives in this area. It is with great pride that the ACT government launched *Weathering the change: ACT climate change strategy*. It identified 43 priority actions that involve all government agencies. All actions have been progressed and a number completed.

Key achievements include leading the nation with the introduction of the country's most generous electricity feed-in tariff scheme early next year, which the Chief Minister referred to earlier. Based on a gross generation model, it will pay households and businesses that install renewable energy generation a premium payment for every unit of electricity they produce. This not only reduces the territory's ecological footprint and reliance on fossil fuels but promotes a viable local solar installation and service industry. The government will be providing additional funds to fast-track and implement this landmark scheme.

Another example is the ACT energy wise program and home energy advisory team, with funding of over \$1.7 million to provide advice and rebates to residential home owners to encourage energy efficient and reduced greenhouse gas emission outcomes. The ACT energy wise program has responded to a total of 10,580 inquiries since its inception. ACT energy wise offers a rebate of \$500 to participants who invest at least \$2,000 on identified improvements.

At a time when we are all being encouraged to spend money, this rebate ticks all the boxes. It encourages Canberrans to spend their money at local businesses and through local tradespeople to increase the energy efficiency of their homes. To encourage Canberrans to upgrade their vehicles to the newer greener alternative the government has introduced differential stamp duty costs for new vehicles, which will provide the incentive for the purchase of low emission vehicles and a disincentive for the purchase of cars with poor environmental performance.

In delivering its municipal services this government is supporting green technologies and green industries through the extension of the streetlight replacement program 2008-09. Under this program 5,000 new lights will be installed in addition to the 1,713 lights that have already been replaced in 2007.

Through this government's support an implementation plan has been developed to carry out energy efficiency improvements to Housing ACT properties. By the end of October 2008 energy efficiency improvements will have been made to 429 public housing properties. Improvements to date have primarily focused on efficient hot water systems. Work has commenced on upgrading both ceiling and wall insulation. The work included conducting an energy audit on a sample of Housing ACT properties and introducing energy efficiency heating systems into existing properties.

These initiatives show this government's support for the environment, the economy and the community. Through these initiatives we will see the continued employment of local tradespeople and support for local businesses down the path to a greener economy.

We all recognise the need for the ACT to evolve in a way that is socially and environmentally responsible—to be a sustainable city with reduced a greenhouse gas emissions and a growing green economy. The new Assembly committees established today will increase the potential of the Legislative Assembly to hear people's views and develop approaches to address some very difficult and complex issues, including a legislated greenhouse gas reduction target for the ACT.

At the national level the Australian government's carbon pollution reduction scheme, or CPRS, will result in major transformations of the Australian economy, including the ACT economy, towards a greener economy. We will all be looking carefully at the Australian government's white paper, due for release on 15 December 2008. It will outline the final design of the carbon pollution reduction scheme and the medium-term target range for reducing Australia's carbon pollution. I understand a public meeting is being held in Canberra on 16 December at the National Convention Centre.

Water is one of the most valuable resources the government needs to manage. The recent drought has further focused the government's attention on this very important area. The government's water resources strategy *Think water, act water* that provided a program of rebates and incentives to assist ACT residents improve water efficiencies and reduce water consumption has seen the introduction earlier this year of the new ToiletSmart program to assist ACT residential property owners to replace single-flush toilets with water-efficient dual-flush toilets. The GardenSmart program has helped ACT residents have a healthy garden without using too much water by providing expert horticultural advice on plant choice, garden design and maintenance and mulching and watering techniques et cetera.

In February 2008 the ACT government commenced a program to distribute 10,000 greywater diversion hoses free of charge to ACT residents, and I was very happy to be able to launch that program. The ACT government also offers rebates for installation of rainwater tanks with internal plumbing connections to inside the home, for example, to the toilet or to the washing machine, on residential properties connected to Actew Corporation's water supply network. These initiatives will result in Canberrans engaging local businesses and local tradespeople to make their houses and garden more water efficient.

The ACT government takes responsibility for the way its activities impact on the environment and looks to support the ACT community in the measures it can take for us all to adapt to tread more lightly. A green economy is an economy that will serve the ACT well into the future and the ACT government will continue to embrace innovative policies and programs to ensure that a green economy is nurtured.

MR SESELJA (Molonglo—Leader of the Opposition) (5.51): I thank Ms Hunter for bringing this matter of public importance forward today. I think it is a discussion that we need to continue to have. Of course it is more than just a discussion; we need to take it further and look for concrete actions over the coming years to turn the aspirations that many in the community have into a reality.

There are many good reasons for greening the ACT economy. There are good economic reasons. We believe that the ACT has a competitive advantage, with its highly educated population, with the state-of-the-art research that goes on at the CSIRO and the ANU. We have a real opportunity to become a sustainable economy, to have sustainable industries in the ACT. There are good economic reasons to do that. We know that these are emerging industries. These are going to be industries that provide export dollars for the ACT and for Australia.

But of course it is also about lower emissions; it is also about being a more responsible community in the way that we use our resources and in the way that we contribute to the environment, not just locally but also globally. So there are a number of good reasons to do this. And we are well placed.

Look, for instance, at solar. I think the ACT is very well placed, not just for the reasons I have mentioned—the highly educated population, the ANU, CSIRO—but also because of our climate, because of the days of sunlight here. There is the

opportunity to develop a solar industry. These are the industries we should be pursuing.

It is unlikely any time in our lifetime that the ACT will become a hub for large-scale manufacturing, for low-skilled manufacturing, but we can become a hub for high-skilled industries, for technology, and that very much includes sustainable industries. The Liberal Party, when last in office, pushed these issues and demonstrated leadership, I think, on environmental issues.

Mr Smyth has spoken about no waste by 2010, which was a fantastic initiative but which I think has been downgraded by the Labor Party to not much waste by 2010—a little bit less waste than we would have hoped. No waste was a noble goal and it has stalled in the last few years. We took forward policy to the last election, with green bins which we believe would have helped us take that next step to achieve that no waste target, probably now not by 2010 but certainly some time in the not-too distant future. The green bins policy would have meant much less waste going to landfill and would have also reduced CO₂ emissions. Of course we saw the greenhouse strategy which Mr Smyth has also referred to.

But it is worth looking at the alternative. The approach of this government is personified by Mr Hargreaves's statement when he was responding to Dr Foskey's motion about establishing the ACT as a centre of sustainable industries and a model for Australia. He said:

However, I do not have the faintest idea what Dr Foskey is talking about when she says that she wants the government "to establish the ACT as a centre of sustainability industries".

