



Debates

WEEKLY HANSARD
SEVENTH ASSEMBLY

Legislative Assembly for the ACT

29 JUNE 2011

www.hansard.act.gov.au

Wednesday, 29 June 2011

Petitions: Planning—Spence shops—petition No 123	2767
Ministerial response: Media broadcasts—alleged abrogation of religious freedoms—petition No 117	2767
Justice and Community Safety—Standing Committee.....	2768
Crimes (Penalties) Amendment Bill 2011	2768
Standing and temporary orders—suspension.....	2773
Electoral (Donation Limit) Amendment Bill 2011	2776
Sport and recreation	2788
Questions without notice:	
Gaming machines—regulation.....	2807
Government—ethical investment.....	2811
Visitor	2813
Questions without notice:	
Chief Minister—meetings	2813
Government whip—comments	2816
Transport—Majura parkway	2819
Legislative Assembly—accommodation.....	2821
Budget—capital works	2822
Women’s Legal Centre—accommodation	2824
Homeless people—services.....	2826
Education—playschools.....	2827
Government office building	2828
ACT Policing—property crime	2830
Supplementary answers to questions without notice.....	2833
Government—ethical investment.....	2833
Schools—Tharwa preschool	2833
Visitors.....	2834
Personal explanation	2834
Fire management unit	2834
Strategic and functional review	2854
Social procurement	2868
Executive business—precedence	2886
Appropriation Bill 2011-2012.....	2886
Visitors.....	2894
Appropriation Bill 2011-2012.....	2894
Adjournment:	2935
Childcare	2936
Australian Hotels Association awards.....	2937
Radford college art show.....	2937
Mrs Melpomeny “Melba” Tsoulis—death	2938
Rotary Club of Canberra Weston Creek	2939

Wednesday, 29 June 2011

MR SPEAKER (Mr Rattenbury) took the chair at 10 am and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Petitions

*The following petition was lodged for presentation, by **Ms Porter**, from 610 residents:*

Planning—Spence shops—petition No 123

To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that: **A large 7/11 commercial store is proposed for the Spence Shops and the current shop owners and residents are concerned that this shop will force the Mechanic and Auto Electrician who currently lease the site to leave. This will also severely impact on the small business that constitute the current Spence Shopping Centre.**

Your petitioners therefore request the Assembly to: ***To ensure any proposed 7/11 Store does not force the mechanics to leave the site and also ensure it is of a minimal size so as not to adversely affect the current businesses.***

The Clerk having announced that the terms of the petition would be recorded in Hansard and a copy referred to the appropriate minister for response pursuant to standing order 100, the petition was received.

Ministerial response

The Clerk: The following response to a petition has been lodged by a minister:

Ms Gallagher (Chief Minister), dated 28 June 2011, in response to a petition lodged by Mr Hargreaves on 10 March 2011 concerning monitoring intolerance towards religious freedoms in the ACT.

Media broadcasts—alleged abrogation of religious freedoms—petition No 117

The response read as follows:

The ACT Government notes the petition, tabled by Mr John Hargreaves MLA on 10 March 2011, and makes the following comments:

The ACT Government strongly condemns any form of discrimination. The ACT has in place strict laws relating to discrimination, particularly through the *ACT Discrimination Act 1991*.

The ACT Human Rights and Discrimination Commissioner has considered this matter. The Commissioner has concluded that the radio segment

“Smithy’s Mystery” aired on 18 February is unlikely to breach section 66 of the ACT Discrimination Act (inciting hatred, serious contempt or ridicule). However, the Commissioner believes that it is possible that the broadcast meets the test in the Federal Racial Discrimination Act of ‘reasonably likely, in all the circumstances, to offend, insult, humiliate or intimidate’ Iraqi, Iranian and Kurdish people (the nationalities involved). This matter has, therefore, been raised directly with the Federal Discrimination Commissioner, Graeme Innes, to further pursue.

Justice and Community Safety—Standing Committee Scrutiny report 39

MRS DUNNE (Ginninderra): I present the following report:

Justice and Community Safety—Standing Committee (performing the duties of a Scrutiny of Bills and Subordinate Legislation Committee)—Scrutiny Report 39, dated 28 June 2011.

I seek leave to make a brief statement.

Leave granted.

MRS DUNNE: Scrutiny report 39 contains the committee’s comments on two bills which will be debated today. The report was circulated to members yesterday. I commend the report to the Assembly.

MR HARGREAVES (Brindabella), by leave: It needs to be said that, with respect to the electoral donations amendment bill, the point is made that one needs to be particularly careful about these particular pieces of legislation in case they offend freedom of expression. The point was fairly well made by the committee report.

I would also like to indicate to the Assembly that, of course, there is the possibility that these sorts of matters may very well be unconstitutional. I urge members to consider the case of the Tasmanian electoral donations limit in the upper house of Tasmania in times past. I recall that at the time when the upper house in Tasmania had no party members per se—they were all independents—there was a limit of \$4,000 on expenditure. I know that there was a suggestion that that limit may very well have been unconstitutional, but the point was that nobody had the money to prosecute the case in the High Court. But legal opinion had that. And that goes to the sorts of comments which are put into this report.

Crimes (Penalties) Amendment Bill 2011

Mrs Dunne, pursuant to notice, presented the bill and its explanatory statement.

Title read by Clerk.

MRS DUNNE (Ginninderra) (10.04): I move:

That this bill be agreed to in principle.

In 2005 the Canberra Liberals introduced the Sentencing and Corrections Reform Amendment Bill 2005. In his presentation speech, my predecessor Mr Stefaniak said that the bill would largely bring us into line with our interstate neighbour New South Wales and most other states in the Commonwealth of Australia. That bill was designed to impose a rigor and an accountability on the way courts would have to approach a most important topic, that of sentencing.

In the end, the Labor government voted down the bill in a cognate debate that covered that bill along with two other government bills. I suspect that the logic and sense of the Canberra Liberal's bill clashed too much with the government's own agenda. In the environment of a majority government, logic and sense loses out to numbers. Sadly, the government missed the opportunity to create a level of comparability in offence penalties between the ACT and other jurisdictions.

The Canberra Liberals made a second attempt at sentencing law reform with a similar bill presented to the Assembly in November 2007. It is worth noting, Mr Speaker, that both of the Liberals' previous bills sought to increase the penalties to a similar extent to those that I propose in this bill today. Since 2005 the ACT has been wallowing in a sea of neglect perpetrated by this ACT Labor government. Canberrans have paid the price for Labor's lack of direction.

Mr Speaker, we need to look at a bit of the recent history. In August 2009 the Standing Committee on Justice and Community Safety brought down its report into the Crimes (Murder) Amendment Bill which, amongst other things, unanimously recommended an increase in the penalty for manslaughter and a general review of sentencing in the ACT. The ACT government dawdled for almost two years before it responded in May this year. In sum, the government declined to do anything about reviewing of sentencing. It said:

The government considers a general review of sentencing laws in the current term of government would be premature and unnecessary given that a full sentencing review was conducted in 2002-04.

That was the government's view on 3 May this year. Roll forward just one week and the Attorney-General and I both received advice from the ACT Director of Public Prosecutions. The advice was that we have a problem. I will take the liberty of reading at some length from the letter that I received from the DPP in which he says at the conclusion that he had written in similar terms to the Attorney-General.

He starts by saying why he is writing to me, because we had exchanged correspondence in late 2010 in relation to the matter of Creighton. It was a case of culpable driving causing death and grievous bodily harm where there was quite apparently a fairly light sentence. The DPP, in response, launched an appeal against the sentence imposed on Mr Creighton. Picking up there, the DPP said to me on 11 May:

Late last week the Court of Appeal dismissed my appeal. Although reasons are still to come—

and that is still the case today—

unfortunately I have no expectation that the judgement will provide guidance on the level of penalties for these offences. This is unfortunate as the sentences in the A.C.T. for these offences lack consistency and appear to be lenient when compared to other jurisdictions.

The judges did remark during the hearing of the appeal on the low level of penalties for these offences in the ACT when compared to other jurisdictions as demonstrating the legislature's intention that these sort of offences should not be taken as seriously as they were taken in other jurisdictions.

I put before the court in the Creighton matter a number of cases from NSW and Victoria. The court indicated that they were of limited value given the higher sentences in those jurisdictions.

Mr White, the Director of Public Prosecutions, then goes on to re-present his point in tabular form. Soon I will table, with leave, Mr White's letter for the information of members. He goes on then to say:

It is highly likely that a matter such as the Creighton matter—where two victims were killed and one grievously injured—would be dealt with much more severely in both NSW and Victoria ...

Mr White then went on to talk about another matter which related to inflicting grievous bodily harm. He said:

In the course of a sentence for a person convicted of an offence of intentionally inflicting grievous bodily harm, which sentence proceedings took place before acting Justice Matthews recently, the low level of penalties for the offence in the A.C.T. when compared to other jurisdictions was remarked upon by Her Honour.

In the A.C.T. under section 19 of the *Crimes Act 1900*, the penalty for intentionally inflicting grievous bodily harm is 15 years.

By comparison in New South Wales under section 33 of the *Crimes Act 1900* the maximum penalty for wounding or grievous bodily harm with intent is 25 years. In Victoria under the *Crimes Act 1958* section 16 the penalty for intentionally causing serious injury—

which is the similar offence—

is 20 years.

Mr White goes on at length to say that in those circumstances it is worth asking whether it is appropriate for penalties to be raised to levels similar to New South Wales and Victoria to enable appropriate punishments to be meted out in the most serious cases. This is a question that Mr White has asked. I think, Mr Speaker, it is a question that the members of the community have asked. I seek leave to table Mr White's entire letter for the information of members.

Leave granted.

MRS DUNNE: I table the following paper:

Culpable driving causing death and culpable driving causing grievous bodily harm—Intentionally inflicting grievous bodily harm—Levels of penalties for ACT offences—Copy of letter from the Director of Public Prosecutions to Mrs Dunne, dated 11 May 2011.

Mr Speaker, there was a public outcry about the perceived leniency of that sentencing decision. This leniency is directly attributable to inaction by ACT Labor. The government's refusal to consider increased penalties for criminal offences is itself culpable. The government's refusal to consider increased penalties for criminal offences left the ACT isolated, where sentences handed out by our courts are not up to the public perceptions of seriousness and are seriously out of kilter with penalties handed out across the border.

In truth, ACT courts looked at sentencing in the context of the Assembly's expressed views of the seriousness of the relevant offences. As I have stated before, the Director of Public Prosecutions advised me that, in his appeal to the ACT Court of Appeal that I mentioned earlier, the court heard the array of interstate comparative sentencing provisions but had little regard for them.

As we have seen, Mr Speaker, the court remarked on the low level of penalties in the ACT when compared to other jurisdictions. The court indicated that this was a demonstration of the legislature's intention that these sorts of offences should not be taken as seriously as in other jurisdictions. The court considered the ACT penalty provisions in the context of the sentences handed down for a range of similar cases in NSW and Victoria, but indicated that they were of limited value given the higher sentences in those jurisdictions.

So it took a serious culpable driving incident, in which two young people were killed and another seriously injured, a public perception of the leniency of the sentences, and a statement from the highest courts in our jurisdiction to drag this Labor government and this Attorney-General to the realisation that they needed to have some consistency, that we needed to have some consistency in our sentencing laws compared to our neighbours. Mr Corbell, after the DPP wrote to him, indicated that he would review penalties for culpable driving offences; so I look forward to his enthusiastic support, certainly for those elements of this bill.

In framing this bill today, I took the opportunity to review the penalties for manslaughter, including aggravated manslaughter. As noted in the explanatory statement, and earlier in this speech, the justice and community safety committee, in its murder inquiry, recommended that these penalties be increased. This was a unanimous recommendation of the committee and the bill responds directly to that recommendation. The government in May this year, however, rejected the recommendation, saying that it would be dealt with in the context of the national review of penalties for offences causing death.

Indeed, this was a primary reason given for the government rejecting the Canberra Liberals' bill in 2005. The problem with this approach is that this now has been before the Standing Committee of Attorneys-General for well over a decade with no real prospect of a resolution any time soon.

In rejecting the JACS committee recommendation, the government also noted that manslaughter is a very complex issue. At least the Attorney-General and I agree about that. But in its response to the JACS committee's report, the government answered its own concern when it said:

The ACT's sentencing framework is based on the maximum sentence for an offence being a reflection of seriousness. This guides the judiciary about the relative seriousness of an offence compared with other criminal offences.

Quite so, Mr Speaker.

Setting maximum penalties is the job of this legislature, but those penalties must reflect the seriousness of the offences to which they must be applied. Maximum penalties also provide some latitude to the courts to make sentencing decisions that are appropriate in the circumstances of each individual case. The government's response added weight to that argument when it stated:

Judges use case law, including cases from other states and territories, to provide guidance.

So, Mr Speaker, we have come full circle. The government says that penalties are a reflection of the legislature's view of the seriousness of offences. The government says that judges take guidance from case law in other jurisdictions. The courts say that they will take no guidance from penalty provisions in other jurisdictions if they are significantly different from those applying in the ACT.

A solution to that dilemma is to set maximum penalties that are comparable to those applying in other jurisdictions so that the message of the legislature as to the seriousness of offences is clear to courts. This bill seeks to bring that comparability into view. As well, as will be seen from appendix A to the explanatory statement, the proposed maximum penalties for manslaughter are much more comparable across the jurisdictions. I therefore look forward to the government's enthusiastic support for these changes.

Mr Speaker, the bill includes an objects clause. This clause seeks to make the Assembly's position very clear as to the seriousness of the offences covered in the bill. In doing so, it leaves the way clear to courts to judge the crime on the basis of the facts pertaining to each individual case. Further, it leaves the way clear to the courts to take some guidance from case law in other jurisdictions because the respective legislatures have a comparable view as to the seriousness of those crimes. The objects clause also recognises the role of the community in setting the penalties for these crimes. The community, quite rightly, as Mr Corbell so passionately argued in the context of jury trials, holds certain standards and expectations about the appropriateness of penalties.

Mr Speaker, this objects clause is only transitory in nature because it will fall out of the legislation if this bill is passed into law. It will not end up in the Crimes Act, but I have included it in this bill and a discussion of it in the explanatory statement because it sets out the parameters for these amendments and its elements are very important in providing further guidance to our courts.

Finally, Mr Speaker, I want the Assembly to note that this bill represents the first tranche of a larger body of work I am currently undertaking to review the maximum penalties for a range of offences. When I have concluded that work and had some further discussions, I aim to bring a bill forward to the Legislative Assembly in August. Bringing this bill forward today in no way diminishes the importance of the amendments I will bring forward in August. They are just as important because they relate to serious criminal offences and they point to a need, finally, to have a set of offence penalties that our courts can work with more effectively.

The bill, and the one I will bring forward in August, will give our courts more certainty. They will give our community more certainty. They will send a message to would-be criminals that the system in the ACT will no longer be lenient when compared to other jurisdictions.

This bill does what this government should have done years ago. It gives the ACT a good backstop while SCAG swims through the mire of jurisdictional jealousies. It does what the government itself says it wants to do. Therefore, I commend the bill to the Assembly.

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

Standing and temporary orders—suspension

MRS DUNNE (Ginninderra) (10.19): I move:

That so much of the standing and temporary orders be suspended as would prevent order of the day No 1, Private Members' business—Electoral (Donation Limit) Amendment Bill 2011 and order of the day No 2, Private Members' business—Electricity Feed-in (Renewable Energy Premium) Amendment Bill 2011 being determined this sitting.

This is a procedural matter. Standing orders require that as a general rule bills cannot be dealt with in the same sitting period that they were introduced. In the case of both of these bills, there is—I hate to use the word “urgency” because “urgency” has a different meaning in the standing orders—some imperative to have these matters dealt with to provide certainty. I understand it is the general wish of the Assembly that in these circumstances standing orders be suspended for both these bills. I commend the motion to the Assembly.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment and Sustainable Development, Minister for Territory and Municipal Services and Minister for Police and Emergency Services) (10.20): The government will not be supporting this motion today. I would like to outline our reasons for that and our concerns with the proposal.

Firstly can I make it clear that the government do not oppose the bringing on for debate the amendments proposed by you, Mr Speaker, in relation to the electricity feed-in tariff legislation. We accept that is a matter that needs to come to some conclusion this week, and we have no objection to that. The government do, however, have an objection to the proposal that the bill proposed by Mr Smyth, the Electoral (Donation Limit) Amendment Bill, be brought on for debate this week. There is no justification for an urgent debate this week.

First of all, this bill has been introduced on the basis of rumour and innuendo which have not been substantiated in any way. Secondly, the Greens have indicated that they will not be supporting passage of this bill today. So why is this bill so urgent for debate today if it is not going to be passed today? It simply makes no sense whatsoever. Further, this bill has retrospective application clauses within it which, in any event, in the regrettable situation where the Assembly were to agree to this law, would provide for application from a particular point in time. So again there is no justification for an urgent debate on this bill today. The government will be outlining in more detail its significant and serious concerns with this legislation.

Should this bill proceed to debate today, I would simply ask the question: if it is the position of the Greens that this bill not be passed through the detail stage today why is it being brought on for urgent discussion at this time?

We can just imagine the high dudgeon that we would see from those opposite if the government attempted to bring on a bill of this nature within such a short period of time when the subject matter of the bill is subject to inquiry by the Standing Committee on Justice and Community Safety, an inquiry which was commenced in November 2009 and which is yet to report. We are coming up to two years for that inquiry. The committee is yet to report on it and all of a sudden this matter is urgent.

If this matter was so urgent, why has not the inquiry reported? Why do we not have all of the substantive issues on the table to discuss it? Quite simply, there is no justification for bringing this bill on for an urgent debate today, and the government will not be supporting the procedural motion.

MR SPEAKER: Mr Corbell, do I take from your comments that you wish to divide the question?

MR CORBELL: No, I am not proposing to divide the question.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (10.23): This is new territory for the Assembly and there is no clear guidance on when it is and is not appropriate to debate bills in the same sitting period, other than our general view that it is undesirable unless there is a compelling reason to do so. We all accept that there will be times where we do need to respond to matters quickly. Articulating exactly when that will be is a difficult task and is something that will evolve as the Assembly has more occasions to consider it, just as many other parts of our practice evolve over time. We should be working towards developing an objective test for when we do and do not agree that a bill should be debated in the same sitting period.

I would make the point that we will only be debating this particular bill in principle and we will have the opportunity to consider the application and detail of the provisions at a later date. There is, however, a real need to ensure that the community is aware of the Assembly's intention in this area. I think that point alone overcomes the argument that it is not necessary if we are not going to completely resolve the matter today.

The additional issue in relation to this particular matter is that Mr Smyth has said his legislation is in response to a rumour. The idea of the Assembly legislating on the basis of a rumour is certainly problematic. However, in this instance, rather than seeing it as responding to a rumour or in some way an endorsement of the rumour, the correct characterisation is that a legitimate concern has been highlighted and that concern exists in the absence of any rumour.

There does exist the real and not remote possibility that someone will act to the detriment of the community between now and the next sitting to frustrate the intention of the Assembly to reform the Electoral Act. It is entirely plausible that a donation may be made to any party because donors know reforms are coming and they want to get in before changes are made and act in a way that the Assembly would find unacceptable.

The concern will be raised that we are imposing a retrospective criminal sanction, and of course in some sense that will be the case in that the bill will apply from a date prior to the approval of the Assembly. However, it will not apply before everyone is made aware that the Assembly is intending to do so. Further, we can of course deal with this issue by providing that any money donated between last Wednesday and the date the bill is finally passed, in whatever form that ends up being, must be paid to the territory, as is the case with anonymous donations over \$1,000 and no sanction applies to the individual concerned. This would achieve the intended purpose and overcome the concerns with retrospectivity.

The broader point is that between now and when we debate the detail we can certainly overcome these issues and ensure fairness in what we do. However, whilst that is achievable, that does not make it reasonable for us to say that we therefore do not need to address the bill today. We do need to do something about it to ensure the integrity of the reform process is respected.

I remind members that there is a sunset clause and we therefore will not be interfering with the broader campaign finance inquiry being conducted by the justice and community safety standing committee.

There are a range of reforms that have been contemplated in other jurisdictions which might also be appropriate here. The temporary measure proposed in the bill ensures that reforms come from a considered and objective place, without the additional pressure created by any problematic donations.

The proposal does respect the integrity of the committee process and there is a legitimate issue to be addressed. I stress that the legitimate concern exists in the

absence of any rumour and that this is why we agree to debate the matter in principle today. So that is why the Greens will be supporting the suspension of standing orders.

Question put:

That **Mrs Dunne's** motion be agreed to.

The Assembly voted—

Ayes 10

Noes 7

Ms Bresnan	Ms Hunter	Mr Barr	Mr Hargreaves
Mr Coe	Ms Le Couteur	Dr Bourke	Ms Porter
Mr Doszpot	Mr Rattenbury	Ms Burch	
Mrs Dunne	Mr Seselja	Mr Corbell	
Mr Hanson	Mr Smyth	Ms Gallagher	

Question so resolved in the affirmative, with the concurrence of an absolute majority.

Electoral (Donation Limit) Amendment Bill 2011

Debate resumed from 22 June 2011, on motion by **Mr Smyth**:

That this bill be agreed to in principle.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment and Sustainable Development, Minister for Territory and Municipal Services and Minister for Police and Emergency Services) (10.31): The government will not be supporting this bill today, for a number of very important and critical reasons.

First, however, I wish to examine the circumstances in which this legislation comes before the Assembly. In his presentation speech, Mr Smyth said that this bill responds to community concerns about a “prospective” political donation. He did not identify who might be going to make that donation or to which political entity or how much might be donated. In order to address the purpose of this bill, it is therefore necessary to repeat much of what Mr Smyth said when he tabled his bill, which is not accompanied by an explanatory statement. I would hesitate to say, Mr Speaker, that in these circumstances an explanatory statement might have been helpful. Mr Smyth said:

The basis for this bill arises from the concerns raised by members of the community with me about a certain organisation which, it is understood, could be considering arranging to make a substantial donation to a political party operating in the ACT. The manner of this donation is reputed to be of such a significant size, and to be contemplated in such a way, as to raise the concern that it is a deliberate attempt to circumvent the inquiry into campaign finance reform, which is being conducted by the justice and community safety committee of this Assembly.

In the lead-up to the prospect of long-term campaign finance reform following the report of the justice and community safety committee, this bill has a very

simple objective. It is to ensure that donations which are made to political parties in the ACT do not exceed \$50,000. It includes situations where the same source, be this an individual or an organisation, provides a number of donations which aggregate to \$50,000.

Mr Smyth went on to say:

We see this as an interim measure, until such time as the Assembly's committee report has been dealt with by this place ...

We do not want to make this law. It is only because, if the reported donation is true, it is the ruthless exploitation of the goodwill and proper processes of this Assembly, and it would make a mockery of any changes if a vast donation were shifted forward simply to circumvent due process.

If the Liberals are aware of a matter to be brought to the attention of the Assembly, they should say what the matter is. If they believe something is going to occur, they should back up that claim with some evidence. This is legislation based on rumour and innuendo. There is no evidence to back up the claim being made by Mr Smyth. The Assembly should not be asked to make interim legislation to block an unidentified event that may or may not occur and which has no substance in fact. No concern has been raised with me as the responsible minister; and indeed the Greens have not raised with me any concern about a possible donation being made. The Assembly simply should not make laws based on rumour and innuendo.

There are a couple of other reasons why this bill should not be debated today. Firstly, in 2009, this place asked the justice and community safety committee to undertake a wide ranging inquiry into campaign finance reform. The terms of reference were agreed amongst all parties and they are extremely broad. A year and a half later, we are yet to see that report from the standing committee.

I note that the standing committee has now agreed that its closing date for submissions will not be until the end of July this year. A full year and a half after the inquiry was commenced, they have just got around to closing off the date for submissions. If this was such an urgent and pressing matter, why has it taken them a year and a half to get to the closing date for submissions? God knows, Mr Speaker, when the inquiry report is going to arrive—hopefully some time before the next election.

It just shows how lacking in genuine intent those opposite are in relation to these matters. They talk about the importance of campaign finance reform but they have been tardy in the extreme in actually dealing with this matter. And let us remember that the chair of that committee is Mrs Dunne. She has it within her power to make sure that that committee reports in a timely way, and she has failed to do so.

So in those circumstances why is it necessary to introduce a reform which goes to the heart of the issues that that Assembly inquiry is looking into? That Assembly inquiry is looking at matters around the regulation of donation size, political party campaign expenditure, third party campaign expenditure, financial disclosure laws, direct and indirect public funding of elections, regulation of donations by private individuals,

corporations, unions, organisations and other contributors, personal candidate funding, and a range of other matters.

Why is it necessary to pre-empt that Assembly inquiry by enacting a piece of legislation that completely circumvents all the issues being looked at in that inquiry? Members opposite and members on the crossbench know what issues are at play here. But I will restate them for the benefit of the debate.

First of all, members know that there is a real and live question about the constitutionality of laws that attempt to prescribe the amount of money that can be donated to political organisations. Members know that it is a live legal question about whether or not the High Court would strike down such a law on the basis that it interfered with the implied right to political communication and political expression which the High Court has ruled sits within our constitutional framework.

Members know that that is a live and real question. They have not even come to an opinion on that question in their inquiry, but they think it is all right to pass a law today or agree in principle to a law today that strikes at the heart of that question: is this law constitutional?

The Greens talk about evidence; the Greens talk about taking a considered approach; the Greens talk about looking at the big picture. They are failing on all three counts today, because they know these issues are live questions and yet they are rushing to support in principle the passage of this law today.

Members should also be aware that the evidence that that inquiry has heard deals with the unintended consequences of passing laws that put caps on political donations, and what that might mean. The inquiry has heard evidence that would highlight that in jurisdictions where caps have been placed on donations to political parties, what occurs is that donations get given to third party organisations—political action committees, as they are called in the United States. The donation does not go to a political party; the donation goes to an organisation that is set up to campaign on a particular issue, which just happens to align with the political agenda of a particular political party or a political candidate.

So you end up getting donations to third party organisations such as “Support Light Rail in the ACT”, for example. So you will not have a donation to the Greens; you just have a donation to an organisation that advocates spending all of our money on light rail, which just happens to support and endorse Green candidates as part of that election campaign.

That is what happens when you put caps on political donations. And members know—including Ms Hunter, who sits on this inquiry—that these issues are live questions that need to be addressed. These issues have not been addressed in Mr Smyth’s bill, and it is another example of why this bill cannot be, and should not be, agreed to today.

There is another very concerning element with this bill. This bill proposes that a number of criminal offences be established and that those criminal offences have

retrospective effect. I have never, in my time in this place, seen a bill proposed that gives retrospective effect to criminal charges, to criminal offences. The government is deeply concerned about the precedent that is being established today which attempts to create offences with significant penalties and to apply them retrospectively.

Let us just be very clear about that, Mr Speaker. What this bill proposes today is that an action that was taken from the date that this bill was introduced into this place, that is lawful on the day it occurred, would become unlawful and subject to a criminal charge if this bill is passed. That is the proposal today, and that is abhorrent. How can the Greens stand up today and argue that there is any fairness, that there is any justice, that there is any compliance with human rights principles, in creating criminal offences that have retrospective effect?

Let us be clear about what these offences are. The offence in proposed section 216B is triggered if a party receives one or more gifts from a single person or entity of more than \$50,000. The penalty for this proposed offence is substantial. Depending on the definition of “receive”, it may be possible that this offence could lead to a party being caught by this offence unwittingly, simply by being given an amount that led to this section being contravened. The proposed penalty is a penalty of \$60,000.

But there are some real questions about how this offence provision will operate. What will happen when a person donates a baseball card to a political party and that card is, for example, eventually sold at an auction for \$60,000? Is this an offence under section 216A or section 216B, or is it both? We have some real and serious questions about how these provisions will operate.

Let us turn again to the issue of retrospective effect. Section 25 of the Human Rights Act is very clear on the issue of retrospective offence provisions. It says:

No-one may be held guilty of a criminal offence because of conduct that was not a criminal offence under Territory law when it was engaged in.

That is a very clear description about the prohibition on retrospective criminal offences in this legislation under the Human Rights Act.

Given the significance of it, given the demands that we have seen from the Greens that bills can only be presented in this place by the government when there has been detailed human rights analysis—in fact the Greens, as you know, Mr Speaker, have gone as far as to argue that, for every government bill, in the explanatory statement in every government bill, there should be a detailed analysis of the rights engaged under the Human Rights Act.

In fact the Greens felt that it was so important that they put into the parliamentary agreement with the Labor government that there should be detailed explanation of and justification for the engagement of rights under the Human Rights Act. Yet today they are saying they are going to support a bill in principle that engages one of the most fundamental rights under the Human Rights Act.

Let us remember that this bill was presented without even an explanatory statement, let alone any human rights analysis. How can the Greens have any credibility on their claim that they believe human rights analysis is essential in the passage of laws in this place when they have done no such analysis themselves, when the proposer of the bill has done no such analysis himself, and when the Greens believe that this bill should be passed today? Their credibility is in tatters if they argue for human rights analysis in this context. Let us read section 25 of the Human Rights Act again, just to make it clear:

No-one may be held guilty of a criminal offence because of conduct that was not a criminal offence under Territory law when it was engaged in.

That is exactly what the sections proposed in Mr Smyth's bill do. They create retrospective criminal offences.

These are real and serious questions. There are a range of other issues of significant concern for the government in the operation of this bill. It is clear to us that there is a strong argument that it would be relatively easy for donors to find ways to give money to political parties that do not fall within the definition of "gift", as outlined in Mr Smyth's bill, such as payments to attend functions or other events. There is a risk with these offences that they would not be effective if people giving money were able to devise payments that simply did not fall within the definition of "gift".

The government also has concerns about proposed section 221C. It would appear that it is intended to apply to accumulated payments over \$49,500 that are approaching the \$50,000 threshold, which is a very narrow window of opportunity. But the intention is hard to be clear about because there is no explanatory statement to the bill.

In conclusion, the government strongly opposes this bill. It is unnecessary, it is based on rumour and innuendo, it is poorly drafted, it has no justification in fact, it pre-emptes the outcome of a significant and longstanding Assembly inquiry, it has no human rights analysis, it is in breach of a fundamental principle of the Human Rights Act, and it proposes retrospective criminal penalties.

This is no way to make laws. This is no way to engage in the serious question of campaign finance reform. I am not surprised that the Liberals proposed this bill; we expect that from them. But it is absolutely appalling that the other party in this place that always attempts to apply the highest standards when it comes to the analysis and justification for bills from this government, that demands detailed human rights analysis, explanation of the engagement of rights from every government bill, is not prepared to apply the same standard to the Liberal Party or to their own legislation, or to their own political position. It is hypocritical, it is completely unjustified, and this bill should not be passed today.

MRS DUNNE (Ginninderra) (10.50): For the information of members I would like to correct a comment that the attorney made. The Standing Committee on Justice and Community Safety inquiry into campaign finance reform did begin on 11 November. Invitations for submissions were sent out. I have just checked, because I knew that the

date given for submissions by the attorney was incorrect. The amended closing date for all submissions is COB 30 July 2010. I think that it is worth making sure that that corrected information is in the *Hansard*.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (10.51): On the substance of the bill, it is clear that our electoral system needs reform and we have a committee process underway to consider the issue. I again make the point that the Greens value that process. Our view is that there should be comprehensive changes to the way political parties are funded and it is best to do this comprehensively with the benefit of a full and considered report on the issue and how it applies to the ACT specifically.

As I said earlier, even in the absence of any rumour, there exists the possibility, real and not remote, that someone will seek to frustrate the effect of the inquiry and the reform process, and it is reasonable to take steps to ensure that the integrity of our system is respected and the committee report is not considered in the context of something untoward having occurred during the inquiry period.

This is an interim measure, and the Greens have no intention of entertaining anything other than an interim measure to ensure the integrity of the inquiry process. The matter will not be resolved, but the Assembly's intention to act in the area will be clear, and hopefully that will mean that we can all sit down and constructively work out the best way forward and overcome some of the technical issues it presents.

The in-principle question to be resolved today is whether or not the Assembly supports an interim cap on donations. This is the question to be resolved and everything else should be put to one side. That is the only reasonable way to resolve the issue.

The Greens support an interim cap of some sort. This does not mean that we are making any judgement on any other issue to do with any particular party or anyone else. It means that we believe that we should be doing something to try and ensure that there is a reasonably level playing field for everyone and that members are elected to this place on the basis of their ideals, values and policies, not the depth of their pockets.

We in the Greens have been unambiguous in our ultimate position that elections should be publicly funded to ensure fairness and transparency. Consistent with that ultimate end, a cap on donations, albeit to a lesser extent, achieves some of that aim.

We will not debate the detail stage today because the exact make-up of that cap is something that still needs to be resolved and there are subsequent issues that arise because of it. Should caps only be applied to corporations or should they apply to natural persons as well? Is \$50,000 the most appropriate amount? How do we regulate subsidiary entities and transfers within entities? These are complicated issues and, even though this is only an interim measure, time will be required to come up with the best mechanism to achieve the desired outcome. The Greens hope to work with all parties in the very near future to resolve the details of the issue.

Caps already exist in Victoria. I refer members to the Victorian Electoral Act, section 216. This is a jurisdiction with a human rights charter. There is a cap in Victoria on how much gambling operators can donate. That is also capped at \$50,000, and obviously that is a different position from a cap on all donations. Further, we are all aware of the reforms that have taken place in New South Wales as a result of particular improprieties that occurred there.

Donations are vexed, and, whilst some attention is given to the Labor party in this regard, we also have to make the point that it is not just about any one party. I understand, and I am happy to be corrected, that the Liberal Party of Australia is in fact the largest single recipient of donations from Philip Morris the world over.

I would like to turn to some of the constitutional issues that have been raised by the scrutiny committee and that are always raised in the context of electoral reform. The constitutional questions are very complicated and I do not propose to put a definitive argument here today. As a creature of the commonwealth parliament, it follows that we are subject to all the same limitations that the commonwealth parliament is subject to under the constitution. The most important of those for this debate is what is referred to as the implied freedom of communication, probably better characterised as a limitation of the legislative power of the commonwealth. I draw the attention of members to a passage in the judgement of Justices Gummow and Hayne in the case *Coleman v Power*, para 195:

In *Lange [v ABC]*, the court unanimously held that “[f]reedom of communication on matters of government and politics is an indispensable incident of that system of representative government which the Constitution creates”. That freedom is not absolute; “[i]t is limited to what is necessary for the effective operation of that system of representative and responsible government provided for by the Constitution”. It operates upon the common law and also, in the manner identified by McHugh J in his reasons in this case, as a restriction on the legislative powers of the Commonwealth, the states and the territories.

It is a proportionate test and one that only the High Court can answer on the facts of any particular case.

These issues are considered in the scrutiny report. They are complicated and we have not had time to fully resolve them and completely satisfy ourselves of the detail. But we do support the overall principle of what is being put forward today.

It is helpful to look at broader experiences. I draw members’ attention to the United States case *Citizens United v FEC*, which I hope we all agree has not been good for democracy over there. This case effectively equated free speech with the ability to give money. In Australia we are in a different position where the constitution imposes a limitation on legislative power to the extent that it limits political communication. I sincerely hope that we do not want to go down the path of saying that financial gifts are equivalent to political free speech.

An alternative that has been used elsewhere is expenditure caps, as proposed for New South Wales, for example. I must admit that I cannot recall the exact outcomes of

those proposals, but it does demonstrate that other parliaments have been prepared to respond to these issues relatively quickly in the face of particular concerns.

That brings us to the amount. It should be known that we have in-principle support for a cap on donations but we are not particularly settled on \$50,000, though it does appear to be a reasonable starting point. Again we look forward to working with all the parties on this issue.

This will always be a very difficult issue for this place. We all depend on donations to some extent to get here, and we do need to respond proportionately to the level of risk of inappropriateness that exists.

We accept that this does leave a level of uncertainty about donations until we resolve the issue. In some ways that is undesirable; however, the evident intention ensures that people still make donations to the political party they support without any fear that they will be punished for it. As I indicated, there is a mechanism that needs to be addressed, as this has not been considered by the existing proposal in that we do not know what would happen to the amount that exceeds \$50,000. I put forward a solution earlier. As I said, this does overcome Mr Corbell's concerns. I have explained it and we need to be looking at this alternative to address a particular issue that Mr Corbell raised.

I would like to finish by again emphasising that the Greens have come to this view not on the basis of a rumour but on the basis of our in-principle support that caps to donations have the potential to protect the integrity of our democratic system. It is on this basis, and this basis alone, that we will openly and constructively work through the details of Mr Smyth's bill from the table today.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Health, Minister for Industrial Relations and Treasurer) (11.00): I welcome the opportunity to speak in relation to this bill today and to support the comments and the very comprehensive arguments that have been put forward by the Attorney-General about why this bill should not be passed in principle today.

It is a little bit embarrassing for Mrs Dunne that Mr Smyth, her colleague, has been forced to come in here and introduce legislation whilst she, as the chair of a committee, has taken so long and been so tardy in her responsibilities as a chair to finalise the inquiry into electoral reform as authorised by this Assembly.

There is active consideration by a committee in this place, the Standing Committee on Justice and Community Safety, going directly to the issues in relation to which Mr Smyth has been forced to come in here on some unknown rumour that he does not feel able to put to members in this place. The non-executive members leading this work on behalf of the Assembly have not been able to finalise their inquiry in a reasonable time so that we are in a position 16 months out from the next election to deal with issues of electoral reform. We all accept that there are improvements that can be made in this area. That is precisely why the committee has been established and been given the very wide terms of reference that it has to deal with all these issues.

Ms Hunter's speech goes to some of the points that the attorney has made. In principle, we understand, the Greens support caps. I think the Attorney-General has outlined some of the issues of concern around implementing caps and how they may not actually provide the restrictions that the Greens support. Ms Hunter then goes on to say, "Well, there are a whole range of issues that we need to deal with in terms of the specifics of this bill." We could not agree more. The attorney's arguments go to all of those points.

The Greens are prepared to vote in principle for a bill that will, from the sound of Ms Hunter's comments, be seriously amended in the detail stage. That is the feeling I get from the Greens' discussion in the in-principle stage: "We agree with the general theme of Mr Smyth's bill. We do not know if it will work; we do not understand how it will work. And there are all these questions that the committee is looking at which will help define and refine our position on this."

I do find it extraordinary that, at the first opportunity Mr Smyth has, in presenting legislation, he fails to provide an explanatory statement. That is something in relation to which members on the other side come in here and criticise the government, but it is usually around the content of the explanatory statement; we do not usually get to the fact that there is no explanatory statement at all.

The issues about criminal retrospectivity are serious. The Assembly needs to have its eyes wide open about the precedent we are setting here today. Let us just think for a moment about potentially applying the provisions that Mr Smyth has in his bill perhaps to grants programs that have been implemented by this Assembly for money appropriated. Let us for a moment think about what would happen if we introduced legislation to retrospectively criminalise the activities of individuals or organisations that applied for something in a legal project, something that was legal on the day that that activity occurred, but where this Assembly can then come in and sweep through laws that would make that activity criminal. Let us just have a moment, because that is the precedent that this Assembly is setting here today—without any explanatory statement, without a Human Rights Act compatibility statement, without going into any of the details about why it is right to infringe those rights and some explanation around that. That is the standard that applies to the government. It clearly does not apply to the Liberals when they are seeking to legislate on rumour and innuendo. That is the precedent that is being set today, and that is the precedent that the Greens are supporting.

The government will find it very hard to accept arguments that are being put forward by the Greens party—around human rights, around scrutiny, and around appropriate information being tabled with legislation to allow genuine engagement and debate to occur—if they agree for this bill to be agreed to in principle today. I think those arguments will be very difficult to make in the future.

This government accepts that the numbers in this place may see this bill pass the in-principle stage today, even though it might be completely amended in the detail stage. We accept that. But based on the speech that Ms Hunter has given today and the work that is being undertaken by the Standing Committee on Justice and Community Safety,

this government will, after that vote, move a motion to refer this bill for incorporation in the standing committee's inquiry. We would argue that that is the place where this bill should be dealt with entirely.

If we get to the point that it passes the in-principle stage today, this bill must be referred to that committee. It cannot be treated in isolation when the bill seeks to legislate a particular part of the inquiry. Then bring that inquiry back to this place and allow comprehensive debate on all aspects of electoral reform, as was intended by the establishment of that inquiry in the first place.

That is what needs to happen today. I hope that the Assembly sees merit in that proposal.

DR BOURKE (Ginninderra) (11.06): I am aghast at the prospect that the Assembly is contemplating retrospective criminality in a bill. It is a fundamental contravention of what you would describe as human rights principles. Human rights principles are that—principles. The purpose of them is that you do not melt when it gets tough and you do not give them away because it is convenient. This is what particularly concerns me about the proposal for retrospective criminality. I condemn that move.

MR SMYTH (Brindabella) (11.07), in reply: I thank members for their contributions to the debate, as varied as they have been. I thank members for their support to suspend standing orders to bring this bill on. It is unusual to do a bill quickly in this manner but it is important that we do not allow the gazumping of long-term reform by anybody, irrespective of what party or what leaning they have, when we do have a significant body of work being done by the Standing Committee on Justice and Community Safety.

I think we need to start with Mr Corbell's submission to this debate. You have to question everything the minister says when he cannot even get dates right off a website. The minister said that the inquiry into campaign finance reform had not even closed submissions and that they closed on 30 July this year. He was only out by a year. They have closed—30 July 2010. So you have to take everything that Mr Corbell says with a grain of salt. Take a grain of salt with everything he says, when he just needs to go to the website to confirm his facts.

There is an issue with retrospectivity. This is not going to make anything that happened before last Wednesday a criminal offence. Indeed, when I tabled the bill I said that moving forward—I hate to use the words “moving forward”, but as we go forward—on electoral reform, as of today there is a line in the sand. We are saying do not do anything after this point in time that will offend this bill. So I think the retrospectivity argument is quite spurious. We have not gone back and put in place double jeopardy. We have not gone back 10 years and said we are looking at all the donations made over the last 10 years. We are saying that from this point in time forward we have concerns.

It is not unusual to have interim measures, and everyone knows that when there is expectation of reform it has an effect. If there is a tax relief reform coming that might be announced in the budget that starts on 1 July, then people put off their decisions

and they get the benefit of that tax reform. Or, with the lease variation charge, we have seen a number of DAs put in to vary leases. Why? Because people are anticipating the reform. What this bill does is say that campaign finance reform is very important and we do not want that reform gazumped or people getting around it by action in the interim while the committee reports.

There seems to be some sort of suggestion that the committee is taking too long to report. I am sure the committee is doing a very thorough job, and the members, I think, would probably be offended by the slur that Mr Corbell has just made. I think anyone listening to this debate or anyone who reads the *Hansard* afterwards will come to their own judgement about the speeches that have been made and the protests that have been made by the government, and only by the government. I think people would be very clear about the interest that the government has in this.

If the government thinks the bill is faulty, then I invite the Attorney to work with me to change the things that he thinks are faulty. The proof of the pudding will be in the eating and I look forward to working with the minister to improve this.

This is simply an interim measure so that the reform that is being proposed—and most people seem to be in favour of some sort of reform—is not gazumped by any party or any person. I think the notion that legitimate concerns exist over this reform process is very true. Parliaments, politicians and parties suffer when they are seen to rot the system. If any party was to accept a large donation between now and the changes to campaign financing, they would be undermining the process.

Mr Hanson: It would be immoral, Mr Smyth.

MR SMYTH: I think it would be immoral. Moral decisions do need to be made, particularly when you are trying to be open and accountable to the community on campaign finance reform. On some days moral decisions should be taken. One would hope every day moral decisions are taken. But the right thing for this place today is to approve this bill. I understand it will go through in principle.