Mr Hargreaves, a member of this cabinet, a member of this government, did not have the faintest idea when it comes to the relevance of sustainable industries. It is quite a concern that we have members of this government who have that approach.

We believe that the ACT is very well placed and should be very well placed but that we also do need to look at where government can leverage and where government can assist. We do not want this to be an idea of simply picking winners; we do not want it to be corporate welfare. Targeted assistance in various ways, if it is thought through, if it is done with a strong business case, should very much be looked at by the ACT government because emerging industries sometimes need that kick-along. In the early days, seed money—whether it is tax concessions, whether it is even assistance with infrastructure, whether it is open-tender processes when we go for things like the solar farm, all of these things—can assist industry to come and settle in Canberra and establish sustainable industries in Canberra.

We also took a policy in relation to solar Canberra. As I have mentioned, the ACT is an excellent location. We wanted to establish a centre for renewable energy excellence instead of simply paying the lip-service that we have heard. A renewable energy park, with a solar plant at its heart, would include research, development, teaching, commercialisation, manufacture, export of renewable technologies. Of course, this would have allowed us to benefit from the world-wide boom in

investment in renewable technologies by attracting companies wishing to set up manufacturing plants based on renewable energy sources.

We know that some are willing to invest hundreds of millions of dollars of private sector money and what they need is just some basic assistance from the government. Our policy was mainly about providing some of the basic infrastructure, at \$13.4 million, to allow this to go ahead. This renewable energy park could create up to 600 jobs in research and manufacture in Canberra. These are the jobs we want in the ACT. They are highly skilled, highly specialised, well-paid jobs and they do contribute to diversifying our economy.

We do not want to see a situation where we simply rely excessively on government spending, particularly federal government spending, for job creation. Job creation needs to become a little more self-sustaining, a little more separate from government. Ironically, that may need a little bit of assistance at the early stages from government but we believe that kind of assistance is justified. We believe the small amount of capital money that we committed to this policy would have seen significant economic benefits for the ACT and it is something that we would certainly commend to the ACT government to consider.

We want to see solar go ahead. We hope that this will be an open process, a good process, when we go and look at the solar farm. There are a lot of firms who are willing to invest and we have spoken to a number of them.

Mr Stanhope, in his interjections, I think, was denigrating Spark Solar and essentially implying that any money or any assistance that was given by the ACT government would be wasted, essentially implying that it was a poor risk. The risk assessment needs to be done. I am not sure that the ACT government has done that. There seems to be a lack of will on the part of Jon Stanhope and his cabinet to look at some of these industries and support some of these industries but we are very committed to seeing the ACT become a more sustainable economy.

Briefly, before I finish, it is worth talking about, in greening the ACT economy, our need to look at the issue of transport and development. These are things that cannot be put aside. It is not just one or the other; it is not just about investing in solar or wind or other renewable technologies; it is also about having a sustainable city. Part of that has to be about a sustainable transport agenda.

What we have seen from the government is a sustainable transport plan, most of which I believe has been tossed out, most of which has not be implemented. We do need to integrate the development of our city with our transport planning. There is no other economically sustainable way to get this right.

We cannot continue to have a situation where, at our town centres, we see minimal development, we see inappropriate development encroaching into the suburbs, but we do not get the density through these polices that we need to see enough people getting onto our business or, in the future, enough people to sustain a light rail system, if that becomes feasible. But it will not become feasible if there is not the foresight and the will to develop our city in a way that would underpin that. In 10 minutes, this is just a snapshot.

At 6.00 pm, in accordance with standing order 34, the debate was interrupted. The motion for the adjournment of the Assembly having been put and negatived, the debate was resumed.

MR SESELJA: In the brief time that I have left, let me say that we have seen the attitude of Mr Hargreaves. He has no idea what sustainable industries are. We hope that that is not going to be the attitude of the government. We certainly believe that Canberra and the ACT have a real opportunity—it is an opportunity economically and environmentally—and we should seize that. We should not dwell too much on the costs, although there will be some initial costs. We should look at the long-term sustainability of our economy and the long-term sustainability of our environment. I think we are better placed than most jurisdictions to do that because of the unique nature of Canberra.

We look forward to being part of solution. We look forward to working with industry to make that happen. It does require will; it does require leadership; it does require more than just a dismissal of proposals that come for investment. We will look to support those as much as we can in opposition and we will have alternative policies to put in place in government.

MRS DUNNE (Ginninderra) (6.01): It is with great pleasure that I rise to speak on the matter of public importance, namely, the greening of the ACT economy, and I congratulate Ms Hunter for bringing this forward. I think that there is a renewed interest on behalf of the government, which I hope to see materialise into real and effective policies in this term, and I think the Greens and the Liberal opposition will keep the government accountable on this.

I think the history of the Stanhope government has been a sorry one on this matter and I have drawn members' attention to this on a number of occasions. I think it is worth repeating at the beginning of this Assembly. In the 2004 election the ACT Labor government did not take one greenhouse, energy efficiency, solar policy to the election. Their entire environment policy was related to nature conservation.

On the other hand—and I think this was also a failing of the Liberal opposition—we took a whole range of policies in relation to energy efficiency and greenhouse but did not take a substantial policy in relation to nature conservation. That was a policy failing on our part.

There has been a bit of a change over the years. We saw in the last Assembly some work done by the Labor government. This was not executive-driven policy; this was policy mainly driven by Mr Gentleman. Mr Gentleman had a particular enthusiasm and what we are now extolling as world-leading feed-in tariffs was the work almost solely of Mr Gentleman.

There are some problems with that legislation and I expect that in the next little while we will have to see a little fix-up of that legislation. But it was no credit to the Stanhope government because, when Mr Gentleman first introduced his legislation, the Chief Minister was a sceptic in the same way as I was a sceptic in some ways.

And there was not very much help. If there had been help from the executive and from the resources put forward from the department, some of the mistakes that are in that legislation would not have been allowed to pass. There are a few problems with that legislation and it will need to be fixed up. The feed-in tariff will be an important tool in addressing the issues in relation to turning the ACT economy into a greener economy.

I, along with my colleagues, believe that we have a lot that we can do in the ACT and there is a lot that has been done. And people in this country are watching to see what we do in the ACT.

I had the privilege the week before last of attending the third International Solar Energy Society conference in Sydney. One of the things that people kept saying was that the ACT had the opportunity to lead the country. Because we have a parliament that has a predisposition towards doing some work in this area, because we have the feed-in tariff—and the importance of the feed-in tariff cannot be understated—we have the potential to really make a difference.