I am happy to work with all members to improve the bill. Minister Corbell points out what he perceives as some loopholes and he casts a slur on the drafting of the bill. As always, I asked parliamentary counsel to give me a bill that would shut down these loopholes. I think the slur is unnecessary from the minister but if he has got some advice on how to make it more effective, to stop people getting around this interim measure, then I would be very grateful for his support.

It is important that we get this right, it is important that we make sure that it is effective and it is important that it is open and that we are all accountable to those who put us here, the voters of the ACT, and I seek support for this bill today.

Question put:

That this bill be agreed to in principle.

The Assembly voted—

Ayes 10

Noes 7

Ms Bresnan	Ms Hunter	Mr Barr	Mr Hargreaves
Mr Coe	Ms Le Couteur	Dr Bourke	Ms Porter
Mr Doszpot	Mr Rattenbury	Ms Burch	
Mrs Dunne	Mr Seselja	Mr Corbell	
Mr Hanson	Mr Smyth	Ms Gallagher	

Question so resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Clause 1.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment and Sustainable Development, Minister for Territory and Municipal Services and Minister for Police and Emergency Services) (11.17): I move:

That the debate be adjourned.

Can I just quickly indicate—

Mr Smyth: No.

Mr Seselja: Mr Speaker, he can't speak to that.

MR ASSISTANT SPEAKER (Mr Hargreaves): Excuse me, Mr Seselja and Mr Smith, I do not need your assistance so please do not offer it. Mr Corbell, my advice is that you need to seek leave.

Mr Corbell: Mr Speaker, the government will not be proposing referral to committee at this time.

MR ASSISTANT SPEAKER: But your motion was that the debate be adjourned, was it not?

Mr Corbell: Yes.

Question resolved in the affirmative.

Debate adjourned to the next sitting.

Sport and recreation

MS PORTER (Ginninderra) (11.18): I move:

That this Assembly:

(1) notes:

- (a) that the government, on Tuesday, 12 April 2011, launched the Active 2020—Strategic Plan for Sport and Recreation in the ACT and Region;
- (b) that this dynamic partnership between the sport and recreation industry and the Government provides a long term strategic plan for sport and active recreation in the ACT;
- (c) that the partnership provides an opportunity for expansion in participation in sports at the grassroots level;
- (d) that it provides opportunities for schools and sporting clubs to enter into partnering agreements on sharing of resources;
- (e) that it ensures sport and recreation organisations in the ACT have access to sustainable and quality infrastructure for the delivery of sport and recreation activities; and
- (f) that it promotes the benefits of sport and active recreation amongst Canberrans and therefore enriches the Canberra community; and

(2) calls on the ACT Government to continue to:

- (a) provide encouragement to sporting clubs and organisations to support and promote sporting and active recreation programs that support groups including those with disability, youth, indigenous, women, ageing and cultural groups, as stated in strategic initiative 1.5 of the Active 2020 strategic plan;
- (b) encourage and support sporting clubs and organisations in ensuring they are operating in line with the National Sports Volunteer Strategy and continuing to engage community volunteers, as stated in strategic initiative 3.4 of the Active 2020 strategic plan;
- (c) engage with schools and sporting clubs in relation to strategic initiative 7.5 and 7.6 of the Active 2020 strategic plan; and
- (d) ensure improved integration of, and coordination of, non-government provided sport and recreation facilities with those provided by the Government, as stated in strategic initiative 7.9 of the Active 2020 strategic plan.

I am pleased to move this motion in this place today. On 12 April this year the Minister for Tourism, Sport and Recreation, Mr Barr, launched the active 2020 strategic plan for sport and recreation in the ACT and region. I was happy to be there

on that day. This strategy is a dynamic partnership between the sport and recreation industry and the ACT Labor government. It provides a long-term strategic plan for sport and active recreation in the ACT. It is a partnership aimed at providing opportunities to expand participation in sport at the grassroots level, providing opportunities for schools and sporting clubs to enter into agreements on sharing of resources, ensuring sport and recreation organisations in the ACT have access to sustainable and quality infrastructure and promoting the benefits of sport and active recreation amongst Canberrans. These are matters that I have consulted widely on with community sporting and recreation groups, principals and sports staff at public and private schools.

This is an important partnership because sport and recreation, as we know, is a vital part of the ACT community. It contributes to community health and wellbeing, social cohesion and the ACT economy. In fact, the sport and recreation sector is of immense economic importance. Indeed, the recent economic contribution study by Access Economics found sport and recreation contributes about \$245 million to our economy in the ACT—I know this is an astounding figure but I think we should dwell on that, \$245 million to our economy—employs about 2,800 people and engages 27,000 volunteers.

The ACT government is committed to the development and growth of this vibrant, diverse and dynamic sports sector. This Labor government wants to see a sector that is a national leader in sporting achievement and in sport science. It is fitting that as the nation's capital and as a city-state we should seize the opportunity of our community and geography. One critical element in this strategy is the acknowledgement that we must continue to build the sporting industry in the ACT. We need to work together towards a collective vision and help the ACT sporting community meet social and environmental challenges in order to benefit all Canberrans. We are already on the way to doing this.

Besides the economic benefits, the industry delivers positive social impacts. We have a strong network of facilities and a strong history of elite sporting successes and a large number of very active grassroots community sporting and recreation clubs. We can proudly claim we have the most active and healthy community in Australia. Despite this, there remains scope for improvement in achieving greater participation. The active 2020 strategy provides an unprecedented opportunity to do this by building even stronger partnerships to allow us to successfully meet the challenges and opportunities ahead.

Sport and recreation, as we know, is a diverse sector containing community groups, professional entities, commercial providers and government. The sector does not exist in isolation, though. It exists with and impacts upon many other sectors in the community, including health, education, tourism and planning. For instance, the value of the sector to preventive health outcomes is estimated at more than \$80 million a year.

The value of the sector in terms of education is considerable. Physical education has been significantly revitalised under this Labor government, most notably with the minister's physical activity challenge. This ACT government wants ACT students to

know the value of healthy living and for students also to learn good eating habits as a cornerstone of their active lifestyle. These are among the great gifts of physical education and are at the forefront of the fight against childhood obesity as well as combating chronic health issues.

We know that this is a matter that has been debated a lot in the media of late and we can only keep emphasising how important physical education and physical activity are for our young people. These benefits are in addition to the obvious inherent features of fair play, teamwork, healthy competition and individual achievement that exist within virtually all sport and active recreation activities.

Active 2020 is a great blueprint for the future. It embodies three fundamental goals that are pursued by most sport and recreation organisations in the ACT. It seeks to increase participation in competitive, non-competitive and social sport and recreation activities at all levels. It seeks to provide opportunities for achieving excellence in sporting performance and to ensure access to sustainable and quality infrastructure for the delivery of their activities.

Active 2020 takes into account the challenges and the opportunities within the current operating environment. It has been developed in awareness of the recommendations of the 2008 Australian sport system review known as the Crawford report and the 2009 ACT recreation industry capacity mapping project. The strategy recognises the importance of fostering strategic partnerships in addressing current challenges. These include social and environmental issues, changing demographics, the need for education and health systems to adapt and the increasing cost of developing and maintaining facilities. It also acknowledges the importance of ensuring decisions continue to be made using research to support educated planning and a sound business base for future funding.

Active 2020 contains seven strategic priorities and I will list them here: to maximise community engagement, to promote the benefits, to increase organisational capacity, to maximise individual success, to deliver sustainable team performances, to promote a national sporting capital and to maximise supporting infrastructure. These initiatives will be supported by a strategic support platform which includes long-term infrastructure, facilities and resource plans, communication and marketing strategies, as well as ongoing stakeholder engagement. I understand too that the plan will be managed, monitored and reviewed by industry and government through the active 2020 monitoring group. In summary, the strategy is a solid blueprint, as I said, to ensure sport and recreation delivers social, economic and health benefits to the community.

But there is always more to be done. And that is why I am today calling on the ACT government to continue to provide encouragement to sporting clubs and organisations to support and promote sporting and active recreation programs. This encouragement must be broad, including targeting those with a disability, our youth, Indigenous Canberrans, women, the aged and cultural groups. I note strategic initiative 1.5 of the active 2020 strategic plan deals with these issues. It says:

Ensure programs support populations including disability, youth, indigenous, women, ageing and cultural groups.”

I also call on the ACT government to continue to encourage and support sporting clubs and organisations in ensuring they are operating in line with the national sports volunteer strategy and are continuing to engage with their volunteers. I note this is part of strategic initiative 3.4 of the active 2020 strategic plan. It says:

In line with the National Sports Volunteer Strategy, ensure a more structured approach to volunteer planning and support for clubs around recruitment, definition of roles and responsibilities, retention, costs of volunteering and engaging corporate volunteers.

All of those things are very dear to my heart.

Through this motion I also call upon the government to continue to engage with schools and sporting clubs to help them build partnerships and share facilities for the benefit of the clubs, the codes and, most importantly, ACT students. I note strategic initiatives 7.5 and 7.6 of the active 2020 strategic plan deal with these areas. They say:

Promote more partnering and sharing resources in program delivery, coordination and leadership.

Promote multi use of school facilities and allow access for clubs.

This is a very important strategic initiative, as it is something I identified when I was consulting with the sporting and recreation clubs in this city. This is one of the areas in which they express the greatest amount of challenge and the greatest amount of need.

I call on the ACT government to continue to ensure improved integration and coordination of non-government provided sport and recreation facilities with those provided by the government. I note that this is dealt with in strategic initiative 7.9 of the active 2020 strategic plan. It says:

Ensure better integration and coordination of non-government provided sport and recreation assets and infrastructure with government provided assets.

Whilst I call on the government to undertake actions as part of this motion—and they are all contained within the strategy—I should reiterate that this is not solely a government strategy. It is one in which the government has been fully engaged and is supportive of playing a leadership role with industry. However, it is one that was also developed in conjunction with the industry and a very strong partnership through a working group that was made up of industry representatives. As such, the full delivery of this strategy will require the continuation of this genuine and productive partnership between the sector and the government. It will also require continued cooperation from all parts of the community.

Given the close partnership experienced in realising this strategy, I am confident that the minister and this government stand ready to continue working with the sporting and recreation community to deliver the strategy and, indeed, to work with any other

stakeholder that may be identified along the way. I am also confident that community sporting and recreation groups have shown their willingness to engage positively with the government in relation to the strategies contained within the active 2020 strategy, including those in relation to sharing of resources. I commend this motion to the Assembly.

MR RATTENBURY (Molonglo) (11.30): I thank Ms Porter for bringing on this motion today. It gives me the opportunity to talk about sport and recreation in the ACT. The motion places a spotlight on the 10-year strategic plan for sport and recreation that was released earlier this year, the active 2020 plan. The Greens are pleased to see this issue brought on for debate, because creating a healthier and more active Canberra is in the interests of everybody.

The ACT Greens policy on sport states at principle No 1 that we believe “sport and physical recreation assist in the maintenance of mental and physical health”. So we wholeheartedly accept that sport and recreation are important to Canberra. I think Ms Porter has commented similarly in her opening remarks. Put simply, the more active our community is, the healthier and happier we are.

We also understand the great social function that sport and recreation clubs provide with the work of so many volunteers helping to run the carnivals, sausage sizzles, administer the enrolments days—all of these things which keep the clubs functioning and help build positive relationships between people of different ages, backgrounds and abilities, and also help to build a strong and resilient community.

All of us who get invited to many of the events around town can testify to the social glue that sport so often delivers. For example, many of us at the 15th anniversary of *The Big Issue* the other day heard people talking about street soccer there. We have had the recent refugee tournament and there are the regular weekend activities that go on weekend after weekend across the city.

I know for myself that some of the strongest and most enduring friendships have been nurtured through shared participation in sport. Being a reasonably active person, sport has been a big part of my life since I was a kid. I know what a difference it has made to my sense of self, the friendships that I have been able to develop and I think it has played an important part in remaining healthy.

The active 2020 strategic plan has three overarching goals: to increase participation in all forms of sport and recreation at all levels, to encourage excellence in sporting performance and to ensure access to quality infrastructure. Out of those three goals stem seven strategic priorities and 52 specific initiatives. The strategic priorities are the maximising of community engagement, promoting the benefits, increasing organisational capacity, maximising individual success, improving team success, promoting a national sporting capital and maximising sporting infrastructure. That is quite a broad brush, I suppose, but that encapsulates the issues at the heart of sport and recreation policy for the ACT.

I will not go through the 52 specific initiatives. This is not an adjournment debate, after all, but they are extensive and set out many areas of government action that I

support and which I encourage the government to actively focus on. For this reason the Greens generally support the motion today. It has a priority on increasing activity levels which in turn will make us as a city healthier and happier.

I do, however, have a couple of reservations about the motion. Firstly, it does pick out five of the 52 strategic initiatives for mention and calls on the government to take action under them. They are listed in the motion as 1.5, 3.4, 7.6, 7.5 and 7.9. Certainly, when I looked at this I did have a conversation with Ms Porter about why she had specifically focused on those. Perhaps the corollary question is: what about the remaining 47 strategic initiatives? The Greens support the remaining 47, as I am sure Ms Porter does, and we would all be encouraging the government to work on them as well.

As I said, I have had a conversation with Ms Porter about that. I now have a better understanding of why she has chosen those specific areas to focus on. I guess that speaks to the fact that we will be supporting the motion in that broad sense because of that conversation.

The second reservation I have about the strategic plan more generally, and therefore the motion picking up on it, is the lack of measurable indicators of progress. I should start by saying that the Greens want to be able to see how active the Canberra community is and how much more active the government is aiming for us to be. It comes back to being a healthier and happier community.

If I take strategic initiative 1.5 as an example, and one that Ms Porter has highlighted in her motion, the strategic indicator is to ensure programs support population groups including disability, youth, Indigenous, women, ageing and cultural groups. The success indicator is that programs are inclusive and engage identified groups. A lot of good work has been done throughout the document in terms of having a strategic initiative. It identifies who is specifically responsible for that strategic initiative and there are success indicators to provide some measure.

But the problem I have is that the strategic indicators, I guess by their nature, are too vague to be measurable and reportable on. The example indicator 1.5, which I spoke of, talks about inclusiveness, which is a welcome sentiment but it is not measurable. It is important that these strategic indicators are measurable, because having a measurable indicator ensures that we are able to measure our progress against the targets, where we need to do more and where we need to focus our energy and resources.

So to that end I will be proposing an amendment today. I would call it a friendly addition to Ms Porter's motion. If I can continue to use indicator 1.5 as an example, what I would have liked to have seen, for example, were targets that say that by the year 2016, the midway point of the 10-year plan, 75 per cent of our youth are participating in regular sport and recreation. I do not want to second-guess the work that the group putting the paper together have done. I simply try to illustrate what I have in mind.

I would draw the parallel with Tasmania, which has gone that extra step in their ambitious agenda called “Tasmania together”, which has extensive lists of measurable targets that it has set. On childhood participation in sport and recreation, it has a baseline figure of 59.1 per cent of all children being engaged in sport and recreation. From there it sets five-yearly incremental improvement targets. In 2010 it aimed for a 15 per cent increase, which would take it to a 67 per cent participation rate. Then by 2015, another 15 per cent increase, taking it to 78 per cent and by 2020 a further 10 per cent increase, taking it to 85 per cent.

That is an ambitious target but it is the kind of strategic planning and reporting that I think governments should do and that I would urge the ACT government adopt to really put the icing on the cake on what I think is a very good document already.

Of course, the ACT government website “Measuring our progress” does adopt this kind of approach. I think the website is a good example of the kind of thing that I am talking about. One of the measures there is the adult participation rate in physical activity for exercise, recreation and sport in the ACT. This is the 23rd of 28 indicators that the government reports on through the website. I will table a copy of that graph, with the leave of members.

Leave granted.

MR RATTENBURY: I table the following paper:

Participation in sport and physical recreation—Measuring Our Progress Website
as at 28 June 2011.

What that graph shows is the time line historical trend in the ACT. I think this is the sort of measure that we need when it comes to this 2020 vision document. I take a specific example from the graph that I have just tabled. I would like to urge the government, firstly, to broaden the scope of that indicator from measuring only those who are over 15 years of age to include children as well and then directly to use this data to monitor the effectiveness of the strategic sport plan.

I think that is but one example. There are a range of other possible areas where we could provide concrete indicators of whether we are making progress. Some of the things could be childhood obesity figures, the number of people commuting to work on a bike, the number of children walking or riding bikes to school—perhaps even, one of my personal favourites, the number of people using Lake Burley Griffin for sport or recreation.

I particularly mention this one because I do note that unfortunately—I think it is under strategic priority No 6 where we talk about creating a national sporting capital—the poor old lake has not rated a mention. Of course, I entirely concur with the intent of strategic priority No 6 and probably all of the points under it. They are talking about seeing Canberra as a national sporting capital and having the city seen as a premium sporting designation for major events, participation in recreational festivals and conferences.

I think that is an excellent objective and expected outcome. I think that the strategic initiatives are good ones although, as I have spoken about before in this place, the lake does not rate a mention. This is where we do need to join up some of these points. That is an important facility that is often difficult to use. That sort of joined-up thinking means that some of the areas I talked about—for example, the number of people commuting to work on a bike—are covered, as they should be, when the sustainable transport action plan is finally delivered. I am sure that will also measure the number of people commuting to work on a bike, but it is the sort of thing that will also come into this document. A little of that cross-fertilisation across government would be a very valuable thing and would add to what I believe is an excellent strategy.

In conclusion, the Greens will be supporting Ms Porter's motion. I understand Mr Doszpot will also bring forward some amendments. We will speak about those when we come to them. But as I said, the Greens will be supporting Ms Porter's motion. We believe that it supports the direction of the strategic plan and puts further emphasis on that. I just urge the government to go the next step and measure our progress down that path. To that end, I move the amendment circulated in my name:

Add:

“(3) calls on the ACT Government to develop the following statistically measurable indicators for the Active 2020 strategic plan and to publicly report on them:

(a) baseline indicators; and

(b) future targets.”.

MR DOSZPOT (Brindabella) (11.41): I welcome the opportunity to speak on the motion moved by Ms Porter. Sport and recreation is a vital and essential element of Canberra life. Recent Australian Bureau of Statistics information shows that the ACT is Australia's most physically active state or territory, with a sports and physical recreation rate of 87.4 per cent in 2009, above the national average of 82 per cent. Certainly this percentage is assisted by the fact that the ACT is home to many successful elite athletes and sporting teams, as well as an abundance of quality sport and recreational facilities.

Our ovals and playing fields have nearly 81,000 hours of booked sports usage a year, and that does not take into consideration the number of swimming pools in which training is undertaken each day of the year, or the number of training and recreational activities—rowing, dragon boats and sailing on our lakes. It does not take into account the myriad of small groups and individuals that each day pound across our bridges and on paths around the lakes. It does not take into account the number of fitness instructors who push their sometimes less than willing clients through painful activities in any grassed area across the territory. And it does not take into consideration the countless number of cyclists that use our bike paths.

So we do take our sport seriously. And, yes, it is appropriate that government should work with the community to develop a shared vision for where we want our sport and

recreation to grow in the next decade. I note Ms Porter's enthusiasm for what she has termed the dynamic partnership between the sport and recreation industry and government. I know that from the sports and recreation community there is dynamic enthusiasm. I cannot accept that it is reciprocated in the directions that this minister takes at times. I will cover that in more points later on.

Let me say that some excellent Canberrans are stakeholders and contributors to this document, and I have no criticism of their genuine support and dedication. I have worked over the years with many sporting groups and Canberra should be ever thankful for their unwavering enthusiasm and willingness to give so freely of their time.

The members of the active 2020 strategic planning board are acknowledged at the back of the plan, and their work and commitment should be recognised. The document is obviously the result of a great deal of discussion and serious contemplation, and it is an important document to chart the future of sport and recreation in the territory.

Indeed, much of what is contained in Ms Porter's motion is captured already in the strategic plan. So on that basis I am not sure that it needs to be repeated in the motion. Once again, as we often get in these motions from the backbench, there are congratulatory remarks about what already has been agreed to. We do not necessarily want to be party to adding window dressing to something that has already been agreed to and already is part of a strategic plan.

In Ms Porter's motion there is a lot of sugar coating and no hard accountability indicators. I agree with our colleague Mr Rattenbury about the need to have accountability indicators. There are no key performance indicators that we can look at on a half-yearly or yearly basis and chart progress. I have absolutely no faith in the capacity and willingness of the minister in charge to actually deliver all of it.

Minister Barr has form. He is the grand master of glossy brochures. He should be, and could be, a visiting professor at one of our universities in marketing activities—not effective marketing, just how you can use spin and colour to avoid scrutiny and serious policy delivery. There is little follow-through, and if this strategy is to be realised, it will need follow-through of the strategic plan.

This is presumably a significant planning document. Just to highlight the fact that I spoke about before, about all of these issues already being covered, I will quote the last couple of paragraphs of the minister's message at the beginning of this very impressive brochure:

The resultant ACTIVE 2020 Strategic Plan highlights the significant role sport and active recreation plays in the economic and social health of our community. It recognises the diversity of participation type and level, the need for associated infrastructure and greater promotion of the value of sport and recreation towards health and education. Importantly ACTIVE 2020 also connects ACT priorities to the National Sport and Active Recreation Framework which provides a clear pathway in pursuit of a high performing sport and active recreation sector.

I look forward to working with the Sport and Recreation Minister's Strategic Advisory Council on the progression of the plan and our action together making a real difference to enhance the sport and recreation experience for all Canberrans.

The ACTIVE 2020 Strategic Plan is an unprecedented opportunity!

So there we have Minister Barr's own words that have now been spun out again through Ms Porter's motion. Quite frankly, we find it a waste of energy from this Assembly to be just patting Mr Barr on the back yet again for something that we have already spoken on before. And just on that, Mr Barr, if you were really—and this is part of—

MR ASSISTANT SPEAKER (Mr Hargreaves): Mr Doszpot, would you direct your remarks through the chair, please.

MR DOSZPOT: Thank you, Mr Assistant Speaker. Mr Barr, one of the things that I am most interested about, and something we spoke about before, is that if you are serious about representing—

MR ASSISTANT SPEAKER: Mr Doszpot, I did ask you to direct your remarks through the chair, please. Do not address them across the chamber to Mr Barr.