Added to that there is the fact that there are no vested interests or big technology of the dirty kind who say, “No, no, don’t go down that path.” There is no coal industry saying, “No, no, we need to have clean coal technology in the ACT,” and there are no heavy manufacturers who would want to create dirty industries.

We have everything in the ACT to make us a real solar city. But we cannot afford to have another instance like the one that we saw with the sliver-cell technology first going to Adelaide and then going overseas. We need to take advantage of the fact that we have the best minds in the country, possibly in the world, working in our city and capitalise on it. In almost everything that we do, our greatest single assets are the intellectual capacities of the people. It is our greatest natural resource.

The research capacity that you see at the Australian National University, through the work done by the Centre of Sustainable Energy Systems and the work done by Professor Lovegrove, with his big-dish technology and his ammonium transfer systems for storing solar power, is world breaking and is world beating. We need to take these people with us and ensure that we capitalise, that we commercialise these interests, that we see these things happening where they were developed—in our own universities—and that they are developed in the ACT for the benefit, first of all, of the ACT, of the ACT economy and the people who work in the ACT; after that, for the rest of the country; and, beyond that, the world. We can be world leaders but we need much more commitment than we have seen in the past seven years from the Stanhope government.

Before the 2004 election, Jon Stanhope, who was the Minister for Environment, bagged the life out of the climate change strategy that was brought forward by the Carnell/Humphries government. There were things wrong with it; there were things that needed to be done; and there was a review of that climate change strategy in 2003. The review of the climate change strategy, which was given to Jon Stanhope and never implemented, was a simple one: pick two or three or half a dozen significant measures that are going to give you substantial bang for your buck and implement

those; do not have a plethora of tiny, little initiatives that are cobbled together; have three or four substantial initiatives and concentrate your effort on those. That was the recommendation of the review of the climate change strategy in 2003.

Jon Stanhope ignored it. All through the 2004 election campaign he ridiculed the existing climate change strategy, to the point where I was approached by solar scientists in this town and environmental scientists in this town and was told that Jon Stanhope had no credibility with the scientific community. And he still has no credibility with the scientific community because he will not talk to the Spark Solar people; he will not take those steps.

After the 2004 election, the Chief Minister, despite making a promise not to throw out the climate change strategy, threw it out and for nearly two years we had no climate change strategy in the ACT. And when we did get one, the weathering the change, what we got was another collection of cobbled-together little initiatives here and a bit there and a bit there. There is almost nothing substantial in the climate change strategy. First of all, there are no substantial targets and there is nothing in the climate change strategy that will put us within a hope of reaching those targets because there is nothing big enough, substantial enough, to get us to those targets.

I hope that, with the new reality that the Labor Party is facing, we will get serious about greening our economy because the people of the ACT need to have their economy diversified. And it is not just at the high end. There are plenty of green-collar jobs, as people like to call them these days, which are semi-skilled or not particularly skilled at all. When we are talking about installing insulation in roofs, it is not a particularly skilled job.

One of the things that the ACT economy is particularly bad at is providing jobs for people at the low and semi-skilled end of the market. We are moderately good at producing high-skilled jobs, highly technical jobs, but the great advantage of having a green industry is that we have a diversity of jobs across the sector—high-skilled, semi-skilled and low-skilled jobs—which will truly diversify the economy and help create employment across the spectrum. Some of these jobs are well paid.

It was interesting that, when members of the opposition had discussions with Spark Solar about what they had in mind, they did make the point that many of their jobs were semi-skilled and that they were jobs that were often targeted at women because it was a process job that required a high level of attention to detail and women were better at doing those jobs than most men were. They saw that they could provide quite flexible employment to a range of women who might otherwise not be able to enter the workforce.

We have to make a decision and we have to commit ourselves to making strong steps to green our economy—for the benefit of our environment, for the benefit of our economy and for the benefit of our people—so that we find a great improvement in employment as a result of these things. I commend Ms Hunter for her MPI today. I hope that this is the beginning of a new age of green economy in the ACT.

Standing and temporary orders—suspension

Motion (by **Mr Smyth**) proposed:

That so much of the standing and temporary orders be suspended as would prevent order of the day, Assembly business, relating to the proposed referral of the Appropriation Bill 2008-2009 (No 2) to the Standing Committee on Public Accounts, being called on forthwith.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (6.11): The government will not be supporting this motion. The reason for that is that when you look at the matters outlined in the appropriation bill, they are about the implementation of election commitments.

These are not surprises for the Assembly to consider. I would understand the opposition's objection to not having a detailed scrutiny process if a whole range of new, unexpected and significant expenditure was suddenly placed on the agenda for the Assembly to consider. But that is simply not the case.

Indeed, the government is funding a range of administrative arrangements that have been put in place as a result of the establishment of new portfolios and new departments. I do not think that there is going to be any objection to the funding of those proposals. Indeed, I think it would be incumbent on the opposition to say why they believe that expenditure is inappropriate.

More importantly, the appropriation bill funds key election commitments that the Labor Party went to people on at the last election and said, "We will, if elected, implement a second appropriation in the first full sitting of this place to fund these commitments." That is what the Labor Party said it would do and, surprise, surprise, the Labor Party is doing it, Mr Speaker. The Labor Party is doing it. The suggestion from the opposition that it is unwarranted and unnecessary to have the matter introduced and debated this week is simply incorrect.

There is, of course, a range of other matters that are proposed, including funding the latest Remuneration Tribunal decision in relation to MLAs' rates of pay. I am sure that members would be surprised by that requirement. But I think it is worth drawing to members' attention the matters that the government is saying it believes are important to be implemented and which are election commitments.

First of all, there is the \$1 million to provide direct financial relief to individuals and households to assist in meeting increased living costs. This is a very clear and explicit election commitment made by the government before the last election. We said it was important. We said it needed to be done early, and we are doing it. Equally important is the \$2.5 million to provide support to the work of carers and volunteers in our community. The funds are to be distributed to volunteers, to carers, foster carers and kinship carers. In particular, this recognises the impost they face around transport costs. There is funding for the west Belconnen community health cooperative—

Mr Seselja: I raise a point of order. Mr Speaker, Mr Corbell is going through in detail what is in the bill. That is not what this motion is about. This is about the suspension of standing orders that would allow Mr Smyth to bring on the debate that was started prior to lunch so that we could continue and finalise it.

MR SPEAKER: Yes, the point of order is upheld. Mr Corbell, would you like to speak to the specific issue?

MR CORBELL: Well, Mr Speaker, it is entirely relevant because—

Mr Seselja: He just told you it wasn't.

MR CORBELL: the opposition—

MR SPEAKER: Mr Corbell, I did uphold the point of order.

MR CORBELL: Thank you, Mr Speaker. The opposition, of course, are seeking to explain why they believe this suspension of standing orders should take place. But, Mr Speaker, in the government's view there is no justification for bringing this motion on at this time. The reason for that relates to the matters that I have outlined in my earlier comments, namely, these are matters that the government has said need to occur and need to be funded. To bring on a motion that will allow Mr Smyth to propose a referral to the public accounts committee is unnecessary.

The motion is unnecessary. The commitments are clear ones given by the government and ones that we believe deserve to be honoured promptly. Of course, the proposal by the Liberal Party would mean that the Assembly would have to sit again on 19 December to pass an appropriation bill. We do not support that course of action. We were quite clear about the need to make this appropriation in the first full sitting week of the Assembly and we are honouring that commitment. (*Time expired.*)

MRS DUNNE (Ginninderra) (6.16): Mr Speaker, it is important that we suspend the standing orders and go back to the substantive debate. We have spent a lot of time today talking about the new norm in this Assembly, and the new norm is about openness and accountability. It is about a discussion of the issues.

This is what Mr Smyth is doing. He is seeking to suspend standing orders to go back to the substantive debate. The substantive debate has been foreshadowed to members of the Assembly since last Wednesday when we became aware that there was certainly to be an appropriation bill passed. The minister is saying why the government does not want to go down this path of having a referral.

What we are deciding here at the moment is whether or not we should go back to the debate. The debate was only partially heard. Members of this place need to put on the record what their view is on whether or not there should be a reference to an estimates committee—in this case in the form of the public accounts committee.

We need to see on the record if the Treasurer wants this referred. We need to see on the record what is the view of the opposition and the cross benches in relation to this.

It needs to be put on the record so the people of the ACT know when we appropriate in excess of \$30 million whether or not members were prepared to discuss this matter and have it reviewed in a way that has been styled in this place today as the way we should go forward.

In this place today we have said on a number of occasions that we need to have more accountability and that the committee system needs to work for the Assembly and for the people of the ACT. We have also said that bills should not be introduced and passed in the one period unless there is some urgency. Mr Smyth and I have given commitments to the government. This motion, which seeks for us to go back to the original motion, clearly gives a commitment that if the government thinks this is so urgent we commit to passing the bill before Christmas.

But what we get now is again the nine-to-five approach of Labor: we cannot possibly discuss anything within 10 days of Christmas because our brains go to sleep. Ambulance drivers do not tick off on 19 December because Christmas is coming up. Doctors, nurses and policemen don't. If it is good enough for them to stay on duty, why is it not good enough for us to stay on duty?

Mr Corbell does not want to come back because it would somehow be inconvenient. We are not proposing that we come back on Christmas Eve, but we have said that this is an important matter and we need to put on the record whether this new norm that we talk about is window dressing or actuality? Are the members of the Legislative Assembly prepared to scrutinise the government or are they just prepared to rubber stamp? We have to bring back Mr Smyth's motion and we need to address those issues. We need to say substantively whether or not we support the scrutiny of government.

If we fail to suspend standing orders I think we send a clear message that we are not prepared to scrutinise the government. I want to put on the record that this Liberal opposition is prepared to scrutinise the government and will not step back from doing this. What we are seeing here today is the old manager of government business, the one who thinks that he can get away with anything. He says that the government will not be supporting this.

This is the new norm and I put it to all the 10 members who do not form the government: are you prepared to scrutinise them? If you are prepared to scrutinise them, you need to suspend standing orders and bring back Mr Smyth's motion so that we can have a substantive debate about the first step of scrutinising this government.

There is \$30 million of taxpayer's money which is about to be spent. Not all of this was foreshadowed before the election. Not all of the proposals are urgent and have to be passed before Christmas. Those things need to be scrutinised. After all, Mr Corbell has a whole new department which is going to cost something like \$6 million. That was never discussed before the election. Never once was it discussed before the election and suddenly it is urgent. There may be good reason for doing it, but that matter has not been scrutinised, and it will not be scrutinised unless we suspend standing orders, bring back this motion and have a substantive debate.

MR SPEAKER: I call Mr Seselja.

MR SESELJA (Molonglo - Leader of the Opposition) (6.21): Sorry, I was just seeing if the Greens were looking to speak, but they have yielded the floor. Mr Speaker, today we agreed to a bunch of new principles in relation to how the Assembly should operate. One of those key principles—I believe it is also in the Latimer House principles—which we may or may not be debating later on today, is about proper scrutiny of the executive and particularly proper scrutiny of bills, giving enough time for the Assembly to look closely at legislation.

We have changed the standing orders today to ensure that we are able to properly scrutinise bills. We have said that there should be time for that. What will happen today if this suspension motion is not supported is that not only will we have a situation where we do not properly have time to scrutinise bills—we only have two days to scrutinise a \$35 million appropriation bill—but even worse than that, we will not even get to have the debate about whether or not we should have some time to scrutinise it.

A vote against the suspension of standing orders completely repudiates what this Assembly passed this morning, which is the principle that we should have proper scrutiny of bills. If we are not allowed to have this debate, not only will we be saying “Well, it does not matter; we don’t need proper scrutiny of bills. We don’t even need to give a reason why they shouldn’t be scrutinised. We don’t even need to have the debate and have members put on the record why they believe two days is enough time for the parliament to consider a \$35 million appropriation bill.” This would also immediately be back-flipping on the principle that we all agreed on in this chamber earlier today. That is why standing orders should be suspended.

It would make an absolute mockery of the new processes if, without giving any reason, without standing up and justifying the position, without actually saying this is why this is urgent and this is why it must be passed on Thursday, we will be in a situation where we don’t even get to debate that point. I think that would make a mockery of what we voted on today. I think it would make a mockery of what the Assembly passed today.

For that reason I put it to all members that we should support the suspension of standing orders so we can have the debate. We can hear from the government and we can hear from the Treasurer about the urgency, about how putting the bill to a committee would be detrimental, how there is really no prospect of coming back and getting this through and there is no prospect of putting this to a committee. No argument has been given to us yet. I think it is only reasonable that we can have the debate, hear those arguments and vote on that substantive point.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (6.24): Mr Speaker, we support the procedural motion, but we do not support Mr Smyth’s substantive motion. We can go ahead and have a bit of debate about the procedural motion on the understanding that at the end of the day we will not be supporting Mr Smyth’s motion.