MR DOSZPOT: I did not look across at Mr Barr at all, Mr Assistant Speaker.

MR ASSISTANT SPEAKER: Mr Doszpot, I ask you to reflect on the words that you have just applied. You are talking to Mr Barr in the words of your speech.

MR DOSZPOT: I was talking to Mr Barr through you, Mr Assistant Speaker. Is that allowed?

MR ASSISTANT SPEAKER: I would ask you to phrase the words in accordance with that request, please. Just have a look.

MR DOSZPOT: Thank you, Mr Assistant Speaker. I ask you for direction here. I said "Mr Barr", looking at you; is that allowed?

Mr Barr: No, I think that you need to understand—

MR ASSISTANT SPEAKER: Mr Barr, thank you. I do not need any assistance, thank you, minister.

MR DOSZPOT: Mr Assistant Speaker, I would like the sports minister to reflect on the composition of the sport and recreation minister's strategic advisory council. We spoke about this at various other events, such as estimates, last year as well as this year. If the minister was totally committed to listening to the total community, the total sporting community should be represented on the minister's strategic advisory council, for instance. At the moment I still do not see any representation from

ACTSport, which is the organisation that currently represents all of the sporting community in Canberra.

Instead, we have a number of very highly respected individuals, I agree, but individuals who represent basically their sport. I believe they are Capital Football through Heather Reid, who is on the committee, Stephen Hodge, who is also on the Cycling Australia board, and individuals who are respected in their own fields of endeavour, but where is ACTSport? In order to fully engage with the sporting community, minister—through you, Mr Assistant Speaker—I suggest that that should be looked at as well.

The strategic document is a significant planning document for the sports portfolio, but where does it fit within the current budget process? And when is the 2011-2020 plan meant to start? The minister suggests this is an unprecedented opportunity and that he looks forward to working with his strategic advisory council to progress the initiatives in each of the seven strategic priorities. But there was not one mention in the estimates process. He was much happier to talk about the big-ticket media items like the upgrade for Manuka Oval, and more recently a roof over Canberra Stadium.

If we examine each of the strategic priorities, there is much that can be achieved. But we need only go to strategic initiative 1.3, and already there is current evidence that shows a lack of commitment on behalf of the government. At the very least, this plan provides an opportunity for considerable improvement.

Strategic objective 1.3 is about maximising availability for facilities for people to get involved. I certainly know that this has to get better. We have a football club at Lanyon that cannot get a local playing field for their junior teams, even though the field in question is currently only used in summer. I am sure there are examples in other sport in other parts of Canberra.

We brought this to the minister's attention in estimates, and I will be talking about this later on. It took 30 days to give an answer which is still wrong in terms of what the real situation is about. So this is what I am saying: we have a wonderful strategic plan but where is the actual application in reality of following the plan that is already laid out and so highly recommended by this minister?

Strategic initiative 1.5 talks of programs that support population groups, including disability. We know from our discussions with VISACT about their difficulties in getting any sort of consistent agreement with government on sports programs in schools. They do some fantastic work in engaging with the sighted and hearing community to promote such sports as goal ball for the visually impaired. As we have already discovered during the estimates process, they have had requests for funding moved between health, education and sport departments. Again, the ability of all of the various departments to engage in delivering the vision for this strategic plan is also quite important, Ms Porter. If anything, we should be calling on other departments to join with Mr Barr in this.

VISACT just want a consistent approach so that they know how to best represent the stakeholders. It would also help if the minister got to understand something of what

VISACT do. In estimates he said that it was not an organisation known to his department. Hopefully this plan will make their path easier.

Similarly, with strategic initiative 1.7, improving access to sport and recreation programs and facilities, transport and parking issues were highlighted during estimates, particularly in respect of Manuka Oval, and are subject to a committee recommendation. A number of other initiatives are already well on the way to achieving support from this government, but there are many others in which there is much room for improvement.

Strategic priority 7, maximising supporting infrastructure, is certainly on the agenda for ACTSport. In their 2011-12 budget submission they suggested: "The ACT government does not have an action plan for new sporting facilities along with policies for their ongoing management and maintenance." They suggested that "much of Canberra's community sport and active recreation infrastructure is ageing and will require refurbishment or replacement over the next 10 to 20 years".

I do not doubt the sincerity and capability of the plan, but I have great reservations about the sincerity and capability of this minister to deliver it. I think it is important that we put some rigour around this motion. On that basis, I move the amendments circulated in my name.

MR ASSISTANT SPEAKER: Mr Doszpot, it is not possible for you to move them at this point because they relate to the substantive motion and we have to deal with Mr Rattenbury's amendment first. When we have dealt with Mr Rattenbury's amendment, that is the time for you to seek leave of the Assembly to officially move the amendments in your name.

MR DOSZPOT: Thank you, Mr Assistant Speaker.

MR ASSISTANT SPEAKER: I will give you the call as soon as we have dealt with that.

MR DOSZPOT: Thank you.

MR ASSISTANT SPEAKER: Also, Mr Doszpot, you have a number of amendments. You would need to seek the Assembly's leave to move them together, unless you want them dealt with one at a time. So you can consider that during this time.

MR DOSZPOT: Certainly, thank you.

MR BARR (Molonglo—Deputy Chief Minister, Minister for Economic Development, Minister for Education and Training and Minister for Tourism, Sport and Recreation) (11.54): In speaking to Mr Rattenbury's amendment and to Ms Porter's original motion, I would like to acknowledge Ms Porter's very real and ongoing interest in this matter. She has certainly been a driving force within the government to ensure that this strategy was delivered, and to ensure that there was considerable engagement with the volunteering community in particular who, as she indicated in

her remarks, comprise nearly 30,000 Canberrans who volunteer their time to participate in sport and recreation activities and allow sport and recreation activities to occur across Canberra each and every week.

In commenting on this motion I would like to pay tribute to the sport and recreation industry who have worked very closely with the ACT government to develop the active 2020 strategy. It is a jointly developed strategy, and one that we will continue to jointly deliver. It is a strategy that the whole of ACT government is committed to delivering.

In the first part of her motion Ms Porter calls on the government to continue to encourage sporting organisations to support those with disability, youth, Indigenous Canberrans, women, ageing Canberrans and those from diverse cultural groups. I think that is an important part of this motion, and an important part of the debate we need to have around increasing levels of participation.

I am very pleased to see that in 2010 a blind sports carnival was organised by Vision Impaired Sport ACT promoting sports for blind people and explaining to school children what it means to live with a disability. Last year, too, the Belconnen Bowling Club organised a come and try lawn bowls day to promote lawn bowls as a sport that people with disabilities can participate in, and these were in part funded through the Community Services Directorate under the 2010-11 Disability ACT grants.

I do note that this year's budget will provide \$14 million or thereabouts for the disability sector, and this includes an increase in base funding for Disability ACT to keep up with demand and respond to need. This \$14 million will in part support future Disability ACT grant rounds that will again support activities such as sports carnivals for kids with disabilities, and other activities such as the one I have mentioned with the Belconnen Bowling Club.

The budget will, if passed by this place later this week, fund programs that can promote women's sport—for example, funding for teams like the Canberra Capitals. The budget will provide \$235,000 over three years to continue to support the active kids challenge, formerly known as the minister's physical activity challenge, started by me to revitalise physical activity in ACT primary schools.

This program is designed to encourage all primary school age kids—Indigenous kids, kids with a disability, those from different cultural backgrounds—in government and non-government schools to get involved in physical activity and reap the benefits. So I can assure Ms Porter, and indeed all members in this place, that the government is committed to delivering on strategic initiative 1.5 from the active 2020 strategic plan.

In her motion Ms Porter calls upon the government to continue to engage with schools and sporting clubs in relation to sharing skills and facilities. The budget provides a total of \$150.71 million in funding, including in the forward years for capital works at ACT public schools.

It is worth noting that a significant amount of this will be invested in programs to improve playing and sport spaces, to upgrade gyms and sporting equipment. It will

also be used to fence schools, to stop the vandalism of those places and that sporting equipment. The facilities and skills these funds will help generate will move us towards meeting our obligations under action items 7.5 and 7.6 of the strategic plan.

In her motion Ms Porter also calls on the government to continue to ensure improved integration and coordination of non-government sport and recreation facilities with those provided by the ACT government. The ACT budget again contains a \$2.2 million fund to assist sport and recreation organisations of all types to continue to provide services to the ACT community.

The annual grants round in this budget could certainly provide funding to allow organisations to upgrade their facilities through the capital upgrade program, and again if the budget secures the support of the Assembly it will provide funding that could help local sport and recreation groups to train their volunteers on how to be referees and administrators.

The budget will fund training for local sporting groups on how to prevent child abuse in sport and how to deal with the scourge of ugly parents hurling abuse on the sidelines of kids' sporting matches. So I can again assure the Assembly that the government is committed to deliver on this element of the active 2020 strategy.

We are of course also determined to deliver on our election commitments in relation to sporting infrastructure—a new pool in Gungahlin; the Tuggeranong multi-use indoor community facility and men's shed—for which the budget provides a \$2.1 million injection. We are committed to the redevelopment of the Kippax district playing fields, and the government will provide a \$2 million injection towards that outcome. We are committed to the restoration of sporting fields across the territory, starting with Charnwood and Isabella Plains in this budget—a \$1.1 million commitment—and to bringing major sporting matches to Manuka Oval, so there will be an increase in first-class cricket through our arrangement with Cricket New South Wales.

And of course there is our partnership with the Giants. These fixtures will be an important boost to local tourism and within the budget there is \$500,000 provided. We are committed to planning for sport and future sporting infrastructure provision, and I note a particular initiative contained in this year's budget is a feasibility study for future aquatic facilities in the Molonglo valley.

We are also determined to help Canberra's elite athletes achieve their potential by providing a \$50,000 funding boost to the ACT Olympic Council's campaign for the 2012 Olympic Games.

We on this side of the Assembly, led by the Chief Minister, have taken actions to support all of these initiatives in sport. We have done so by putting together a responsible and well-targeted range of funding initiatives for sport and recreation in this year's budget and we will take further action in support of this by actually voting for these initiatives later this week.

A commitment to advancing sport and the wellbeing associated with it is evident on this side of the Assembly, so there is no risk to sport and recreation over here. The real risks to ACT sports in this place is that they may not receive support from those opposite. Mr Doszpot likes to talk the talk, but when it comes to actually voting for initiatives in support of all of the things he claims are laudable initiatives—

Mr Doszpot: We support real initiatives, Mr Barr.

MR BARR: Real initiatives, so the things I have just announced are not real—I will be very pleased to advise each of those organisations who have been successful in all of their sport and recreation funding grants this year and in years past, and who benefit from the initiatives in the budget, that Mr Doszpot does not believe they are real. Opposition for opposition's sake—Mr Doszpot gets up in his contribution and spends more time attacking me than talking about the positives within a framework that he describes as being very good. He spends a lot of time attacking the make-up of the committee who worked diligently to present this, and he fails to even look at the membership of the particular committee and notes that the then chief executive of ACTSport played an active part in the development of this strategy. Mr Macdonald has moved on from that position, his replacement has moved on from that position, and so ACTSport is going through a process of recruitment in relation—

Mr Doszpot: I am talking about the ministerial advisory council.

MR BARR: I am aware of that, Mr Doszpot, and ACTSport are going through a process of recruitment and restructuring of their operations as a result of both Mr Macdonald and his replacement Dr Richards moving on.

Amendment agreed to.

MADAM ASSISTANT SPEAKER (Ms Le Couteur): The question now is that the motion, as amended, be agreed to.

MR DOSZPOT (Brindabella) (12.05), by leave: I move:

Insert new subparagraph (2)(e):

“(e) encourage, support and provide meaningful financial assistance to sporting clubs and organisations, and engage community volunteers;”.

When I got up to speak to Ms Porter's original motion, I made the point that I was very concerned about the fact that ACTSport was not represented on the minister's sports advisory council. Yet again Mr Barr decides to absolutely move the goalpost, so to speak, in addressing the fact that ACTSport has not got any current CEO so it is not sitting on either body. The previous CEO sat on the board that looked at 2020. I had no argument with that. I had no problem with that. I understood the situation with ACTSport's representatives. What I queried, and I query it again, was the fact that ACTSport is not represented on the ministerial council. It was not before and it is not now.

Mr Barr: There are members of ACTSport, on their board, who are on the council.

MR DOSZPOT: Members of ACTSport, not the actual chair of ACTSport or the chief executive of ACTSport. That person has never been on there.

Mr Barr interjecting—

MR DOSZPOT: Mr Barr, we have had this debate before. I am asking a simple question. The simple question is this. Those individuals who are on the board of the advisory council basically are members of their own sport as well. What we need is an individual from ACTSport who represents all of the member clubs of ACTSport. You know that very well. No amount of fluff can deviate from what needs to be done. You have to have the member of ACTSport that represents—

Mr Barr interjecting—

MR DOSZPOT: I think I understand a bit more than you do.

Mr Barr interjecting—

MADAM ASSISTANT SPEAKER (Ms Le Couteur): Mr Barr, this is not a conversation.

Mr Coe interjecting—

MADAM ASSISTANT SPEAKER: Mr Coe, this is not a conversation. Mr Doszpot, you have the floor.

MR DOSZPOT: Madam Assistant Speaker, that is all I wish to say on this topic. I have already moved the revised amendment circulated in my name.

MS PORTER (Ginninderra) (12.07): I am just speaking to the amendment, not closing. Whilst I am happy to accept the revised amendment that Mr Doszpot has circulated, and was really happy to accept the amendment that Mr Rattenbury moved, I find it really concerning to read the amendment that was before us before and I wonder why he would take out such valuable parts of the motion.

I am astounded by his misunderstanding of the issues around volunteering in particular. I cannot imagine how he would have thought that he could put this document before us—the one that he has now withdrawn. Madam Assistant Speaker, I am pleased that Mr Doszpot has in fact withdrawn this previous list of amendments. I was really concerned that he was talking about withdrawing (2)(b), which is:

... encourage and support sporting clubs and organisations in ensuring they are operating in line with the National Sports Volunteer Strategy and continuing to engage community volunteers, as stated in strategic initiative 3.4 of the Active 2020 strategic plan ...

I am quite happy to accept the amendment that is now before us, which says:

... encourage, support and provide meaningful financial assistance to sporting clubs and organisations, and engage community volunteers ...

This is what this government does all the time. There is no doubt about it. We have just listened to the minister talk about the valuable support that our community volunteers and our sporting clubs and organisations receive. There is no doubt that this is a continued program and that we strongly support these clubs and organisations because we know the valuable work they do in the community and we know that they need this valuable support from the ACT government.

So I have no problem in accepting this particular amendment but I am really surprised about the other ones that were circulated before.

MR BARR (Molonglo—Deputy Chief Minister, Minister for Economic Development, Minister for Education and Training and Minister for Tourism, Sport and Recreation) (12.10): That is the fastest and most efficiently delivered backflip I have seen from Mr Doszpot. He has backed away from all of his silly amendments to this motion. That is good to see. It is good to see that common sense has prevailed. As Ms Porter indicated, the government is happy to support the insertion of those words in (2)(b) as it reflects current practice within the sport and recreation portfolio.

I was pleased—I will give him credit—that in his opening remarks Mr Doszpot was able to refer to the most recent exercise, recreation and sport survey, a joint initiative between the Australian Sports Commission and state and territory governments that has been in place since 2001 and that measures the frequency, nature and type of activities within the sport and recreation sector for persons aged over 15 years in a 12-month period prior to the interview.

It is good news, and something perhaps we could all join in acknowledging, that Canberra is the most active part of this nation. Some 87.8 per cent of our fellow citizens participate in some form of exercise, recreation or sport. That has increased from 83.4 per cent in 2001. It presents the sort of measurable improvement that Mr Rattenbury likes to see, and I certainly will advise the Assembly of that in response to baseline indicators and future targets that we have been called upon to provide. But this particular survey provides an annual snapshot of this information and is one where the Sports Commission partners with all state and territory governments. We provide a financial contribution to enable this survey to occur, and we will continue to do so. This will be the method, through that partnership with the Sports Commission and other states and territories, that we will continue to use to measure these outputs.

I note that, within the ERASS data for 2010, again men and women in the ACT have the highest level of activities across the nation. That is not surprising given that the combined result is the highest. And we have seen increases for both men and women for participation in sport and recreation since 2001. Some 86,000 Canberrans participated at least five times per week, representing just under a third of all

Canberrans aged 15 years or older. Nearly 23 per cent of Canberrans participated three times a week and nearly 12 per cent of Canberrans participated once a week. Nationally, the overwhelming majority, 69 per cent, participated in exercise, recreation or sport only once a week. So Canberra is ahead in terms of the numbers and the percentage of our population who participate, and also the frequency of that participation is much higher in Canberra.

Pleasingly, the ERASS report shows that Canberrans aged over 64 years are more likely to take up some form of activity—their increase in participation since 2001 has been 10.8 percentage points. That reflects a series of targeted government programs, particularly our active ageing strategy to ensure that there are opportunities for people to participate in sport and recreation throughout the life cycle. We are focused on the under-15 age group as well. I particularly point to the former minister's physical activity challenge, now the active kids challenge, and the important work at the Children's Physical Activity Foundation that I established to ensure that we have a particular focus on the under-15 age group as well.

Noting that a number of the strategic priorities and initiatives contained within the active 2020 strategy need to be delivered in partnership with the sport and recreation sector, it is important that there is an ongoing engagement with that sector. That is why the advisory council will be working with the government to monitor and implement this particular strategy. There will be reporting, and we will be able to see how we are tracking, through the ERASS data, on a year-by-year basis. It is good to note the significant improvement over a 10-year period.

I do note, although I am sure that my political opponents would seek to use this as me talking this down, that once you start getting into the 90 per cent level of participation it starts to get very difficult to get significantly beyond that. I am sure that in an ideal world we would all love every single member of our community to participate. That might be a goal that is beyond even the best endeavours of the government and the sport and recreation industry combined. But we want to continue to be ahead of the national average and continue to see participation grow, particularly in areas where we have targeted our efforts. The improvement in participation for Canberrans over 64 years is a particularly pleasing result given the focus on that.

I will conclude by again thanking Ms Porter for bringing the motion forward. I acknowledge that generally speaking, with a few snide attacks from the opposition spokesperson, as one would anticipate in a debate of this nature and at this stage in the Assembly's week, broadly it would appear that there is support across the Assembly for the intent of the strategy. We look forward to delivering the detail over the next decade.

MR RATTENBURY (Molonglo) (12.16): I want to make a couple of brief remarks. The Greens will be supporting Mr Doszpot's amendment. I particularly noted the conversation that took place about ACTSport—where it sits and its relationship with the government. I must confess that since I came into this place and took up the sport and recreation portfolio for the Greens, I have struggled to understand the relationship between ACTSport and the ACT government. It appears at times to have been—perhaps frosty is the best description. I have never quite understood why that is, and it

is something that I hope will improve over time. ACTSport is a valuable player in this discussion in the ACT, an important stakeholder, and I hope that we can see an improved situation in the future where it can play a more active role in direct conversation with the government.

Amendment agreed to.

MADAM ASSISTANT SPEAKER (Ms Le Couteur): The question now is that the motion, as amended, be agreed to.

MS PORTER (Ginninderra) (12.18), in reply: I thank members for their contributions to the debate. As Mr Rattenbury says, sport and recreation is not only good for our physical health, but also good for our mental health, and it builds socially cohesive communities. He reflected also on the huge contribution of volunteers. However, as he says, the contribution they make is matched by the benefits they derive from the volunteering, which he refers to as social glue. Of course, Mr Rattenbury, I do support all of the active 2020 strategic initiatives.

I find some of Mr Doszpot's remarks somewhat strange. I think if he bothered to read the active 2020 document thoroughly, he would know where ACTSport was, in relation to this matter in particular—fully involved and engaged with me and my consultation processes that I went through with the sporting clubs and principals and staff at public and private schools. As the minister says, Mr Doszpot also spent a lot of his time criticising the man and not engaging on the valuable aspects of this motion, which was disappointing. Bringing together schools and sporting clubs through resource-friendly policy is an opportunity to build a stronger sense of community cohesion and cooperation around two institutions valued and appreciated by Australians.

As I said, the strategy is a dynamic partnership between the sport and recreation industry and the government. I want to congratulate and thank the active 2020 working group, a group drawn from the industry itself. As the minister said when launching the report earlier this year, this has been a true collaboration between the sport and recreation industry and government. He went on to say:

... record numbers of local sport and recreation enthusiasts and relevant ACT Government agencies providing their input into the future priorities for local sport and recreation over the next decade.

As the working group said in the document:

The sport and active recreation sector includes people from all walks of life. For some it is their pastime, for others it is their vocation and for most, it is their passion.

This is why at the beginning of this term I made a determined effort to meet with as many local community sport and recreation groups as possible to offer them my support and to try to make sure I understood their various challenges as well as the opportunities that might exist. This led me, as members would know, to move a motion in relation to community sport and recreation groups and sport and recreation

policy last year in this place. I was very pleased to see the development of the active 2020 document.

When I was consulting with the community groups, it was at a time when the sporting and recreation groups and the industry as a whole were waiting for the findings of the Crawford report, a major review of the Australian sport system. As we know, the Crawford report struck a balance, and I believe that is correct, between the elite and community-based sports. This government realises that both these aspects of sport and recreation are worthy and deserving of support.

As I said earlier, the goals of the active 2020 strategy are:

- . To increase participation in competitive, non-competitive and social sport and active recreation activities at all levels
- . To provide opportunities for achieving excellence in sporting performance
- . To ensure access to quality and sustainable infrastructure for the delivery of these activities

Again, that strikes the right balance.

In this motion I have focused on the aspects of active 2020 which support the partnership between community sporting and recreation groups and clubs and the government. I believe that these strategies within the active 2020 strategy documents are a clear opportunity for sporting and recreation groups and for the government to fully embrace these strategies and go forward to gain the benefits that will flow to the whole community.

I am really pleased that this motion has gone through with minor amendments today. As I said before, the government has been happy to accept those minor amendments. I am sure that we have a good result from this debate today, and I thank members for their contributions.