Question resolved in the affirmative, with the concurrence of an absolute majority.

Public Accounts—Standing Committee Reference

Debate resumed.

MR SMYTH (Brindabella) (6.25): Thank you, Mr Speaker, and I thank members for giving us this opportunity to at least have the debate. I think it is right and proper that we do have the debate. The problem with what the government have presented is—and I quote from the minister’s speech: “This bill delivers on the election commitments which we indicated through the campaign would be introduced immediately.” This bill purports to fund election commitments. But if you look at the bill, Mr Speaker, you will see that in the first year, this year, there will be \$16 million worth of additional expenditure. If you go back to the government’s own documents that the Treasury compiled, their commitment for this first year, 2008-09, was only \$6 million. So there is \$10 million more of expenditure in this year than the government proposed in the budget. So, clearly, less than 40 per cent of what the government seeks to have approved is for election commitments; the rest is other expenditure. The people of the ACT deserve to know that we have done our job, because that is clearly one of the messages that was sent to the government and to all of us in this place through the election—they want proper scrutiny and they want accountability.

At first blush you would think that some of these things are quite fine. If you look at some of the early pages, there is money, for instance, in Justice and Community Safety for Alexander Maconochie—additional transitional expenses of \$2.174 million. It is just transitional expenses; that might mean whatever it might mean. But if you go to the detail and you eventually get the briefing—and I thank the minister for the briefing; I had about 45 minutes with officials during the break and they have taken a large number of questions on notice—the transitional arrangements are in fact to pay for the keeping of ACT prisoners in New South Wales because the government has stuffed up yet again the delivery of another major capital work. And the prison that was so blithely opened before the election but which now has no prisoners and will have no prisoners for another couple of months is going to cost the taxpayer \$2.174 million in additional expenditure because, yet again, the government did not deliver a capital work on time, on budget. They have failed yet again.

Indeed, there is a \$1.6 million capital injection for business re-engineering inside the department of education. What does that mean? Why is this necessary, and how many additional facilities will it lead to the closing of? When you go to page 115 it says:

This initiative provides funding for the consolidation of DET administrative and school support staff. This will allow for a reduction in the number of sites held by DET.

I do not know how many sites are being reduced. I do not know what the implication of that is. I do not know what the \$1.6 million capital is and I do not know what the depreciation is. I have placed questions on notice and I expect them to yield some answers; from that, I expect to ask more questions. But the very fact that the minister

stands up and purports that this is delivering election commitments when we see that there are many things, \$10 million worth of things, not mentioned by the Labor Party during the election means that they should be scrutinised.

The other defence—and it is a defence that governments often use—is that it is urgent. “We’re going to help people at risk.” Well, if that is the case, where have you been for the last 34 days? The government was sworn in 34 days ago—five weeks ago, Mr Speaker. If there are urgent things that the government wants to deliver before Christmas, why leave it for five weeks? They are asleep, they do not care, they wait.

Ms Gallagher: How?

MR SMYTH: You could have called the Assembly back earlier. We offered to call the Assembly back earlier for other matters, but that was rejected as well. It just goes to the point that this government is not effective in what they are doing. Thirty-four days after being put into government again, they suddenly decide that certain things are urgent.

I assume this bill will be passed on Thursday, so that will be on the 11th. They will then go away and ask the departments to work out how to implement this. I question whether they can genuinely look any of us in the eye and say they will deliver all of this money by Christmas, as they seem to say they have to do, and that they want to do. It is a noble ambition. I do not think any of us has any problem with the promises that you have made, but I want to see the detail and I want to know that you can do it. The problem is that you have sat there for 34 days, saying, “It’s urgent.” It is urgent. If we are going to have an appropriation bill, it is urgent, but 34 days later we get to hear about it, and 36 days after being put back into office the urgency will be met. I think you make a joke of yourselves.

There are many things in this bill. First and foremost, we see in the speeches the words used to obscure the real purpose of some of these payments. “Transitional arrangements for the Alexander Maconochie Centre”, “business re-engineering for education”: what does that mean? I think it is sad that the Greens will let it go through on the strength of that. Maybe they have got more detail than I have got. I would be interested to hear the Greens stand and say they are fully across every one of these initiatives, and that they now accept that only \$6 million worth of them are election promises.

It is really interesting because some of the urgent election promises that the government made included \$84,000 for flora regeneration, but I do not see that in this bill. There was a promise of \$50,000 for mortgage relief. If you are suffering from mortgage difficulties and you need relief, I would have thought that was urgent, but that is not in this bill. So we have picked, we have chosen, and then we have filled it out so that we can cover our embarrassment at not delivering the Alexander Maconochie Centre on time, and so that we can re-engineer. “Business improvement in the department of education”: what does that mean? And we are not going to scrutinise this payment.

I think it is very important that we do this. I am somewhat disturbed and, I have to say, very disappointed in the new Treasurer, in that the arrogance that the Chief Minister

used to display as Treasurer continues under this Treasurer. I would suggest that the Greens take very careful note of that arrogant attitude, because unless we bring it to heel today and unless we put proper scrutiny in place, they will continue to spend in this way.

One of the key roles of any parliament is to scrutinise spending proposals from the government of the day, and in this case there should be no exception, particularly when the bill is not what the minister described. This inquiry can be completed relatively quickly. It will not take long, and the motion I have put forward says that the committee can meet and report by the 17th, next Wednesday, and we can have an additional day's sitting. If it really is urgent and you want this money in the community, we can meet for an additional day next week. We are quite happy to come back and sit next Friday. It would not have to take long, but if you need it before Christmas then we are happy to give it to you. But you will only get it, as far as we are concerned, after there has been appropriate scrutiny.

The inquiry can be completed relatively quickly. Indeed, there are many examples where the Assembly has acted very quickly with regard to a supplementary appropriation bill. I note that the agreement that was tabled today that has been implemented between the Labor Party and the Greens gives considerable prominence to enhancing the accountability of the executive and achieving higher standards of transparency and responsibility. Those are your words: "achieving higher standards of transparency and responsibility". Well, let us start today. Let us not start next week or next year; let us start today.