Motion, as amended, agreed to.

Sitting suspended from 12.23 to 2 pm.

Questions without notice

Gaming machines—regulation

MR SESELJA: My question is to the Chief Minister. Chief Minister, can you explain the content, intent and administrative processes for regulating community contributions from poker machine venues?

MS GALLAGHER: I am not sure that this falls within my portfolio but the Assembly has set out a regime for community contributions. That is very clear in the legislation. I am not certain if it is the gaming machine legislation; I can be corrected

on what the legislation's title is. That sets out the process for community contributions to be made from the revenue of gaming machines. I think it is all very clear.

MR SPEAKER: Supplementary, Mr Seselja?

MR SESELJA: Thank you, Mr Speaker. My supp is to the Chief Minister. Chief Minister, what steps have you taken to determine whether it was technically and morally appropriate for the Labor Party to receive funding from the community contributions gaming model and to ensure that in future political parties are not eligible to accept funds from community contribution schemes of poker machine operators?

MS GALLAGHER: The Labor Party does not receive funds that are part of the community contributions that clubs are required to make, as I understand it, and I have checked that in the past. The Labor Club fulfil—in fact, they over fulfil—their requirements in the community contributions as required under the appropriate legislation, and donations to political parties are not part of that and explicitly are exempt from that, I think, by the legislation.

Indeed I note that the Liberal Party receives donations from time to time from licensed clubs—and, indeed, the Greens, I think, have received funding from the CFMEU, and the majority of their money comes from licensed clubs as well. As I understand it, those are not part of the community contribution requirements of clubs.

Indeed, following your comments today, Mr Seselja, on the radio, where you made a number of allegations that this was money being given to the Labor Party that should be provided to the community—

Members interjecting—

MS GALLAGHER: I think Mr Seselja was trying to imply that under the community contributions model the Labor Club was trying to claim that donations to the Labor Party fitted community contributions. And they do not. In fact, I have got a list of the community contributions from the Canberra Labor Club. They are extensive; in the last financial year they exceed \$1.485 million to over 50 community organisations in the ACT. Indeed, I note—

Mr Hanson: Shame. Shame on you.

MS GALLAGHER: Exactly what for, Mr Hanson? Exactly what for? (*Time expired.*)

Members interjecting—

MR SPEAKER: Order, Mr Smyth has the floor.

MR SMYTH: My supplementary is to the Minister for Community Services. Minister, what steps have you taken to determine whether it was technically and morally appropriate for the Labor Party to receive funding from the community

contributions gaming model and to ensure that in future political parties are not eligible to accept funds from community contributions schemes of poker machine operators?

MR SPEAKER: Mr Smyth, I am contemplating this. I am not sure that you can ask a supplementary question of a different minister.

Mr Smyth: We sought advice from the Clerk as to this matter. Perhaps you would like to consult with the Clerk. We were given advice that it was in order.

MR SPEAKER: That is not the advice I appear to be getting at the moment. One moment, members, thank you. Bear with me for one moment, members. I am consulting the standing orders.

Mr Hargreaves: Mr Speaker, whilst you are consulting the standing orders, could I also ask you to consult the standing orders on whether or not the minister has portfolio responsibility for the decisions around this question, please?

MR SPEAKER: I will add that to my list. Mr Smyth, my view is that I do not think you can approach a different minister but I am happy for your question to be directed to the Chief Minister, if you wish. Can we have the question again and focus it towards the Chief Minister, thank you.

MR SMYTH: All right. Perhaps I will—

Members interjecting—

MR SMYTH: I can put it to the Chief Minister.

Ms Gallagher: I will answer with the same answer.

MR SMYTH: Then that would be inappropriate. I will change the start if you like, Mr Speaker. Chief Minister, will you apologise to those who have lost homes, families and loved ones to problem gaming just to fund your re-election campaigns?

Members interjecting—

MR SPEAKER: Order! The question has been asked.

MS GALLAGHER: I think the Liberal Party are trying to deflect some of the negative press that they have been receiving in their morally corrupt behaviour of applying for grants from the ACT government for emergency aid.

Mrs Dunne: Relevance, Mr Speaker.

Mr Smyth: On a point of order, Mr Speaker. The Chief Minister just referred to the Liberal Party as morally corrupt. I would ask whether that is an imputation under the standing orders and should it be withdrawn?

MR SPEAKER: I believe those standing orders apply to individuals rather than organisations.

Mr Hanson: On the standing orders, I used the term “morally corrupt” to describe the Labor Party yesterday, and Madam Deputy Speaker ruled that I must withdraw that.

Mr Hargreaves: No, it was me. It wasn’t Madam Deputy Speaker.

Mr Hanson: My apologies. It was Mr Assistant Speaker.

Mr Hargreaves interjecting—

MR SPEAKER: Order! Mr Hargreaves, I cannot hear Mr Hanson.

Mr Hanson: I would ask you to take into account the fact that the ruling of yesterday was that it should be withdrawn.

MR SPEAKER: Thank you, Mr Hanson. I did not hear that ruling yesterday. One moment.

Members interjecting—

MR SPEAKER: Order, members, while I try to pick through the political battle you are firing at each other, it is not an invitation for you to have a conversation across the chamber.

MS GALLAGHER: I am happy to withdraw if that assists.

MR SPEAKER: Thank you, Chief Minister.

MS GALLAGHER: I am happy to withdraw those comments if it assists the debate today. I think the issues of problem gambling and the effects on members of the community, particularly people and their loved ones who suffer from the effects of problem gambling, deserve a little more respect than the opposition are giving today. *(Time expired.)*

MR SMYTH: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Chief Minister, is it moral for the Labor Party to accept donations from licensed clubs when those donations are derived from gambling, and will the Labor Party pay them back?

MS GALLAGHER: The issue of donations and electoral reform is a live one before this Assembly. The Labor Party is very open and transparent about money it receives. Indeed, that money the Liberal Party receives from the Hellenic Club and from Casino Canberra puts them in exactly the same position, as is the case with other political

parties that receive money from unions affiliated with clubs. If this is a standard you apply to the Labor Party then obviously it is a standard you apply to yourselves.

Government—ethical investment

MS HUNTER: My question is to the Treasurer and concerns the government's votes in shareholder resolutions. Treasurer, I recently asked you a question on notice about how the government had voted in a number of resolutions put to annual general meetings of companies that the ACT is a shareholder in. In your answer you indicated that, at the time, the government had not yet determined how it intended to vote on a resolution re Delta Airlines that was due to be put at their AGM tomorrow. Could you please advise the Assembly on how the government intends to vote on the resolution requiring the company to adopt a human rights policy that addresses the issue of child sexual exploitation in their operations?

MS GALLAGHER: I am certainly happy to take some advice from Treasury around this. I did speak with them around the issue of upcoming votes, and it is not the practice of a member of the executive to instruct our investment advisers on how to vote on particular resolutions. That is a function that, in the best interests of the financial management of the territory, we take expert advice on.

I understand the Greens' interest in this and their belief that they think a shareholder like the ACT can take a particular point of view on individual motions. I have had it explained to me in detail that that is not actually how these motions are dealt with at meetings and that there is not specifically a motion that deals with child sex exploitation that shareholders then vote against or vote for. I can honestly say that Treasury and our investment advisers do not attend meetings and stand there and oppose votes on the floor on specific motions like that.

I am happy to take some further advice on any action that was taken, and I did ask for some specific advice on Delta. I have not seen it come back, but if you tell me that the vote is tomorrow, I expect we will be able to find that information for you shortly.

MR SPEAKER: A supplementary question, Ms Hunter?

MS HUNTER: Minister, could you in that advice please explain how a vote against this would be consistent with the ACT Human Rights Act, which states, "Every child has the right to the protection needed by the child because of being a child, without distinction or discrimination of any kind"?

MS GALLAGHER: I think the issue, again, of ethical investment and ethical investment practices is another one of those, like electoral reform, live ones for discussion in the Assembly. Indeed, we have an inquiry into some legislation that has been presented by the Greens. I accept that we need to be constantly building on the processes that we have put in place. But as a government, with the work that the Greens have done, and I will accept that, around investigating and urging us to sign up to the principles of responsible investment, we have done that. We have had a review of how that is going. It showed that we are performing very well. Indeed, we really

are leading the way in terms of governments here in Australia about how we apply those principles to our practices here.

We think that there are some further steps that can be taken, particularly around the possibilities for negative screening of particular investment types. That is one that the government is currently considering at the moment. In respect of those individual resolutions, I think the Greens, with all due respect, have oversimplified the issues around how those are dealt with.

I am happy to take some further advice on whether there are genuinely things that we can do as a government, as a very small shareholder at those meetings, to promote the values that are contained in our Human Rights Act. But the advice back to me from Treasury is that it is not as simple as that. However, I accept that there is more work to be done.

MS LE COUTEUR: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Ms Le Couteur.

MS LE COUTEUR: Treasurer, could you explain why the government voted against ExxonMobil adopting quantitative goals for the reduction of greenhouse gas emissions in the company's operations, and what does this say about the ACT government's commitment to our own greenhouse gas reduction target?

MS GALLAGHER: I do not think that is an accurate reflection of what actually occurred.

Mr Smyth interjecting—

MS GALLAGHER: That is my understanding about the capacity for the ACT government as a minority shareholder to influence particular votes that are taken at these meetings. We have to accept that we are an extremely small player in a larger pond, and the influence that we are able to exercise in relation to these particular resolutions is small. I note Mr Smyth interjecting there, after opposing the legislation that the Greens have presented to this place to screen particular investment types, which is exactly the flow-on effect of what the Greens are asking for us to do in these resolutions.

MS BRESNAN: Supplementary?

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Thank you, Mr Speaker. Minister, why did the government not support a motion put to Honeywell corporation, who manufacture cluster bombs, to include a human rights policy in their company's code of business conduct?

MS GALLAGHER: Again, the executive does not take these decisions; the ACT government's investment managers do. The review that has been done and the principles for signing up to the principles for responsible investment have shown that

that is working. And the work that is being done is around influencing and seeking to influence, within the very small capacity that we have as an investor, to change particular behaviours.

The ACT government are very keen to look at ways where we can further influence these outcomes, but again I have to accept that we are a very small player with a very small voice in a much larger investment portfolio, and there are, I believe, genuinely—and I say this most genuinely—limited impacts that the ACT government can have in terms of exercising votes. As I understand it, all of those motions, and I will be corrected on this, were defeated by a vast majority of shareholders in those companies, in which the ACT government is a very small player.

Visitor

MR SPEAKER: I would just like to take this brief moment to welcome Lee Hillier to the Assembly. He is a year 12 student from Erindale college who is undertaking work experience in Mr Doszpot's office this week. I welcome you to the Assembly, Lee.

Questions without notice

Chief Minister—meetings

MS PORTER: My question, through you, Mr Speaker, is to the Chief Minister. Can the Chief Minister advise the Assembly on what significant meetings she has attended since becoming Chief Minister, and what was the purpose of those meetings?

MS GALLAGHER: I am doing an Alistair Coe; I'm going to read it out. He will have a bit of diary envy by the time I have finished, I am sure.

In all seriousness I do think it is appropriate, given the opportunity, that I outline some of the work I have been undertaking since becoming Chief Minister. I have been working on a number of different issues, from having high level meetings with political leaders to attending small community functions like the Mount Taylor music festival. That is part of what I am learning in this job—one of the nicest things about this job is that I do have to attend small community events as a local member and also represent the ACT at the highest levels. I had a meeting with the Prime Minister on 26 May—I can hear how interested those opposite are—where I raised a number of issues, including funding support for the Majura parkway and also to discuss issues such as the territory rights bill and the centenary of Canberra celebrations, which of course will be a very important time for this city.

I also have met with the federal infrastructure minister, Mr Anthony Albanese. As a result of my meeting with the Prime Minister, we met again to discuss the Majura parkway project. I was very interested to see that the Leader of the Opposition on the weekend had a meeting with Barry O'Farrell about the Majura parkway. I would be very interested in seeing whether Mr O'Farrell is going to be interested in supporting a road that is not in his jurisdiction, but we will be very keen to accept any support from New South Wales for a project that is not part of their jurisdiction. Good luck with those discussions—maybe I can point you to the infrastructure minister, who actually has capacity to deliver the road? Maybe I could point you to Minister Crean

or Minister Albanese, both of whom I met, along with the Prime Minister. Maybe you could just have a chat to Gary about it and see whether he can exercise some influence on the hill.

Mr Hanson: Who's Gary? Senator Humphries?

MS GALLAGHER: Thank you.

Mr Barr: That is what everyone in Canberra is asking.

MS GALLAGHER: I think we are all asking that. I did not know that this rather boring subject would get everyone very excited. I have also been to Melbourne, where I participated in discussions about national health reform and, importantly, some of the progress that is being made in this place in the area of health. We are seeing the benefits of some of that work.

I have also—Mr Seselja will be very interested in this—attended a number of tree planting ceremonies at the arboretum, which have been very well attended. The Cypriot President was very impressed; in fact, he was wishing that they, too, had an arboretum. The ACT Boer War Memorial Committee had over 100 people there on Sunday to celebrate the planting of the clanwilliams cedars, a rare and endangered tree from South Africa. We had a planting of over 70 trees there which will, in time, be a spectacular forest of clanwilliams cedars over seven metres tall.

I am enjoying the new role. I do not want to let it go and I do not intend to.

MR SPEAKER: Ms Porter, a supplementary question?

MS PORTER: Yes, thank you very much, Mr Speaker. Chief Minister, what other meetings have you had since you became Chief Minister and have they contributed positive outcomes for the ACT?

MS GALLAGHER: I thank Ms Porter for the supplementary question. I have also attended and welcomed delegates from the 2011 National General Assembly of Local Government meetings, which is where we had around 800 local government mayors, councillors and council staff from across Australia who came here to talk around issues of regional development in particular, and of course issues that are very pertinent to matters here in the territory. It was a great opportunity to talk with them about some of the challenges that we are dealing with here—indeed, how we manage our regional role, but dealing with issues such as waste, the construction and maintenance of roads and infrastructure. They are all matters which the local council association are dealing with on different scales in their own jurisdictions.

I have been very pleased to attend a number of community events, including launching the Red Shield appeal, attending the Asthma Foundation launch, the Prostate Cancer Support Group event, Diabetes, and the Heart Foundation event. I have had a number of meetings, including with Gail Kelly from Westpac, talking around investments here in the territory. I have been out to have a look at the dam, to see how the dam is progressing, and it is progressing on time and on budget. I have

done a number of meetings with community organisations, particularly in the health area, where there is a lot of work underway about improving our services and creating new infrastructure opportunities in the Health portfolio.

All in all, it has been a very busy time. There is a lot of work underway, a lot of very challenging issues that the government are working our way through. But I am very confident that, with the team that we have here and the capacity that we have, we will be able to deliver some real outcomes for the people of the ACT.

MR SPEAKER: Dr Bourke, a supplementary?

DR BOURKE: Chief Minister, how could you and the government be more effective in achieving outcomes for the ACT through important meetings such as the one you have mentioned?

MS GALLAGHER: As members will understand, the priorities that we have outlined in the last week, the goals that we have set and the implementation plans that we have will provide the community with a very clear understanding of what the work is that we are currently dealing with and how we intend to deliver particular outcomes to the people of the ACT.

We also believe that some of the changes that we will make to open up information processes and make information more available to people in the ACT about work that is currently before government will also assist in improving government processes and government decision making.

I certainly understand that I have a job ahead of me to deal with, but I feel very confident that the government and the community, working in hand in hand, will be able to come to some real solutions and deliver real outcomes for the people of the ACT.

MR SPEAKER: Yes, Mr Seselja, a supplementary question?

MR SESELJA: You mentioned the arboretum. Did the ACT Labor government lobby the commonwealth for funding for the arboretum or do you stand by your earlier denials?

MS GALLAGHER: This is a matter that we discussed at estimates. It pre-dates my time as Chief Minister, but the information—

Mr Hanson: Not my forecast.

MS GALLAGHER: No, just wait, Mr Hanson. I do have two minutes here. The information that I have before me is that information was provided about the arboretum but there was no formal request to provide funding to the arboretum. That is the information—

Mr Seselja: They just put it out there.

MS GALLAGHER: Mr Seselja, at some point you are going to have to accept that the arboretum is here to stay. One hundred endangered forests being built in the heart of our city as a national attraction for the people of Australia is something that most governments in most countries would be proud of.

Mr Hanson: Mr Speaker, on a point of order.

MR SPEAKER: Yes, Mr Hanson.

Mr Hanson: It is on relevance. The question was not “is the arboretum nice or not?” The question was: did the ACT Labor government lobby the federal government for funding for it? It is a different question.

MR SPEAKER: I think the Chief Minister—

Mr Hargreaves: On the point of order, Mr Speaker.

MR SPEAKER: Yes, Mr Hargreaves.

Mr Hargreaves: The actual question was about the meetings that the Chief Minister has had since becoming Chief Minister, and the supplementary question was about something which occurred before this member became the Chief Minister. It should have been ruled out of order.

Mr Hanson: On the point of order, Mr Speaker. This is a line of inquiry that occurred in estimates. The Chief Minister has referred to the questioning in estimates. She is the Treasurer and responsible for the budget. This is relevant to her portfolio.

MR SPEAKER: On Mr Hanson’s original point of order, I think that the Chief Minister has answered the question in some form. Do you wish to add anything else, Chief Minister?

Ms Gallagher: No, I think I have completed the answer.

Government whip—comments

MR SMYTH: Chief Minister, yesterday in this chamber and today in the *Canberra Times* you failed to condemn Mr Hargreaves for his offensive and sexist comments, claiming that they were “meant as a joke”. Repeatedly you have failed to condemn the action but apologised only that “they caused offence”. Chief Minister, why will you not clearly and completely condemn the comments from Mr Hargreaves, and not just excuse them as “a joke”?”

MS GALLAGHER: I thank Mr Smyth for the question. I have accepted that the comments made by Mr Hargreaves were inappropriate. I have said that. I have also apologised as leader of the Government, and I know that—

Mrs Dunne: For the offence that they caused.

MS GALLAGHER: And I do apologise for the offence caused, Mrs Dunne.

Mrs Dunne: No, that is not the point.

MS GALLAGHER: Well, I do apologise, and I have apologised, and Mr Hargreaves has apologised as well. On all measures of the intention of what was said—the heat of the moment, the interjections that were going on across this chamber, the constant heckling by Mr Coe throughout last week, particularly aimed at Mr Hargreaves—the punishment that has been given to Mr Hargreaves is adequate for the interjection that was given.

MR SMYTH: A supplementary, Mr Speaker?

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Chief Minister, you are quoted as saying as a consequence of this issue “people deserve and expect better from their politicians”. How will they ever expect better if you cannot or will not condemn your colleague?

MS GALLAGHER: The comments I made are true and accurate, and I think the community does expect better from people in this place. I know that I always measure my own conduct in this place, and in my time in this place I have never even been warned. I have occasionally been asked to withdraw interjections. But I certainly believe that the conduct in this place by a number of members—and there are serial offenders—needs to be lifted. And I think the community expects that. So the comments I made yesterday hold true.

I did sense yesterday, indeed in question time in particular—and perhaps it is because next time Mr Hanson gets named he actually leaves for a day—the behaviour in this chamber was much more appropriate this week than it was last week. Perhaps we have all learnt a lesson. But I am genuinely sorry for the pain that has been inflicted on Mrs Dunne. I do not think it is acceptable. I think the comments I have made have made that clear.

As to whether any further action needs to be taken, my own view is that the measures that have been taken, the discussions I have had with Mr Hargreaves, are appropriate.

MRS DUNNE: A supplementary question, Mr Speaker.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, would you consider the comments acceptable if they were made about you, and would you be satisfied if the perpetrator said he was only “sorry for the offence caused” and not for the language itself? Would you be satisfied if you were told it was a “joke” and then told you had better watch your own language?

Dr Bourke: On a point of order, Mr Speaker, that contravenes standing order 117(c), asking for an expression of opinion.

Mr Seselja: Mr Speaker, on the point of order, you have ruled a number of times, particularly in relation to questions from Mr Hargreaves and others, and you have given significant latitude in relation to this matter.

MR SPEAKER: There is no point of order at this stage. I think that Mrs Dunne's question is consistent with the style of questions that are regularly asked in the chamber.

MS GALLAGHER: I think Mrs Dunne's question was how would I feel if those comments had been made about me.

Mrs Dunne: No, that was not the question.

MS GALLAGHER: Well, maybe—

Mrs Dunne: Mr Speaker, could I clarify the question?

MS GALLAGHER: Vicki, repeat the question; it is fine.

MRS DUNNE: I will repeat the question; thank you. Mr Speaker, while I am repeating the question, would it be appropriate to stop the clock?

MR SPEAKER: Yes, stop the clocks, thank you. Let us hear Mrs Dunne's question again.

MRS DUNNE: Chief Minister, would you consider the comments acceptable if they were made about you, and would you be satisfied if the perpetrator said that he was only "sorry for the offence caused" and not the language used? Would you be satisfied with that? Would you be satisfied if you were told that it was a "joke" and then would you be satisfied if you were subsequently told to watch your own language?

MS GALLAGHER: I do not know what Mrs Dunne is referring to. I do not know what Mr Hargreaves said to you, Mrs Dunne, that seems to—

Members interjecting—

MR SPEAKER: Order! The Chief Minister is answering the question. Let us hear her.

MS GALLAGHER: I did not hear the interjection. Mrs Dunne, maybe I am misunderstanding your question, but I understand that your question is around Mr Hargreaves's apology to you.

Mrs Dunne: No, it is about the content of what he said and whether it is appropriate and professional for someone to use it in the workplace.

MS GALLAGHER: Well, I am misunderstanding. I have already said that I think the comment was inappropriate and that an apology was required. I spoke to

Mr Hargreaves on Friday night, about one minute after I got Mr Seselja's letter, which was the first indication I had that you were extremely upset about the comments.

I rang Mr Hargreaves. I talked through the concerns that had been raised with me through your leader and asked him—indeed, in that discussion, he was mortified and said he would ring you straightaway to apologise because he did not understand that that was the impact of what he had said. That is the discussion we had. In fact, he was so mortified because he said he enjoyed his sparring relationship with you and that you would always give as good as you get and you take it. He said, "The fact that this has gone too far, I am completely mortified by this and I will ring her straightaway to sort it out." And that happened, as I understand it.

I am very sorry that you still feel upset about this, Mrs Dunne. I am not sure what further action I can take in order to make you feel better.

MR SPEAKER: A supplementary, Mr Seselja?

MR SESELJA: Chief Minister, will you be requiring your colleagues who shared in the joke to issue an apology to Mrs Dunne, including your deputy, who has acknowledged in the chamber today that he heard the comments?

MS GALLAGHER: I think my comments around everybody lifting their game in this place—

Mr Seselja: Okay—

MS GALLAGHER: Mr Seselja, you, who sit here and interject constantly with inappropriate interjections, Mr Coe, who sits behind you, the high-fiving that you give and your laughing every time an interjection is made by you which you think is funny, is that where this is heading? I think we need to ensure that our behaviour in this place is appropriate. It gets personal; it should not get personal. People should not get personally hurt by comments of other members.

I have been hurt by members' comments in this place. I know there are other members who have been too. We also accept that there is a part of this game that means we have to have fairly thick skins considering the comments that are made about people inside and outside of this place. But I think the lessons to be learnt from this very sad episode in the chamber is that we should not get personal and, when things are taken personally, apologies need to be given, and we need to reflect on our own behaviour. I think everyone in this place has done just that over the past week.

Transport—Majura parkway

MS LE COUTEUR: My question is to the Minister for the Environment and Sustainable Development and it relates to transport modal shifts and Majura parkway. Minister, last week you told the Assembly that Canberra has always had a high level of journeys by car due to:

... the provision of a very efficient and extensive road network which has focused opportunities for travel overwhelmingly on private motor vehicle use.

Shortly after that you said:

... the government does not in any way believe that construction of the Majura parkway will lead to any change in modal shift.

Minister, can you clarify what impact you think the Majura parkway will have on modal shift and explain the possible contradiction between those two statements?

MR CORBELL: I thank Ms Le Couteur for the question. There is no contradiction in the statements and I refer Ms Le Couteur to my previous answer.

MR SPEAKER: Ms Le Couteur, a supplementary?

MS LE COUTEUR: Minister, do you agree with ACTPLA's Gungahlin town centre transportation study, which says that Gungahlin should be designed to achieve a modal shift away from car use and that this is achieved by not promoting the car above other transport modes? If you do agree, do you accept that the Majura parkway will have some impact on modal shift?

MR CORBELL: The two issues are not related. Ms Le Couteur is drawing a link between those two policy statements which simply does not exist. And, no, I do not agree.

MS BRESNAN: Supplementary?

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Thank you, Mr Speaker. Minister, given that the government's own light rail submission says that building light rail to replace road travel is important in reducing greenhouse gas emissions, do you stand by your statement that a new Majura freeway "will not ... be a material factor in relation to greenhouse gas emissions in the city"?

MR CORBELL: Again we get these questions from the Greens where you get two statements that are completely divorced and unrelated to each other and they try to connect them to make an argument. There is not an argument. The fact is that the government's position is that investing in improvements in rapid transit, both in infrastructure and in service delivery, will have an impact on modal shift because you are giving people more choice—you are giving people more options in terms of travel. If you target it and if you are strategic about where you locate it, you are going to get better outcomes in terms of modal shift.

The government has said consistently and clearly, and this is backed up by the Infrastructure Australia assessment, that the upgrade of the Majura parkway is fundamentally about providing enhanced freight capacity, not about passenger vehicles.

MS HUNTER: A supplementary.

MR SPEAKER: Ms Hunter, a supplementary.

MS HUNTER: Minister, can you advise why you have refused to support an examination by an independent expert in sustainable transport planning of the impacts the new Majura parkway will have on modal shift and greenhouse gas emissions?

MR CORBELL: I am not going to accept that an independent expert, whoever that is—the independent expert appointed by the Greens on this issue. I could have a bit of a guess about who they would want to appoint. We are not interested in adopting an approach set up by the Greens to justify their particular ideological position in relation to arterial road provision.

Legislative Assembly—accommodation

DR BOURKE: Mr Speaker, my question is to you and it relates to your responsibility for the Assembly precincts and the Assembly. Mr Speaker, can you please provide the Assembly with details of any requests to yourself or any officer of the Assembly for additional office accommodation or space from MLAs or their officers?

MR SPEAKER: Dr Bourke, you are pushing a series of firsts in your time in the Assembly. I think it is the first question I have been asked in question time since I came here.

I would have to take some of that on notice, Dr Bourke. I have discussions with a range of members at different times about reconfigurations of their offices, whether there is adequate space and also issues around the provision of computer equipment and the like, and sufficient desks for volunteers. These are issues that are constantly coming up through the office of the Clerk and directly to my office. I would struggle to name specific occasions but I am happy to come back to you with some details, if that is required.

DR BOURKE: A supplementary?

MR SPEAKER: Yes.

DR BOURKE: Mr Speaker, perhaps you could advise me then what was the stated purpose for the need for those additional spaces or renovations and what was your response to them.

MR SPEAKER: Could I have the last bit again?

DR BOURKE: And your response. What was your response?

MR SPEAKER: The issues that have primarily arisen for me have been around the capacity to house volunteers for various members who, at times, have had volunteers working in their offices. The Assembly has a volunteers policy. My personal view is that it is appropriate for members of the Assembly to have volunteers work in their offices. We do have resource constraints around both the space that is available and, for example, IT capability.

I think there is a level of discretion vested in the Speaker to, at times, say to members that it is not possible for them to have more volunteers or for more space to be provided. I think that is part of the Speaker's responsibility in ensuring that we keep within budget and within the resources of the Assembly.

MR SPEAKER: Ms Porter, a supplementary question?

MS PORTER: Thank you, Mr Speaker. Mr Speaker, will you please table any documents relating to any such requests?

MR SPEAKER: Yes, I will.

MR HARGREAVES: Supplementary?

MR SPEAKER: Yes, Mr Hargreaves.

MR HARGREAVES: Mr Speaker, you talked about volunteers and that sort of thing. Which members approached you for additional space or resources for volunteers?

MR SPEAKER: I will take that on notice, Mr Hargreaves.

Budget—capital works

MR HANSON: This question is not for you, Mr Speaker. My question is to the Minister for the Environment and Sustainable Development. Minister, in the estimates committee hearings you revealed that \$7.5 million is to be spent on the inner north stormwater reticulation network, not, as described in the budget papers, for “a trial of the usage of captured stormwater ... to replace the use of potable water”, but to accommodate changed engineering specifications for the reticulation infrastructure—in this case, to replace pipes that now are considered too small. Minister, why did the budget papers fail to disclose the true purpose of this capital works expenditure?

MR CORBELL: I would have to look at the specific circumstances in relation to the description of the item in the budget papers. What I would say is that the government has been very clear about what the purpose of this funding was and why it was being sought, and has answered a range of extensive questions on the matter through the estimates process, which is, of course, the appropriate area for these issues to be fully ventilated.

MR SPEAKER: Mr Hanson, a supplementary question?

MR HANSON: Thank you, Mr Speaker. Minister, given the cost blow-out, have you re-assessed the cost-benefit of this project? If no, why not? If yes, what was the outcome and will you table the analysis in the Assembly?

MR CORBELL: I can certainly answer that question, Mr Speaker, and I will provide further advice to the member. But from my recollection, the cost-benefit indicated that the pay-back period was still around a 10-year pay-back period. That was for an asset

that is going to last in excess of 50 to 60 years. So the benefit to the community is still a very significant one.

Of course, these projects are about reducing our reliance on drinking water supply to irrigate parks and playing fields. I would have thought that the Liberal Party would be supportive of initiatives that reduce our reliance on expensive treated drinking water which, of course, should be utilised overwhelmingly for that use rather than to water parks, to water ovals, to water playing fields.

That is what these projects are about. The cost-benefit stacks up. Even with the additional cost, the cost-benefit stacks up because this is a long-term investment in an asset which is going to provide significant community benefit and amenity over the long term. It is a good thing that we use other than drinking water to irrigate the playing fields, the ovals, the school grounds and the other recreational facilities in the inner north. It is a good thing. We should be proud of our efforts to reduce our reliance on drinking water supply when it comes to the irrigation of these spaces.

It is also an obligation on the territory, as part of agreements with the commonwealth government, to replace three gigalitres of drinking water supply with non-potable supply to irrigate public spaces around the ACT, for which we have received some funding from the commonwealth as well as our own funding.

So that is why we are doing it. It stacks up, it makes sense and the cost-benefit is still very much in positive terms. I am happy to provide that further information to members. *(Time expired.)*

MR SPEAKER: Ms Hunter, a supplementary question?

MS HUNTER: Minister, could you give us a rundown on how the recent planting at the Dickson wetlands went and how many people were involved in that?

MR CORBELL: I thank Ms Hunter for the question. I have to confess I am not immediately familiar with the outcome at Dickson but I am happy to take that question on notice.

I can, however, advise members that certainly previous plantings and community engagement with these projects have been extremely positive. What we have seen is great community ownership of these projects. Local residents adopt these projects because they recognise that these are valuable projects, not just from an amenity perspective but also from an environmental perspective, in bringing diversity back into their neighbourhoods—ecological diversity back into their neighbourhoods. And they recognise the real social capital that is developed from these projects as well, by people banding together and adopting ownership of these projects. So these projects are overwhelmingly supported in a positive manner by local communities.

I challenge those critics of the projects—Mrs Dunne and Mr Seselja—to go out and talk with the residents about what they think about these projects. Do they think it is a good idea? Do they think they are worth investing in? Overwhelmingly, the answer will be yes. Contrary to the naysayers like those opposite, the fact is that the cost-benefit analysis stacks up, and I am happy to provide it to members. The detailed

assessments we have done in terms of the yield of these sites stack up, in terms of the amount of water that they will deliver, and the community benefit and environmental benefit stack up. These are good projects for our community, they are strongly supported by the community and the government will continue to work with the community to deliver them.

MRS DUNNE: A supplementary question, Mr Speaker.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, have you asked the ICRC to take into account the cost blow-outs when assessing the price to be charged for the water from this network? Given your record of cost blow-outs on projects under your watch, what have you done to satisfy yourself that there will be no further cost blow-outs for this as yet uncompleted project?

MR CORBELL: I will be looking at all these issues very closely. In relation to the water price, the ICRC will of course, consistent with their methodology, take account of the full costs of the project in determining the price that they believe should be set for the sale of water from them.

Women's Legal Centre—accommodation

MR DOSZPOT: My question is to the Attorney-General. Minister, your government has made it quite clear that it does not think the current accommodation for ACT government staff is acceptable and you have plans to build a new government office block at the cost of \$432 million. However, the Women's Legal Centre operates from grossly inadequate premises at Havelock House and now will be split between that location and North Lyneham. Even that additional space will not meet the centre's needs. During the estimates hearings, minister, you said that "community legal centres are independent entities with their own boards that can make their own decisions". Minister, how can your government give itself a bright, shiny new building at a cost of \$432 million and expect a valued community organisation to continue to operate in inadequate and unacceptable premises, now in split locations?

MR CORBELL: I thank Mr Doszpot for the question. In relation to the second part of Mr Doszpot's question, of course it is worth making the point that the additional location for the Women's Legal Centre has been provided by the ACT government in response to their request for additional space. The ACT government provides a discounted rental to these organisations. The government has been very up front in engaging with these organisations and identifying opportunities for additional space. And we are providing direct assistance to allow for some reconfiguration of their existing space to make sure that it is more usable and more effective.

I know that there are some who would argue that the government should pay for, build and then supply a building that accommodates all of the community legal centres in the ACT. As far as I am aware, no other government in Australia does that. These are not public servants, so the relationship with the government office building is just illogical. These are not public servants; these are not the ACT government's

employees. These are employees of community-owned organisations which the ACT government provides considerable support for.

We will continue to provide considerable support to them but, as I have said very clearly, we also believe that there is some obligation on the commonwealth government to look at opportunities to provide funding not just for recurrent services, which is leading to growth in the number of personnel, but, as part of those grants, if they are going to provide funding for more staffing, they should also provide funding for the space to accommodate those staff. That is something that we will work constructively with community legal centres on when they make their applications to the commonwealth and in the advocacy that we put and I put directly to the commonwealth.

MR SPEAKER: A supplementary, Mr Doszpot?

MR DOSZPOT: Minister, when was the last time you visited the Women's Legal Centre at their premises and what impression did you take away from that visit as to the adequacy and condition of those premises?

MR CORBELL: I visited the Women's Legal Centre last year—if I recall correctly, late last year—and had a very good and positive conversation with a number of their staff and board members. I have a good relationship with the operators and the board of the Women's Legal Centre. Indeed, in the budget—it was not this budget—last year we provided additional funding to the Women's Legal Centre to maintain a particular service and program which would otherwise have come to an end. So we have a strong and proactive relationship with the Women's Legal Centre,

In relation to their accommodation, it is the case that they operate in an older building. The building is constrained. It is cramped. Some of the facilities are not at a good level. For those reasons, the government and my directorate have provided direct financial assistance to them to allow for refurbishment and repair of that accommodation, to assist them with their accommodation pressures.

I accept that the Women's Legal Centre do not see that as a permanent solution and the government will continue to work proactively with them in attempting to find a more permanent solution to their accommodation needs.

MRS DUNNE: A supplementary question, Mr Speaker.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, for how long do you expect the Women's Legal Centre to continue to operate from split locations and in such inadequate conditions?

MR CORBELL: That is a matter for the Women's Legal Centre.

MR SPEAKER: A supplementary, Mr Seselja?

MR SESELJA: Minister, what action are you taking to work with the Women's Legal Centre to develop a solution for their future accommodation needs, and when will these needs be met?

MR CORBELL: I will continue to meet with, and my director will continue to meet with, the Women's Legal Centre as required to discuss and identify opportunities for improving their accommodation.

Homeless people—services

MS BRESNAN: My question is to the minister for housing and concerns homeless people who sleep rough in the ACT. Minister, what has been the government's response to requests from groups and organisations who assist people that sleep rough that we need a shelter in Canberra, particularly for the winter months?

MS BURCH: I thank Ms Bresnan for her question. Every winter, across any society, people think about those that are sleeping rough, and a shelter by many is considered a solution to that. I asked, following quite significant awareness that came from the CEO sleep-out, the department to consider additional transitional properties. So we have commenced a conversation with St Vinnie's, who manage the street to home program, to make available through them, for clients that they see that are sleeping rough, access to accommodation.

MR SPEAKER: A supplementary, Ms Bresnan?

MS BRESNAN: Thank you, Mr Speaker. Minister, where do people who sleep rough currently go to have a shower and use bathroom and other such basic facilities in a safe location?

MS BURCH: I thank Ms Bresnan for her question. Last year we put \$750,000 into Pilgrim House to provide extended and enhanced services, and I think they are not too far away from actually opening that facility. That will be able to provide laundry facilities and bathing and showering facilities. That is something that this government has invested in. I think that is a good outcome and, as I say, I do not think it is too far away and I will be sure to let you know when it is operating.

MS LE COUTEUR: A supplementary, Mr Speaker?

MR SPEAKER: Yes, Ms Le Couteur.

MS LE COUTEUR: Minister, is there currently an ACT government-funded program that actively goes out to find and talk to people who sleep rough?

MS BURCH: Yes, it is called street to home. We funded it in last year's budget, and we increased its funding in this year's budget, because they do such a magnificent job. In recognising the work they do and the success they have had, we have increased their funding.

MS HUNTER: A supplementary?

MR SPEAKER: Yes, Ms Hunter.

MS HUNTER: Minister, have you been made aware of concerns from some homelessness agencies that assertive case management is being pushed at the expense of drop-in type services?

MS BURCH: There is a range of responses that are in place to address homelessness. There is first point, there are refuges, there is a whole range of programs that I know the crossbench is well aware of, because they have a strong interest in this area.

There is assertive case management. I know street to home are very proactive in their conversations with rough sleepers, for example, and they go back to say hello. They will go back again and again because oftentimes, with rough sleepers, there are barriers around connection and engagement with offers of help. If you just go once and then turn away, I do not believe that is good enough. To go back again and to try to enhance it, if support is considered active case management, I actually do not have a problem with that. I think that is a good way to go for those programs such as street to home.

Education—playschools

MRS DUNNE: My question is to the Minister for Children and Young People and it relates to the national quality framework and playschools in particular. Minister, there are 22 playschools that cater for three to six-year-olds operating in the ACT that are licensed under the Children and Young People Act. What will your government do to support playschools in the ACT through the implementation of the national quality framework?

MS BURCH: The national quality framework is to provide us a framework that gives our children the best start to life. That is across early childhood education and children's care services. That could include playgroups, playschools, preschools and childcare centres. This government have a reputation of supporting the sector and will continue to support the sector as we move through these new frameworks.

MR SPEAKER: Mrs Dunne, a supplementary?

MRS DUNNE: Minister, it has been brought to my attention that a playschool was informed by the—

Mr Hargreaves: It is a preamble, Mr Speaker.

MR SPEAKER: On the point of order, some members are sneaking a bit of a preamble into a few of their supplementary questions. I remind all members to keep their supplementary questions focused. Mrs Dunne.

MRS DUNNE: Minister, are you aware, as it has been brought to my attention, that a playschool were informed by the licensing authority that they need not worry about the national quality framework as playschools were exempt?

MS BURCH: If my unit made that comment to the service, I am sure it is right.

MR HANSON: A supplementary.

MR SPEAKER: Mr Hanson, a supplementary.

MR HANSON: With the confusion arising from the national quality framework, what have you done to satisfy yourself that this will not be a problem for the playschools sector?

MS BURCH: The regulation unit has had ongoing and regular contact across all children's services here in the ACT. We extended the community consultative process in regard to regulations. I do not think there is a provider out there who has not been informed and invited to a workshop and information session on the new framework.

MR HANSON: Supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Hanson.

MR HANSON: Minister, I understand that in talks with playschools there are some that are not aware that they will be exempt. Why haven't all playschools been informed and what action will you be taking to ensure that the correct information is available?

MS BURCH: As I have just indicated, the unit has been very proactive in making contact across all providers within the service. But I will go back and talk to them and make sure that they increase their proactive approach and make sure they have contact with all those groups involved.

Government office building

MR COE: My question is for the Treasurer. Treasurer, in response to a question on notice you stated that the government had not indicated a preference for borrowing funds for the proposed government office building and that budget estimates indicated sufficient cash would be available to fund its construction. However, on 5 May this year the former Chief Minister, Mr Stanhope, stated in a media release:

By financing the building itself, and taking advantage of the Government's AAA credit rating, the Government could access finance rates significantly below those available to the private sector.

Treasurer, will this new government office building be financed by debt or will it not?

MS GALLAGHER: That will be subject to decisions of budget cabinet in the year that that money needs to be appropriated. That will be considered alongside other significant infrastructure works.

MR SPEAKER: Mr Coe, a supplementary?

MR COE: Yes, Mr Speaker. Treasurer, why did Minister Barr and officials from the Economic Development Directorate directly discuss interest payments in the estimates committee hearings and state, “The cost of borrowing is included in the feasibility analysis”?

MS GALLAGHER: Because it is, Mr Coe. It has been—

Mr Hanson: You said that decision hasn’t been made yet.

MS GALLAGHER: Well, the final decisions. What we have done, and I think this is where the opposition fail to understand the budget process, is that we have foreshadowed, in the two final years of the outyears of this four-year estimates period, an indication of the current costings for the government office block. Decisions on the budget impact of that and decisions around financing will be taken as the project approaches those final decision-making stages.

MR SMYTH: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Minister, how will your new pledge for openness and accountability prevent confusing and contradictory public statements by you and your ministers?

MS GALLAGHER: The openness and accountability is by foreshadowing this major infrastructure project in the final two outyears of the budget. We did not need to do that, Mr Smyth. Indeed, we could have dropped that in—after we successfully win the next election—and not have had the discussions—

Members interjecting—

MS GALLAGHER: I am optimistic.

Mr Seselja: You really do take for granted the community, don’t you?

MS GALLAGHER: I do not take it for granted at all, Mr Seselja, but I am optimistic; you have to be in these jobs. The question that Mr Smyth asked was around claims of openness and transparency. Well, openness and transparency is about being clear and putting this infrastructure project in our final two years of the budget cycle as an indication to the community and to this place and allowing this place the time it needs to accept or discuss the importance of this project. That is open and that is transparent, Mr Smyth.

MR HARGREAVES: A supplementary.

MR SPEAKER: Yes, Mr Hargreaves.

MR HARGREAVES: Thanks very much, Mr Speaker. My question is to the Treasurer. Is the revelation of intentions in the contemplative stage or an attempt to engage people from all sides of the chamber to be involved in a positive way forward?

Mr Smyth: Point of order, Mr Speaker: how is that relevant to either the main question or the supplementary?

MR SPEAKER: Mr Hargreaves, on the point of order.

Mr Hargreaves: Thanks very much, Mr Speaker. In a response to the last question, the Treasurer was talking about provision of information before decisions were taken. The questions of her asked what was the minister's view of it. The Treasurer said that this is for the provision of information before a decision is taken. I wanted to know whether or not this provision of information in the contemplative stage would have any particular effect.

MR SPEAKER: Chief Minister, the question is in order.

MS GALLAGHER: That is exactly the decision that the cabinet took. We understand that this is a project of territorial significance. We understand that members in this place will be interested in this project. We also believe, after doing many years of work ourselves, that it was the right time to share that work with members in this place. That is exactly what has been done through the estimates process. We will now look at and have responded to the estimates committee's recommendations around the government office block, and I look forward to working with my Assembly colleagues on all sides of the chamber to continue to discuss this project as it reaches those final decision-making stages which I think are foreshadowed for two years time.