As recently as this morning, I am aware that the convenor of the ACT Greens was quoted on ABC radio as emphasising how they would be seeking enhanced accountability with legislation. The treatment of this bill should be no exception. In fact, as a bill proposing the spending of public funds, it should be subject to appropriate scrutiny before it is passed by the parliament. I am aware that claims have been made that some of the provisions in the bill are urgent. Perhaps that needs to be justified, but it can also be done very quickly.

I do not think for a moment that any of us will stand in the way of these additional payments, but we need to be told what they are and how they will be expended. I am aware, Mr Speaker—and you were not here and others were not here—that years ago there was a \$10 million Treasurer's advance a couple of days before the end of the financial year; \$10 million for urgent fire safety work that took almost five years to deliver. It was urgent one day, and it took five years to deliver. The Auditor-General of the day said that it verged on being illegal; that appropriate scrutiny did not occur, and it should.

As I have already said, it has been five weeks since the Assembly was sworn in and even longer since the government knew that they were going to be in government. They could have been acting on this. Governments with vision, governments with zeal, governments with agendas, act quickly. They come back and they pass these bills to implement their policies. They did not do this. Five weeks later—

Mr Corbell: That's what we want to do. You're stopping us.

MR SMYTH: “Now it’s urgent, now we want to do it, five weeks later.” It is hardly a real measure of urgency. I see no reason why the Assembly could not have sat a week earlier than it did, in the first week of December or the last week of November. We could have had two sitting weeks. But they are not interested in the work and they use urgency as an excuse. If we had sat last week, or indeed the week before, that would have provided more than enough time to give relevant scrutiny to this bill. Unfortunately, what we are seeing once again is the government in lazy mode.

Appropriation bills are very straightforward to draft. Indeed, if it was a bill to implement government promises, they would already have the detail of the promises and they would have the costings from Treasury. All you would have had to do was to put it together in the bill. It would not have been hard to have the bill prepared weeks and weeks ago, so there is no excuse for delaying consideration by the Assembly and so that it can be finalised before Christmas.

The bill proposes an additional \$16.2 million in spending in 2008-09 and around \$4 million in the outyears after that. That is an additional \$16 million, and that is \$10 million more than the Labor Party promised during the campaign. So what has happened there? As I have already said, we missed a number of key things. I would have thought mortgage relief was urgent but apparently it is not. Then there are the Treasurer’s comments about an apparent commitment to increased accountability and transparency. Some of this takes the form of additional funding for the executive. What I found out in the briefing today, but I have not had time to share it with my colleagues, and the larger world won’t know, is that that equates to basically \$70,000 a year extra for each of the minister’s offices. It is called “increased funding for accountability and transparency”. Why don’t you just call it what it is—“increased staff allowance”? Why try to hide it? It is an increased staff allowance; call it what it is. I think that alone should set alarm bells ringing in people’s minds. They could ask, “Why are they calling these things by these titles when what they should say is what they are?” Indeed, as the minister said, there is money there for the crossbench and the opposition as well, and we welcome that. But let us put it down to exactly what it is. There is money in the bill to improve staffing for the committees. That is a good thing, too, but let us call it what it is.

In terms of whether this is a global financial response, a crisis response, it is miniscule at best and very poorly thought out: half a million dollars in new capital for the arboretum, \$1.3 million for cycling, \$881,000 for regional hubs, \$451,000 for the Mitchell Customer Service Centre, \$1.6 million, as I said, for business improvement in education. If that is all the government can come up with, I am quite surprised. As a stimulation package, I think it is more of a damp squib, and perhaps a stunt with little substance.

I think we have to then consider the overall impact of this bill. Based on the pre-election update, if you look at it, this would drop the surplus to something like \$50 million this year; in 2009-10 to something like \$10 million; in 2010-11 to \$11 million; and in 2011-12 to \$13 million. That alone is worth scrutiny to find out what the implications are and whether it is justified. Clearly, just from that, the prospects for the ACT budget surpluses are weaker, and that needs to be scrutinised.

This appropriation bill does little to improve the prospects of the ACT budget and that—(*Time expired.*)

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (6.37): It is never a good process to pass legislation without scrutinising it carefully. Our key concern here is that the appropriation bill is a mechanism to deliver time-critical spending, including the promised pre-Christmas support for emergency community services, which, in terms of effective delivery, is already down to the wire.

This appropriation also puts in place some of the key mechanisms that we need to have operating for the start of next year so that the ACT government and community can start to deal with the economic crisis and climate change challenge that everyone knows we face. That includes the funding for the new department and resources for the new committee that will scrutinise it.

For the community organisations looking to this appropriation bill to provide the promised funds, an extra week's delay from 12 December to 19 December is too much. On the other hand, any inquiry into this bill shorter than a week would, in my mind, be meaningless, given the need to contact people to appear and to establish meeting times, the Hansard turnover times, the need to draft and then discuss a report inside the committee and to make thoughtful and considered recommendations. I believe the best scrutiny that we can offer in the short term will be here in the Assembly. An earlier sitting week might have given us more space to better manage the process, but that is not the situation we are in.

I would like to note that I do not intend to allow this truncated process to be used as a precedent in future appropriations. I also believe that if there are ongoing concerns with elements of this appropriation then the public accounts committee could consider an inquiry after the event. I appreciate that that is not desirable but it would nonetheless be one way of providing a closer look at these funded activities and the rationale for bringing them on in this time frame. Therefore, we will not be supporting Mr Smyth's motion.

MS GALLAGHER (Molonglo—Treasurer, Minister for Health, Minister for Community Services and Minister for Women) (6.39): I welcome the opportunity to speak briefly to this motion. I am more than happy over the next few days to make available all officers that I need to make available to brief members of the opposition and the Greens on any aspect of this appropriation bill to any extent that they want, within the tests of reasonableness.

This appropriation, as Mr Smyth points out, does include some things that are in addition to the election promises, and he has named a couple of them. In fact, they have been included in this because they would have been candidates for a Treasurer's advance, but because we were putting an appropriation together, they must go into the bill, as you would be aware. So it is not a matter of me grabbing a whole range of things and wanting to add them in on top of election commitments. They are things that we are required to do, Mr Smyth. And you would be the first to squeal if you later found out that I had approved a Treasurer's advance for something that did not go in through the proper processes. So there are elements of that as well.

Mr Smyth said he is happy for this to be done and passed by 19 December. If this waits until 19 December, that money will not go out to those community organisations in time for Christmas. It just will not happen. The 19th is a Friday, Christmas is midway through the next week; it just will not happen. If the opposition deny this, they are denying \$3½ million to the community sector in time for Christmas.