ACT Policing—property crime

MR HARGREAVES: The final question for question time. My question is to the Attorney-General. Minister, last week you signed a renewed ACT government police purchase agreement with the federal Minister for Home Affairs, the AFP commissioner and the ACT Chief Police Officer. You also signed your new ministerial directions, which included a specific focus on tackling property crime. Can you please outline why property crime is a priority for the ACT government and ACT Policing, and what KPIs are included in this agreement to ensure that your focus is met?

MR CORBELL: I thank Mr Hargreaves for the question. I was very pleased last week to join with the AFP commissioner, Mr Negus, the Chief Police Officer, Mr Quaedvlieg, and the Minister for Home Affairs, Mr O'Connor, to sign the new policing arrangement which commits the territory to another five years of the delivery of policing services from the excellent police of the Australian Federal Police. I was also very pleased to sign the new purchase agreement for the coming 12 months that sets out the government's priorities.

As Mr Hargreaves has alluded to, it is the case that the government have made property crime a priority for the coming 12 months, because we want to drive down the level of property crime in the city. To achieve that, we need to make that very clear in both the purchase agreement and in the specific directions. In the purchase agreement there are a range of measures that require ACT Policing to work to

continue to drive down the level of property crime, motor vehicle theft, break and enter and so in our community, because these are the crimes that are most likely to affect the largest number of Canberrans.

As to the types of measures that we are putting in place, for example, the performance measures on level of crime require that the number of offences against property reported or becoming known per 100,000 of population is 8½ thousand or less, which is the national average. What our objective is is to get the property crime level in the territory down to the national average. The ACT has historically always seen a higher than national average level, and we want to get that down to the national average. So that is a very important measure in the new purchase agreement.

What are also important are the special areas of emphasis that I am able to put in place through my directions to the Chief Police Officer. I have done that again this year. One of the specific requirements I have of the Chief Police Officer is to work in collaboration with the rest of the ACT government in delivering a renewed property crime reduction strategy so that we see fewer break and enters, you can see fewer motor vehicle thefts, you can see less of the trauma associated with those offences as a result of the combined efforts of the government, ACT Policing and the broader community.

MR SPEAKER: A supplementary, Mr Hargreaves?

MR HARGREAVES: Thank you, Mr Speaker. Minister, what results have you already seen from the property crime strategy that has been undertaken by ACT Policing to date?

MR CORBELL: Again, I thank Mr Hargreaves for the question. I am very pleased that in the last 12 months ACT Policing has established a specific crime targeting team to focus on property crime and motor vehicle theft in our community. The results have been very, very pleasing. I want to congratulate all the officers involved in that crime targeting team for the very good work they have done on behalf of the community, particularly over the last 12 months.

The figures from the Australian Bureau of Statistics speak for themselves. They show that the ACT recorded a significant decrease in the number of victims of burglary. We have seen a 12.9 per cent decrease in burglary in the last 12 months. We have seen a 30.6 per cent decrease in motor vehicle theft during the same time. Comparing the 12 months to March 2011 with the previous 12 months, there has been a decrease of 30.4 per cent in the number of burglaries committed here in the ACT.

This is a fantastic result for our community. Obviously, we need to continue with our efforts but I think all members will join with me in congratulating ACT Policing for their efforts in getting those very significant reductions—over a 30 per cent reduction in the last 12 months in property crime, burglary and motor vehicle theft—because of the very targeted efforts of our police.

MR SPEAKER: Dr Bourke, a supplementary?

DR BOURKE: Minister, what is the ACT government doing to ensure that this positive trend continues?

MR CORBELL: I thank Dr Bourke for his question. Obviously the measures in the purchase agreement are important in continuing to drive these very positive results. But what is also going to be done is the establishment and completion of a new property crime reduction strategy. I want to make sure that property crime reduction is not just a job for the police. It is about designing out crime and it is about preventing crime, not just responding to the offenders in relation to these types of crimes. So identifying measures that reduce, for example, alcohol-related crime, identifying measures that reduce antisocial behaviour, are all part of reducing crime and reducing the incidence of these types of crimes, volume property crimes, in our community.

The development of that strategy is now well underway. The Justice and Community Safety Directorate is leading that work with our police, with other parts of the ACT government, to deliver a joined-up and cohesive, new, renewed property crime strategy so that we can build on these very positive results to date.

MR SPEAKER: A supplementary, Mr Hanson?

MR HANSON: Minister, now that random roadside drug testing is rolling out across the ACT, do you still consider it to be redneck legislation, as described by the former Chief Minister?

Mr Corbell: On a point of order, Mr Speaker: how is that relevant to the previous questions on property crime?

Mr Hanson: On the point of order, Mr Speaker, the original question was on the purchase agreement with ACT Policing, the AFP and the federal minister. This is a significant new aspect of the operations of police that falls under that purchase agreement.

Mr Corbell: Mr Speaker, the original question as I recall it related to why property crime is a priority for the ACT government and what were the KPIs in the agreement to make sure that these priorities were achieved.

MR SPEAKER: On the point of order, Mr Hanson, whilst I accept your analysis that the original question was about the purchase agreement, and that gave you some scope to ask questions about the purchase agreement, I do not believe your specific question does relate to the purchase agreement. You have asked the minister about previous comments on drink driving legislation which does not relate to the purchase agreement.

Mr Hanson: On the ruling, Mr Speaker, the purchase agreement comes with a number of KPIs and includes, I think, approximately \$140 million for the conduct of operations by ACT Policing. Given that a significant new initiative that comes out of ACT Policing this year is random roadside drug testing, I think it is entirely appropriate and falls within the scope of the purchase agreement.

Mr Hargreaves: On the point of order, Mr Speaker, my question was indeed on—

Opposition members interjecting—

MR HARGREAVES: Excuse me. I am talking to the Speaker. Thank you. Mr Speaker, I was talking about the KPIs in the new agreement specifically relating to the minister's focus on property crime, and nothing else.

MR SPEAKER: As I say, my ruling is that, whilst I accept Mr Hanson's point about being able to ask about the purchase agreement generally, I do not believe that the question relates to the purchase agreement. The question is out of order.

Ms Gallagher: Mr Speaker, I ask that all further questions be placed on the notice paper.

Supplementary answers to questions without notice Government—ethical investment

MS GALLAGHER: I was asked earlier today in question time about an upcoming resolution at the AGM about Delta Airlines. My advice is that at this point it is not listed on the agenda for the 30 June AGM. Other matters are but not that resolution. I can provide you with further information in the future.

Schools—Tharwa preschool

MR BARR: Yesterday in question time, the collective team Green asked me a series of questions in relation to Tharwa preschool.

Mrs Dunne: About their sell-out of Tharwa?

MR BARR: Speaking of rude interjections! I undertook to get some further information for the members. I can advise Ms Hunter that there are currently 12 students enrolled in the Tharwa preschool program. My advice is that a quarter of them, three, are actually resident in Tharwa and the remaining three-quarters of enrolments come from Tuggeranong. There are currently two applications for enrolment for 2012, although I do note that the enrolment period is still open.

I believe Ms Bresnan asked me a question in relation to the curriculum. I can reconfirm that the curriculum is based on the early years learning framework, as I indicated yesterday, and is the same across all schools.

In relation to the premises at Tharwa, I am advised that there has been a significant issue in relation to termites in the old school building and there is asbestos present. For those reasons, a program of works is underway to rectify the damage caused by termites and to remove asbestos. The program has been temporarily relocated for one year to the Charles Conder primary school, which is the feeder primary school for Tharwa preschool. The anticipation is that the work at the preschool building will be completed in time for the site to reopen in 2012.

Visitors

MR SPEAKER: Mr Smyth, before we come to you, I understand we have further work experience students in the Assembly at the moment, particularly from Mr Coe's office. I also welcome to the Assembly Kuk-Jin Kim from Emmaus Christian school. We are happy to have you with us.

Personal explanation

MR SMYTH (Brindabella): Mr Speaker, I seek leave under standing order 46 to make a personal explanation.

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Thank you, Mr Speaker. Last night in the debate on the budget Mr Hargreaves was speaking about the Gungahlin Drive extension and said that the previous government had promised only a road from the Barton Highway through to Belconnen Way and that it was a goat track. He is incorrect. If you go to page 134, budget paper 3 2001-02, there is money in that budget for the Gungahlin Drive extension, for the Caswell Drive duplication and for the Glenloch Interchange. I would ask the member to withdraw.

Mr Hargreaves: How much?

MR SMYTH: How much? It was \$32 million, \$6 million and \$15 million against the three projects. I would ask the member to withdraw and apologise for misleading the Assembly.

Mr Hargreaves: I indicated in the speech that the Liberal Party actually allocated \$32 million and I thank Mr Smyth for verifying that.

MR SMYTH: That is not a withdrawal, Mr Speaker. He is wrong and he should withdraw. You talk about raising the standard here in this place. This is an opportunity to do so. I would ask that he withdraw the incorrect information and apologise.

MR SPEAKER: Mr Hargreaves has given his indication of what he intends to do. We will now move on.

Fire management unit

MR SMYTH (Brindabella) (3:16): I move:

That this Assembly:

(1) notes:

- (a) that the McLeod Report into the ACT bushfire disaster in January 2003 devoted an entire section to the relationship between the fire management and land management agencies;

- (b) that the ACT Government's Fire Management Unit currently is located within the Parks and Conservation Service, Parks and City Services Division, Territory and Municipal Services Directorate;
 - (c) that this Fire Management Unit provides an essential function in fire mitigation through effective land management in the ACT, particularly in rural areas within the Territory; and
 - (d) that the ACT Government has decided to abolish the Fire Management Unit as from 1 July 2011; and
- (2) calls on the Minister for Police and Emergency Services to:
- (a) reverse the decision to abolish the Fire Management Unit within the Territory and Municipal Services Directorate; and
 - (b) provide a report to the Assembly by the first sitting day in August 2011 of the reasons on which the abolition decision was based.

This is a very serious motion, for two very important reasons. Firstly, the motion relates to a group of people within the ACT government who have specific and critical expertise in land management, particularly pertaining to a mixture of land and fire management. Secondly, the motion highlights a concern about the general human reaction to major disasters, particularly bushfires.

Firstly dealing with the role of the fire management unit, the fire management unit is an integral component of the land management function of the ACT. Land management is a recognised and critical function of any government and is especially important in regions which are prone to events such as bushfires, as we are in the ACT and as are relationships between the public sector land managers and bodies such as the ESA, the ACT Rural Fire Service, all the voluntary bushfire fighters as well as the private land managers.

I recall in the McLeod report and bring to the attention of members that comments were made by Ron McLeod on the bushfire disaster in the ACT in January 2003. Mr McLeod provided a number of specific comments on the important relationship between these agencies and the role of the public sector in land management. There are several pages from 148 onwards where there are a couple of recommendations that members are not aware of. McLeod says that a number of submissions were made. He says:

First, it helps to reinforce the message that fire prevention and suppression are an integral part of land managers' role in protecting the land they control. This can have considerable psychological value in helping to shape the ethos of an organisation and in providing a balance between fire-prevention activities and environment protection and other socially desirable objectives.

Second, an arrangement of this nature can have practical value, in that the people who work in public parks and forests gain an intimate knowledge and understanding of the land they supervise. This is of inestimable value in a fire emergency when local knowledge and understanding of the terrain and what it contains are at a premium.

He goes on to refer to the then Department of Urban Services, now TAMS, and “an ambiguity in reporting and structural arrangements for land management agencies during suppression operations directed by the ... Bushfire Service”. It is an interesting chapter. He says:

The land management agencies have only just begun to rebuild this expertise. A decision to introduce a full-time fire coordination policy officer in the Department of Urban Services, to assist—

is a good idea and he insists on better communication and understanding between both portfolios, the other being Emergency Services, to work very closely “in a spirit of mutual trust”. He says:

This will happen only with the right lead from the top of the two organisations concerned.

McLeod also highlights problems which were raised during the inquiry about the relationship between the ACT Rural Fire Service, Emergency Services and TAMS not being as close as it should. And it is worth giving the government credit, particularly the officers in the fire management unit, for the way they have made that work over the last seven or eight years.

I think the absolutely critical point is to note that McLeod highlighted the need for TAMS to have appropriate expertise in fire management functions and that the expertise within TAMS be centralised and not dispersed. There are the recommendations of course that follow:

The Chief Executives of ... Urban Services and ... Justice should work together to develop a means by which the public land managers and the ACT Bushfire Service can achieve a strongly mutually supportive relationship.

It goes on to say:

Operational procedures should be amended once additional land management resources are in place, to reflect the responsibility of land managers to initiate the first response to fires on land that they manage—

always understanding that the RFS has ultimate control.

Indeed, Maria Doogan, in her coronial report on the January 2003 bushfire disaster, and on the deaths of four people in that disaster, also made a number of comments and reached a number of conclusions about the role of the public sector in land management. Let us deal briefly with the three relevant recommendations made by Coroner Doogan, recommendations 39, 40 and 41, where she stated:

... that it be a matter of policy and practice that the relevant land management agency is responsible for the initial response—

That being under the control of the Rural Fire Service. She states that the agency on whose land a fire starts has responsibility to respond immediately and that:

... the land management agency should be responsible for efforts to suppress fire until such time as it becomes clear that that suppression task is beyond the capacity of the agency ...

Finally, she states:

... that public land management agencies ensure that their senior personnel have appropriate experience in fire management and are provided with adequate resources and suitably experienced and trained staff to effectively implement fire management programs.

In a large way that is exactly what the government have done and I think they are to be congratulated. But for reasons unknown, this is all about to be dismantled. Given the position of the coroner with respect to the role of the ACT in managing public lands and in responding to fires which occur on that land, I think it is important that these arrangements are not destroyed, as Mr Corbell is about to do, but in fact enhanced.

It is also interesting to note the conclusions reached by Dr Allan Hawke in his recent report. Hawke endorsed the role of TAMS in its land managing function and particularly emphasised the role of TAMS, through Parks, Conservation and Lands, to undertake fire-fighting activities and the maintenance of fire trails and other related infrastructure.

Indeed, he highlighted the important role of TAMS in hazard reduction activities in collaboration with the Emergency Services Agency. Dr Hawke also comments on page 174 of his report:

The operations of PCL ... have been the subject of a recent and significant internal review.

It is interesting to compare this comment against the comments made by the Minister for Territory and Municipal Services yesterday in question time. In response to my question, he said:

... the functions of the fire management unit remain unchanged.

He also said that the role of manager of the fire unit “has changed substantially”. What is going on with the fire management function within TAMS? We have the Hawke report from a month or so ago saying that the relevant area has just been subjected to a significant review and there is no need for any changes. Now we have the new minister saying two very interesting things—first, that the functions of the fire management unit remain unchanged. If we take him at his word, that is okay as far as it goes.

But, secondly, the minister said that the role of the manager will change substantially. What has happened to the role of the manager of the unit? Really, the role of the

manager guides where the unit goes. So the question is: is there any threat to the capacity of the ACT government to perform its land management functions and, in particular, its fire management function with uncertainty?

I think the community is entitled to be at least confused and perhaps a little concerned. My office has received a number of emails and telephone calls from various people from various sectors who are very concerned about the changes that are proposed. It was curious to note that on WIN news last night that we actually had an official from the fire management office. I will read the broadcast news alert from the Media Monitors. The summary says:

The ACT is bracing for a coming grassfire season.

The officer goes on to say:

... extra fire fighters are needed for fuel reduction and other jobs. Mark Crosweller, ESA Commissioner, says there's more grass fuels and growth than past 25yrs. TAMS is searching for 18 more fire fighters needed for rapid deployment to remote areas.

So why the need for change? I do not think that any case has been made for a need for change but the change is certainly causing a great deal of concern in the community. I will come back to the community in a minute. I believe that the regime that is currently in place should remain as it is. I believe that it must also retain appropriate expertise in land management and fire management.

The second matter relates to the way in which humans typically respond to disasters. Considerable research into this matter, particularly with respect to major bushfires, led to the development of the authors of the 2004 bushfire report referring to a thing they called the bushfire cycle. A key issue in this cycle is the issue of complacency. I am worried that we in the ACT are entering that phase right now.

My worry is increased as we see the response of our land to the substantial rain events which have taken place in the last 12 months or so, which of course led to the comments yesterday that there is lots of fuel. The problem now is that there is so much uncertainty about the future of land management, particularly the fire management unit, we actually have to question what we are trying to achieve here.

For the first time in many years they are actually achieving what they set out to do. They actually are getting their five per cent target of fuel reduction done and they are using other techniques. My understanding is the current fire management unit has the approval of all sectors, whether it be the Bushfire Council, who I have spoken to, or the conservation council, who are also aware of what is happening. They are very worried about what they call the dismemberment of the fire management unit.

Initially, I understand that this was all to go ahead on 1 July, but apparently now we have got three weeks consultation with the staff. If the decision has already been made, and quite clearly from the minister's answer yesterday the decision has been made, consultation now would appear to be shutting the gate after the horse has bolted.

Some of the concerns that I have had from various groups include that this will lead to a long-term wind-back and changes to the arrangements which will see officers going back into their regions rather than staying in the central unit that coordinates across all regions and is actually delivering these results.

It is interesting that both Doogan and McLeod also talk about having appropriate officers in place. Indeed, they have actually got an officer in place in the fire management unit who was given a Public Service Medal for his services to the community. I will read some of the citation. It states that this officer:

... has played a central role in reshaping the forestry, fire and land management sectors in the Australian Capital Territory. He contributed to the development of improved fire management programs on ACT Government land, implementing a training pathway program for ACT Parks' firefighters, and made a significant contribution to the Strategic Bushfire Management Plan and the ACT Government's response to the Coronial Report into the 2003 Canberra bushfires.

The citation goes on to state that this officer:

... has raised the professional profile of the ACT Parks, Conservation and Lands firefighting workforce. He also represents the ACT on numerous national fire committees, and has been deployed to assist in fighting the wildfires in the USA on two occasions.

This is an excellent fire management officer. Yet this is the very officer who is at risk from the restructure that the minister has set in place. I am at an absolute loss as to why the government, who clearly believe this officer was worthy of a Public Service Medal, now thinks this officer is worth removing. I find this very worrying indeed.

The interesting thing is that this is not just coming from the fire groups, the volunteers or the Bushfire Council. It is actually a strong push from the conservation community as well. I have a number of emails from people in those fields. I will read from some. One states:

To dismember the effective, highly-trained and well thought of TAMS Fire Management Unit is sheer lunacy. The speed with which they can respond to fires in the reserves and urban open spaces they are familiar with is an essential asset that contributes to the new fire-safety confidence felt by ACT residents ... It is counter-intuitive and counter-productive to, once again, have ACT Fire-management under separate leadership agencies (planning and operations).

This one goes on to say:

... Fire management teams will be significantly affected ...

That is making reference to some of the redundancies. Indeed, the conservation council state:

We are dismayed and outraged at the internal moves within TAMS that are destroying the core of nature conservation and fire management effort in the ACT ...

They particularly state that they support my motion. The correspondence goes on to say:

Cancel the dismemberment of the TAMS Fire Management Unit.

And another email states:

Do not permit the proposed redundancies ...

The minister has talked about changing the role of the manager. I think we get the code for that. It goes on to say:

Many of the current incumbents are fully aware of the inherent problems created by the TaMS restructure, and are now in unstable jobs due to raising the possible impacts for the ACT of the proposed changes. I know just how much the ACT should be indebted to at least some of the current incumbents, as it was them who did (and are still doing) all the hard yards in the better whole-of-ACT disaster planning after the bushfire disaster. The way these people have been treated by senior TAMS staff is appalling! Having said this, I hope you will:

- i) oppose the disbanding of the TaMS fire management unit which is proposed at present and also
- ii) not permit any redundancies of the conservation staff by TAMS.

These are serious concerns that are coming from across the board. The minister has not made the case for this restructure. A lot of people have been worried about this for some time. We are not told what the benefits are and we do not see a clear path forward. But what the minister is doing is changing an arrangement that currently works very well.

It is the arrangement that both McLeod and Doogan said that we needed. It is an arrangement which, I believe when you read the Hawke report, says that the current set-up is quite fine—nothing is needed here. Mr Corbell is not renowned for being very terse with his answers, but he was very much so yesterday. It worries me when we get very short answers from the minister.

I wonder whether the minister truly understands how effective the fire management unit is in its current arrangements and how effective it has been, but also how much faith it has built up in the community and the support it has in the community for the current arrangements because it is doing the job and doing it superbly well. It should not be abolished.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment and Sustainable Development, Minister for Territory and Municipal Services and Minister for Police and Emergency Services) (3.32): The government will not be supporting this motion today. First and foremost, I take the view as minister that I should back the judgement of my senior executive staff when it comes to the day-to-day management of my directorate. It is not for me to micromanage the day-to-day

management of my directorate, and it is certainly not for this Assembly to try to become the line manager for a part of the ACT government.

My responsibility as a minister is to make sure that services to the community can be delivered and that there is a capability to do that. When this matter was brought to my attention I asked my directorate to give me an assurance that any changes that were made in relation to the organisation of my directorate did not diminish or compromise the capacity of my directorate to deliver the vital fire management function. Those assurances have been given.

On that basis, I am backing the judgement of my senior management team, and this Assembly should do the same. These managers are paid a considerable amount of money to undertake the day-to-day management of a part of the ACT government on behalf of the community. If we do not have confidence in their judgement about how these matters are best managed day to day, then perhaps we should go and apply for their jobs. It is not for this place to try to determine what are essentially day-to-day administrative matters for parts of the government service.

Secondly, the accusation in the motion that the fire management unit is being abolished is simply incorrect. The capacity is being maintained and all the positions are being maintained. This is ignored by Mr Smyth. I am very conscious of the importance of fire management. I am not only minister for TAMS but also Minister for Police and Emergency Services. I am accountable in relation to these matters, and I am not going to permit changes that in any way diminish or compromise the capacity of the government to meet this vital land management function.

So what is occurring, Madam Assistant Speaker? What is occurring is that the proposed parks and conservation branch structure will be comprised of three main sections: planning and logistics; regional parks, reserves and fire management, and national parks, Tidbinbilla nature reserve and rural districts.