Mr Smyth: Put that in as a stand-alone bill. Take the rest out.

MS GALLAGHER: I know you question whether or not that can happen, but we have been working on processes to make sure that it does happen, and that that money does go out. It is dependent on us meeting this week's time frame. This is not something that we normally do. Normally we do not put in a budget bill and expect it to be passed two days later. It is not the normal way of doing things, but we have one sitting week in December. It is because of the way the election has been held, the convening of the Assembly, and then the first sitting week. We introduced this bill at the first possible opportunity that we had post the election. And Mr Smyth says, "Why didn't you do it three weeks ago?" As Mr Smyth would know from being in cabinet, it does take some time to put together an appropriation bill. If you are going to put the time in, be reasonable, and dot the i's and cross the t's, it does take a period of time to do that.

I do not think it is reasonable to say that, on the first sitting day of the new Assembly, we have delayed introducing this appropriation bill; we have not. As I said, I confirm my willingness to work with every single member—not just the shadow treasurer and the Greens—who wants a briefing on this bill. We will make it happen so that when debate happens on Thursday, people will feel able to participate fully in that discussion.

Motion (by **Mr Corbell**) put:

That the question be now put.

The Assembly voted—

Ayes 10

Noes 5

Mr Barr	Mr Hargreaves	Mr Coe
Ms Bresnan	Ms Hunter	Mr Doszpot
Ms Burch	Ms Le Couteur	Mr Hanson
Mr Corbell	Ms Porter	Mr Seselja
Ms Gallagher	Mr Rattenbury	Mr Smyth

Question so resolved in the affirmative.

Question put:

That **Mr Smyth's** motion be agreed to.

The Assembly voted—

Ayes 5

Noes 10

Mr Coe
Mr Doszpot
Mr Hanson
Mr Seselja
Mr Smyth

Mr Barr	Mr Hargreaves
Ms Bresnan	Ms Hunter
Ms Burch	Ms Le Couteur
Mr Corbell	Ms Porter
Ms Gallagher	Mr Rattenbury

Question so resolved in the negative.

Road Transport (Third-Party Insurance) Amendment Bill 2008 (No 2)

Ms Gallagher, by leave, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MS GALLAGHER (Molonglo—Treasurer, Minister for Health, Minister for Community Services and Minister for Women) (6.48): I move:

That this bill be agreed to in principle

This bill puts forward for the consideration of members a series of technical amendments to the Road Transport (Third-Party Insurance) Act 2008. The amendments modify the time restrictions that apply to people injured in a motor accident who decide to make a compulsory third-party insurance claim against the nominal defendant. They also align the principles on time restrictions on making CTP claims so that claims arising from insured or uninsured accidents are subject to the same conditions.

Every person who owns a motor vehicle in the ACT must have CTP insurance. No-one can register a motor vehicle in the ACT without also taking out CTP insurance. CTP insurance is one of those things that everyone pays for but few people know much about it. I think it might be a good idea if I inform the Assembly what CTP insurance actually is, how it works and what it covers. This information will help members put the amendments I present today in the appropriate context.

In basic terms, CTP insurance provides compulsory, statutory protection for anyone injured in a motor accident through someone else's negligence. Compensation is either agreed between the claimant and an insurer or is otherwise determined by a court. This is known as a fault-based common law scheme of statutory insurance. In the ACT that protection also provides no-fault access to the first \$5,000 in medical expenses incurred by almost every accident victim.

The scheme is privately underwritten. The government does not fund the CTP scheme. It receives no tax income from the scheme but it regulates the scheme. Part of that regulation responsibility entails the establishment and administration of controls on

access to the scheme, claim procedures, costs of the scheme, insurer licensing and behaviour and, of course, premiums.

The amendments I present to the Assembly today relate to claims procedures following motor accidents, principally claims procedures arising out of motor vehicle accidents where the vehicle whose driver caused the accident is uninsured or the accident victim cannot identify the vehicle that caused the accident.

The ACT is unique in a number of respects. Because the way CTP is collected is a seamless part of the registration process, there are very few uninsured vehicles. However, there are some. There are also, for example, hit-and-run incidents where a victim may not be able to identify the vehicle. The consequence of those situations is that there is no CTP insurer to sue. If the insurer cannot be sued, it is necessary to provide a compensation pathway in order that injured motor accident victims can access the CTP scheme and be compensated for their injuries.

That mechanism is the nominal defendant, a statutory entity created to act as a defendant or respondent in such cases. The nominal defendant in the ACT is the ACT Insurance Authority. Previously, it was a named individual but claims were administered by NRMA Insurance, the sole CTP provider in the ACT.

As I indicated, there are few uninsured vehicles in the ACT. In the ACT there are between 10 and 30 nominal defendant claims per year, out of a total of 970 to 1,100 CTP claims. Nominal defendant claims are not, therefore, a large portion of CTP claims. For example, there are only 80 outstanding claims against the nominal defendant, some of which date back to almost the date of territory self-government. On the other hand, nominal defendant claims are currently valued at approximately \$10 million. That cost affects the premiums that all insured motorists pay; thus claims against the nominal defendant must be regulated as part of the overall CTP scheme.

Now I turn to the substance of the act and the amending provisions in the bill I introduce today. Much has been said in this place and elsewhere about the old CTP law and the inherent costs, inefficiencies and delays that plagued the old scheme. As members will be aware, the act seeks to provide for streamlined procedures that permit accident victims to access insurer-funded medical treatment immediately and therefore to expect their compensation claims to be handled expeditiously.

In the case of nominal defendant claims, there was a particular problem under the old law and that problem arose because the claims were administered by NRMA Insurance in the same way they administered all other insured CTP claims and, because it was the sole insurer, claims became commingled. However, there were claims-filing deadlines under the old law that applied to nominal defendant claims but there was no evidence available to the government that showed whether those time limits had ever been enforced by NRMA Insurance.

Consequently, the government sought to bring necessary order to nominal defendant claims. The act appointed a new nominal defendant, the ACT Insurance Authority. The authority is already the default insurer for uninsured workers compensation claims and there was a natural and efficient fit for it to handle uninsured motor

accident claims. The act also provided a more rigorous set of time limits on nominal defendant claims. These included a statute bar on claims made after three months. This was not done on a whim but to ensure strict compliance with claims requirements that had been in the old law for many years but had been, frankly, honoured in the breach.

Needless to say, local lawyers protested about the restrictions but were unable to proffer a middle course. Rather, they yearned for the old ways of doing business. However, lawyers did raise the issue of delays in the provision of police reports that might cause the three-month period to be exceeded, with no opportunity for extension of the time.

The government gave lawyers an undertaking in this place on 21 August 2008 that, if evidence came to light that these delays could actually cause the problem they claimed, Treasury would ask the government to act. Treasury has since advised the government of two circumstances in which the restriction might operate to the detriment of prospective claimants against the nominal defendant. The first is where the police accident report is not provided within the three-month period and cases have emerged in that regard. The second involves the potential problem if an insured motor accident victim and prospective claimant files a claim with an insurer that incorrectly describes the registration numberplate of a vehicle involved in the accident and the vehicle turns out not to be insured but the claimant is not advised by an insurer within three months of the accident.

As to the police report issue and the main concern of lawyers with the government's initiatives to bring more rigour to the CTP claims process, the Australian Federal Police developed an online accident reporting system to ensure that accident reports became available within the three-month period. That system was due to commence in mid-2008, prior to the act coming into force. However, implementation was delayed on account of further testing and the system will go live in the first part of 2009. While the AFP believes its new system will deliver the desired outcomes, it recommends permitting a concession in relation to claims reporting in case of inadvertent error or anomalies.

As to the latter issue, given that insurance claims vastly outnumber nominal defendant claims, it is impossible for insurers to promise 100 per cent accuracy in order to ensure that claim time limits are always met in relation to referring uninsured CTP claims to the nominal defendant. Consequently, clause 5 of the bill amends subsection 86(3) of the act to permit a nominal defendant claimant to provide reasonable excuse for delay if the time limit is exceeded. That ensures a cheap and effective option for individual claimants. The claimant has a further option pursuant to clause 8 of the bill, which amends subsection 95(3) of the act, to seek an order from the court that the time limit ought to be extended in the interests of justice.

Having provided those options in relation to nominal defendant claims, the government took the opportunity of amending subsection 95(3) to align the conditions applicable to seeking extensions of time from a court with respect to both insured and uninsured claims.

The legal principle that applies in relation to an application to a court is “the interests of justice”. When one is concerned with a new compulsory statutory insurance regime, it is imperative that consistency of approach to similar issues should be facilitated. Consistency saves costs. Applying the same principle to all claim time-limit-related issues allows courts to develop a consistent approach to jurisprudence and legal policy.

On 21 August 2008, during the penultimate week of sittings of the previous Assembly, my predecessor as Treasurer gave a commitment to the ACT legal profession that the government would review claim time limits for nominal defendant claims. It has met that commitment and, further, has provided additional consistency in the principles to be applied by claimants seeking extensions of time in respect of all CTP claim time limits. I commend the Bill to the Assembly.

Debate (on motion by **Mr Smyth**) adjourned.

Adjournment

Motion by **Mr Corbell** proposed:

That the Assembly do now adjourn.

Legislative Assembly—scrutiny of executive

MR SESELJA (Molonglo—Leader of the Opposition) (6.58): I think it is worth reflecting on the different make-up of the Assembly that we have. We have had some reflection generally in this place about the election result and the new situation with a minority government—seven Labor, six Liberals and four Greens. We are certainly hopeful that this new arrangement will serve to see the executive more heavily scrutinised.

We have not seen much evidence of it yet, it must be said. The first test, I think, for additional scrutiny has been failed and it has been failed pretty badly. We are seeing bills going through, rushed through with no scrutiny—again, a principle, of course, which we voted against just this morning. We are seeing gags imposed in the first sitting day of the Assembly. We are seeing the gag order come out. So even basic levels of debate are being stifled. There is not even the ability to have a reasonable back and forth about the rationale for pushing through a piece of legislation.

The first test of this principle that there should be scrutiny of bills, that there should be time taken to look at them, has been failed. Unfortunately, it has been failed by the Greens. We expected the Labor Party to do this. They operated in the way that they have always operated. They will seek to have as little scrutiny of their actions as possible and they will seek to ram things through in the way that they always have. The difference is that they no longer have nine votes; they rely on one or other of the parties to support them. We would hope the standard of scrutiny would improve as we move forward. But the first test has been failed and failed pretty dismally.

We will see now \$35 million worth of taxpayers’ money being spent, with the most minimal of scrutiny, with briefings only being offered after the fact, with no

committee process; when we should see a situation where these things are scrutinised. We believe in that scrutiny. We believe it should be done and done properly. It has not been done.

We have not even been able to have that debate about why it should or should not be scrutinised, why it is urgent to have a truncated debate when the gag order comes out. The gag order comes out on the first day. It is particularly disappointing for us.

MR SPEAKER: Mr Seselja, I would remind you of standing order 52, reflecting upon votes.

MR SESELJA: I am very well aware of it. Thank you, Mr Speaker. We are disappointed broadly but we certainly hope that in future we will see genuine scrutiny, genuine accountability, rather than just talking about it. There will be plenty of opportunities, I am sure, in the next couple of days to see that and there will be plenty of opportunity over the next few months to exercise that. It is one thing to talk about scrutinising the executive; it is another thing to actually make it happen.

We on this side of the house certainly do not accept everything that we are told by the government, believe it or not. Most things they tell us we look at very sceptically. We look at it very sceptically when they say they want to spend taxpayers' money on a certain thing. We look at it very sceptically when they talk about urgency and they have not even allocated funds for things that are urgent.

We heard before the election this talk about assisting people in crisis with their loans. Yet I am told, through the briefings, that that is not included in this bill. So it is quite extraordinary to us that some things that are urgent are not part of this, and other things that perhaps are not urgent are part of it.

So we believe that there should be genuine scrutiny. We believe that a significant test of scrutiny of the executive has been failed today and we will continue to push. We will continue to push for the government to be kept accountable at every point. And specifically, we will not accept when the government simply tells us it is so. We believe when they are spending significant amounts of taxpayers' money they should be held to account; they should be scrutinised; they should be public; there should be a process whereby we can examine those promises, we can examine the veracity of what we are being told. From our past experience, certainly with the previous majority Labor government, we simply do not accept the truth of what they tell us.

That is why we have procedures. Those are procedures that we are going to stick to. Those are procedures we are going to push for. And that will sometimes, I think, mean some uncomfortable moments for the government in particular, but that is the nature of a parliamentary democracy; that is the nature of scrutiny of the executive; and that is a principle that we hold very dear and we will continue to push for throughout the next four years.

Question resolved in the affirmative.

The Assembly adjourned at 7.04 pm.