This restructure is not about individuals. Under the proposed structure, fire planning will be integrated with other planning areas of parks and reserves because these things overlap and interrelate. For example, fire planning will be integrated with weed control, vertebrate pest management, asset maintenance planning and rural lands planning because on the ground the delivery of those functions and fire management functions involve the same types of equipment needing to be procured, the same types of physical labour having to be deployed on the ground, and it makes sense that that is done in an integrated and coordinated fashion.

Under the proposed structure, as I have said, fire planning will be integrated with other planning areas of parks and reserves, and this makes sense. Fire operations will continue as a single discrete unit within the regional parks, reserves and fire management section, but it will cover all of the ACT, as it should. Fire management should not just be about parts of it. It should be about all of it.

In effect, what this means is that only the officers within the current fire management unit involved with fire planning will be relocated to the planning and logistics section, where they will work with the other parts of the directorate who are responsible for

planning and logistics. It makes sense to put all these functions together. All remaining fire staff that currently do fire operations will remain in the operational areas within the regional parks, reserves and fire management section.

What are the other advantages of this approach? This will permit the Parks and Conservation Service to develop a master operational plan for all land management functions for the estate that TAMS is responsible for, including Namadgi, Tidbinbilla, Murrumbidgee River corridor as well as the urban reserves.

The fire operations area in the Parks and Conservation Service will remain as a single unit responsible for fire management across the estate, as currently occurs. That is the situation: functions and capability remain the same. Fire operational areas will be, in the government's view, significantly enhanced, because there will be a single point of management in place which can deliver the bushfire management plan. At the moment that is not the case.

The capability of the well-trained and responsive parks brigade remains intact. There is no change in relation to parks brigade. The proposed fire operations unit and the planning and logistics section will be co-located at the Stromlo depot. They will be physically co-located. This will ensure that ongoing and effective communication between staff remains.

That is why we are doing it. I believe that it makes sense. I believe it is appropriate for me as the minister to back the judgement of my senior executive staff. I have their assurance, and I accept their assurance, that this maintains the capabilities already and currently extant in Territory and Municipal Services. I do not see them compromising it in any manner. I think that it is not for me, let alone for the Assembly, to make judgements about day-to-day management of the directorate as long as capability can be maintained. That is being maintained. There is no reduction in staff. I believe that this motion should not be supported today.

MR RATTENBURY (Molonglo) (3.39): The Greens heard reports last week about the fear that some changes were underway within the fire management unit in TAMS, and we were immediately concerned because we certainly understand the need for land managers and fire managers and policy staff to work together and be co-located. That is consistent with the position we have been arguing around biodiversity management in the ACT, where we have suggested that a range of teams be brought together under the Environment and Sustainable Development Directorate regarding the parks rangers, the biodiversity policy officers and the support staff to the Conservator of Flora and Fauna.

We argued for that approach on that side of the equation, so we certainly support the approach put together under the fire management unit in TAMS. Given the uncertainty of some of the suggestions that have been put forward, I did write to the attorney asking for clarification, and I have now received a letter from the attorney in a similar vein to the speech that he has just given, in which he has outlined some of the intent of what is being done.

What is not clear to me out of that, and what does I think remain open, is exactly what the consequence of some of those changes will be, and whether this is some sort of restructure, whether it is a redesign of the unit, simply a name change, or some other variation. Either way, it is a point of interest for the Assembly to understand exactly what is being proposed here in what is a very critical area of public policy.

Like Mr Smyth, I have been approached by a range of stakeholders about this matter, from environmental groups, environmentalists and those who have an interest in the national parks through to those involved in the volunteer fire-fighting service, and what has been clear to me through all of those contacts is that there is a strong view that the current arrangement is working extremely well. This can be a very difficult area, particularly around fuel management when it comes to environmentalists and fire managers. We have seen some very unfortunate conflict in the past in places, with strong views put either way.

I think that particularly underlines the strength of the feeling on this when what might be described as both sides of that argument are actually putting a very positive view on the current arrangement and talking about how it has been very effective in addressing fire management issues, fire suppression and fuel management, and at the same time has been achieving good biodiversity outcomes in terms of undertaking that fuel reduction in a way that is sensitive to biodiversity outcomes in the ACT.

I would like to step back a moment and look at the history of these issues. I guess the important part of the history is of course the inquiry into the operational response into the 2003 bushfires undertaken by Mr Ron McLeod. One section of the inquiry focused on the importance of the relationship between fire management and land management agencies.

Two specific and important factors were listed in support of having an arrangement where they are co-located. Firstly, McLeod reported that such a co-location serves to reinforce the point that fire prevention and suppression are an integral part of the job of land managers. The point made is that fire prevention is not something for land managers to assign to someone else; it is not a separate task to land management and the two should be done together.

Secondly, Mr McLeod highlighted the practical value of having people who work in parks gain an intimate knowledge of the land they manage. There is a particular quote that I would like to read from Mr McLeod, and he said:

This is of inestimable value in a fire emergency when local knowledge and an understanding of the terrain and what it contains are at a premium.

That is some pretty strong language in that quote. That practical knowledge that comes from co-location is of “inestimable value”; that is, the value is too great to calculate. In assessing Mr Smyth’s motion I have certainly kept in mind the value that Mr McLeod’s report ascribes to co-location of fire management and land management, and the Greens are certainly wary of any movement that diminishes the practical benefits of co-location. It is an issue we take very carefully.

I would now like, in the context of looking at some of the history, to look at the strategic bushfire management plan. Core principle No 1 in the strategic plan, on page 2, states:

Rapid detection and aggressive initial attack are fundamental to prevent fires from growing in size.

Later in the strategic plan, at page 5, the statement is made:

The Plan recognises the key role of the Department of Territory and Municipal Services in fire management in the ACT. TAMS, through its business unit Parks, Conservation and Lands are responsible for the management of 73% of the area of the ACT and provide suppression capability through Parks Rural Fire Brigade.

In that context—and, as I said, having received now approaches from a number of stakeholders—it is worth reflecting on some of those comments from concerned stakeholders. What they have said to me is that:

... the move will completely undermine a long term fire management regime which is our best chance of avoiding future massive fires in the ACT.”

Another comment was that it is:

... a huge step backwards from the current capable and effective fire and environmental management regime.”

And finally, it “will take us back to the pre 2003 days”. These comments are premised on an understanding that the fire management unit will be dismantled. I am quite conscious of this, and I have listened very carefully to the comments that Mr Corbell has made today in the debate and also that he made in the letter that he sent me. Certainly, from an ACT Greens point of view, we are mindful of the fact that the severity and frequency of bushfires is likely to increase in the ACT region as a result of global warming, and that fire management plans should incorporate measures to protect biodiversity and be consistent with ecosystem maintenance.

These are actually statements that come from our policy document in this area and they are issues that we place a real importance on. I guess with the various bits of evidence that are on the table, it is quite challenging to operate from what the stakeholders are telling us and then absorb what the minister is telling us and draw a conclusion from that. On that basis I have sought to move an amendment to Mr Smyth’s motion in which I have removed the word “abolish”. I guess I take on face value the attorney’s assurance on that, and I have instead inserted the word “restructure” in section (1)(d). I will put that down as a more neutral term. That could encompass a range of possible outcomes. I have then substituted paragraph (2), where we offer the minister the benefit of doubt and actually provide an opportunity for the Assembly to assess this matter.

I listened very carefully to Mr Corbell’s comments about needing to trust the senior executive staff and not micromanage, and I have a great deal of sympathy with that

perspective, but I also think when it comes to these matters in light of the experience in 2003, and the McLeod report, the coronial inquiry and the matters that have been brought to this city's attention and to this Assembly's attention, it is entirely appropriate for us to look very closely at the resources that are being allocated to fire management in the ACT, how those resources are being allocated, how they match up to the recommendations from the McLeod report and how those structures are being changed over time and to debate in this place whether we do hold the view that that approach is adequate.

I do not believe that is a second-guessing exercise. I think it is our job to scrutinise these points, to look closely at them, and the endeavour of my amendment is to provide the minister with an opportunity to provide the Assembly with a clear set of information. Talking about matters such as spelling out the current structure and full-time equivalents in each work unit presents a very clear opportunity for the minister to come to the Assembly and provide the information in a way in which members can make a clear judgement about whether there is any diminution of resources allocated to fire management in the ACT.

The minister has spoken to me about the first part of my new section (2), as proposed in my amendment, which says that any changes should not take place until a report is tabled in the Assembly. The minister has asked me to reconsider that part of it. I do think, though, it is appropriate that that debate take place before changes are put in place and locked in. I think it is a matter of great concern to the public in the ACT. Certainly the representations I have received in recent days underline to me how strong the views are on this, how strong the concerns are, and I think it is warranted that we do look at this, so I intend to move my amendment as it has been tabled.

I simply conclude by acknowledging that this is a very difficult area. It is one on which, in light of the 2003 fires, people in Canberra do have very strong views. I do not think it is a black and white area. It is an area of some considerable debate, but I think that it is one that is entirely open for the Assembly to scrutinise, and on that basis I move the amendment circulated in my name:

Omit subparagraph (1)(d) and paragraph (2), substitute:

“(d) that the ACT Government has decided to restructure the Fire Management Unit; and

(2) calls on the Minister for Territory and Municipal Services to commit to not restructuring the Fire Management Unit until a report is tabled in the Assembly outlining the proposal in detail including:

- (a) the current structure of the Parks and Conservation Service and the number of full time equivalents (FTEs) in each work unit and their specified role;
- (b) what effect the restructure will have on that structure and the number of FTEs and their specified role;
- (c) how the proposed restructure maintains commitments made by the ACT Government in response to the Coronial Inquiry into the 2003 bushfires, the McLeod Report and the Hawke Report;

- (d) how the restructure will improve the functioning of the Fire Management Unit and the Parks and Conservation Service; and
- (e) all details of the consultation undertaken with staff.”.

MR SMYTH (Brindabella) (3.49): The more I hear from the minister, the more concerned I get about what is being proposed because more contradictions appear. Mr Rattenbury has very kindly circulated the letter that the minister wrote back to Mr Rattenbury in regard to these changes. I just want to remind people what was said yesterday, that the title “fire management unit” is being changed but the functions remain unchanged. And then he finished with, apart from that, talking about the one position that is changed substantially, saying that apart from that the functions of the fire management unit remain unchanged.

I would contend that the fire management unit is in fact being abolished, and it is being broken into two units, one which will go into planning and one which will be an operational unit. So it is changing, and it is changing significantly, and you only have to look at the management by this minister of projects like the GDE and the prison and the new ESA headquarters to have grave concerns when he starts changing things.

If you read the letter that the minister wrote, I have concerns for some of the other staff as well. One of the lines says:

All the remaining fire staff that currently work in fire operations will be remaining in the operations area.

“That currently work” concerns me. One of the fears that the community is expressing to me is that they see a wind-back in this, a diminution of the numbers available, by the transfer of some of these officers back into the regions. That is a grave concern that people hold.

The third dot point in the minister’s letter contradicts itself. It opens by saying:

The fire operations area in Parks and Conservation Service remains as a single unit for the fire management across the estate as currently occurs, rather than the present situation where different managers in the service have different responsibilities for delivering different actions within the bushfire operational plan.

So it is going to remain as it currently occurs rather than the present situation—I do not understand what that means. Again that concerns me. This has all the hallmarks of something cobbled together to allay people’s fears.

The minister yesterday said, “Well, basically we are changing the name; it looks like one position is affected but apart from that nothing changes.” But now he makes the claims that the fire operational areas will be even more enhanced. The previous paragraph says they do not change, but suddenly they are enhanced.

We are then going to co-locate the proposed fire operations unit, so there is a new unit coming out of this, the proposed fire operations unit, with the planning and logistics section. Then there is in the second-last paragraph a sentence that is not even grammatically correct:

The long term fire management regime is unaffected the strategic bushfire management plan V2 and sub-regional plans are still being implemented through the annual bushfire operational plans.

I am not sure what that means. There are words or a phrase missing. I get very worried when ministers cobble together answers like this. It tells me they have been caught out, and this minister I believe in this regard has been caught out.

I actually do believe that it is being abolished, but we will give the minister the benefit of the doubt—let us call it a restructure. Apparently nothing is changing, but it is all being restructured; it is being split and it is being changed. I can live with the second point.

In the new substitute paragraph (2), what he is asking for is a clear outline of the structure of the Parks and Conservation Service as it is, what it will be, does that structure actually maintain what both Doogan and McLeod asked for, and how in fact it will improve. It is easy to say, “Oh, we are changing this,” but do you remember yesterday? The minister said, “We are just changing the name and we are restructuring the head of the unit.” So how that achieves the greater functionality that he is talking about will be interesting. And subparagraph (d) in paragraph (2) asks how the restructure will improve the functioning of the fire management unit. Well, let us find that out.

I think we need to have details of consultation undertaken with staff; that is fine. The problem for me is I understand this was all due to start on 1 July, and it was more or less a fait accompli until such time as the community has sought to inform Mr Rattenbury and myself. I understand now there are three weeks of consultation starting on 1 July. But consulting on a decision that has already been taken—

Mrs Dunne: And using three weeks, which is contrary to the guidelines, is neither here nor there.

MR SMYTH: And using three weeks, which is contrary to their consultation guidelines, is just silly. It is a cover-up. As I said earlier, it is closing the gate when the horse has bolted. We know this minister, and we know how he acts. He started by saying, “I do not interfere,” but then he said, “But I asked a question.” If he had asked a question and got an answer that he did not like, it does raise the question: would he have interfered?

He has been given guarantees that it will not change, but I think there are significant changes that will come as a consequence of this, and it might not just happen over the next month or two, but over the next year or two it may well do, and that is some of the fear in the community.

When you get concerns from professionals in the community who know fire and fire management, from land management groups, from conservation groups, from ordinary citizens all saying they are very concerned about something that is working incredibly well at the moment, and indeed has a great deal of respect—and it took them a bit of time to get up to it, but it is working well now.

We all acknowledge that change sometimes does take a bit of time. But to dismantle that now for no clear reason, for benefits that we only hear about today that have not been quantified, is unacceptable, and in that regard we will accept the amendment proposed by Mr Rattenbury.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment and Sustainable Development, Minister for Territory and Municipal Services and Minister for Police and Emergency Services) (3.56): I move the amendment to Mr Rattenbury's amendment circulated in my name:

In proposed paragraph (2), omit the words “to commit to not restructuring the Fire Management Unit until a report is tabled”, substitute: “to table a report”.

Mr Smyth misrepresents me, but that is not unusual for Mr Smyth. What I said very clearly was that my role as minister was to be satisfied that there was no diminution of effort, that there was no compromising of the capability and the functionality of this very important activity of fire fuel management, fire management, for the land manager. And that is why I asked the questions. If it became clear to me that there was a diminution of capability, that there was a compromising of effort, then that would be another matter, and I would take appropriate steps to ensure that that issue was rectified.

But the fact is that it is clear to me that this is not compromising the capability or the functions or the total number of people who perform these functions within the directorate. What is changing is the title of some of these functions and, in relation to two staff who are responsible for planning and logistics, they are going to sit with all the other people in the directorate who do planning and logistics. That is what is changing, and I think that makes sense. Why should planning and logistics for one function be completely divorced from all the other land management functions? It does not make sense. This is a sensible management decision on the part of my directorate.

Mr Rattenbury asks me, in his amendment, to not proceed with this decision until certain things are done, and I am to provide a certain report to the Assembly. As I said before, the government and the public pay our senior executive staff a lot of money, more than they pay ministers, to manage the day-to-day directorate functions and to make sure they are being delivered consistent with the government's policy and statutory objectives.

I do not believe that it is the place of this Assembly to micromanage how staffing decisions and administrative arrangements are put in place within directorates. I am quite happy to provide a detailed explanation to the Assembly on what is occurring

and how it is occurring and addressing all of the questions Mr Rattenbury has in his amendment. But I do not think it is the place of the Assembly, as I said in my initial speech, to decide how a directorate structures itself to deliver its functions, as long as it is clear that these functions can be delivered at the level expected of it.

That is clear to me, so I am proposing the amendment that I have circulated in my name, which omits the words “to commit to not restructuring the Fire Management Unit until a report is tabled” and replacing it simply with calling on me “to table a report” outlining the proposal in detail according to the terms set out in the rest of Mr Rattenbury’s amendment.

I think that is a reasonable way forward. It is not the Assembly’s job to micromanage the activities of a directorate. It is your job to hold me accountable. If I put in place a structure which causes problems, by all means hold me accountable. But that is not the situation we are in at this time.

There is one other point that I would like to make on this issue. Some of the same people who are criticising this proposal are those who argue that the ranger staff of Territory and Municipal Services should be put into the Environment and Sustainable Development Directorate. The government has decided not to do that, for a very important reason. We want a single land manager for the territory, and we are not going to agree to a proposal that puts some land management staff in one directorate and puts other land management staff in another directorate.

I find it a contradiction that there are those who will use an argument about the viability of the fire management unit, and having regard to the lessons of 2003 and so on, to criticise this proposal on the one hand, but then on the other hand actually advocate for the splitting up of the land management function between two directorates.

First and foremost, I believe it is absolutely vital that we have a single land manager for the territory’s conservation estate, and that is why we are retaining those ranger staff within Territory and Municipal Services rather than dividing them between two directorates. I think it is important that members have regard to that issue because a single land manager was a very clear recommendation of McLeod and the coronial inquiry—that there should be a single land manager, one land manager, responsible for all of the territory’s natural estate. That is what we have in TAMS and that is why we are retaining those staff in TAMS.

Turning to the rest of Mr Rattenbury’s amendment, as I said before, this is not a matter where the Assembly should try to micromanage the administrative arrangements within a directorate, but I am happy to provide further advice and explanation as to why this is being done in addition to what I have already done, and in particular to give those assurances about FTE. There is no change to FTE. I can say that now: there is no change to the staffing level, there is no change to the function of the parks brigade, there is no change to the people who deliver fire management on the ground.

The only change is in relation to logistics and planning where two of those personnel go and work with everyone else in the directorate who do logistics and planning for all the other land management functions, like vertebrate pest management, weed management and asset management. These are functions that naturally sit together, but those staff and the people who deliver the program on the ground will be based in the same location, they will work in the same office and they will continue to have the high level of communication and cooperation that they have to date.

I think the Assembly should not seek to second-guess managers about how to best deploy their resources to meet the government's objectives. That is why I would ask the Assembly to agree to the amendment that I am proposing today.

MRS DUNNE (Ginninderra) (4.04): The Canberra Liberals will not be supporting this amendment. I think that Mr Smyth and Mr Rattenbury are basically on to something here. It is quite clear from the tenuous nature of the answers to questions that Mr Corbell gave in question time yesterday that there is something not quite right here. Mr Corbell was terse, circumspect and very brief in his answers, which, as Mr Smyth says, is quite uncharacteristic. But it is also quite contradictory. He said:

I understand that one position has changed substantially, and that is the role of the manager of the fire management unit.

So if you change the role of the manager of the fire unit substantially—by the minister's own admission—then there are substantial changes afoot. He goes on to say:

Apart from that, the functions of the fire management unit remain unchanged.

That, to me, is quite contradictory and begs more questions than it answers. I think that we on this side of the chamber have come to be wary of assurances given by Mr Corbell. He has form in respect of motions in this place that have required him to do particular things at times. He is a little less bolshie than he was. For instance, Mr Smyth will remember the Nettlefold Street trees incident, where the Assembly essentially directed the minister to do particular things and the minister refused, and the minister was censured for his failure to comply with the motion of the Assembly. It resulted, actually, some years later in the death of the very trees that Mr Corbell said would be perfectly fine. So he and Dr Cooper and others colluded together and we ended up with dead trees, which was what the community was concerned about.

What we are seeing here today is concern by two of the groupings in the Assembly about Mr Corbell's management of this and the department's management of this. But what is also significant is the level of concern that we in the community are starting to see from respected members of the community. Just in the last few hours, since this motion has come onto the notice paper, it is quite clear that there is a level of concern about the arrangements in relation to rangers generally, and conservation management generally, in the ACT government. These were things which were touched upon by Mr Rattenbury in his comments on the TAMS Directorate last night, which I presume that he will be continuing when we get back to that today.

It is interesting to see that, for instance, the conservation council, as well as eminent individuals whom I would turn to for advice on a range of issues, have raised with members of the Legislative Assembly their concerns about the number of rangers that we have, the fact that it seems to be a badly kept secret that rangers have been told they will be losing their jobs, that there is downsizing in the area. These are vital and important areas, and I think that we are right to very closely scrutinise what is happening in Mr Corbell's directorates and to have some say about this.

It is not every day that members of the Legislative Assembly come in here and say that we do not want to see particular administrative changes happening until we are satisfied. In a sense, Mr Corbell is right to say that micromanaging is an issue. The fact that we do it so rarely indicates that this is a problem. It is such a problem that we have come in here today to actually put a halt to some of these changes until we are satisfied that the functions will continue in the most effective way possible, and that those functions will continue in the way that was committed to by this Labor government when they said they would implement the coroner's inquiry recommendations and the McLeod inquiry recommendations.

We have seen over the years the gradual dismantling of the recommendations of the McLeod inquiry. Before they were seen, the then Chief Minister said, "We'll implement everything," sight unseen, and then we gradually went, "Oh, that was a problem, this one's a problem," and, over time, a range of them have been dismantled.

Mr Seselja: When he said "all", he didn't mean "all".

MRS DUNNE: Perhaps he did have his fingers crossed at the time; we will never know. The bushfire unit has had a fairly rocky history but it is, as Mr Smyth says, working very well at the moment. It has highly respected staff—respected not just in the ACT but generally. They are award winning staff. And Mr Corbell would oversee a situation which would see that undone.

I congratulate Mr Smyth on bringing this matter to the attention of the Assembly. Anyone who is interested in land management should be very concerned about the developments here. We have a role and responsibility to make sure that Mr Corbell does not mess it up.

MR RATTENBURY (Molonglo) (4.11): I would like to speak briefly on Mr Corbell's amendment to my amendment. The Greens will not be supporting it. In essence, you cannot unscramble an egg. I think it is appropriate that we have the debate and discussion in the Assembly before the change is fully implemented. I think that the prospective delay, if this is an issue of timing, is not significant. There is an opportunity to provide this information to members of the Assembly in a timely manner, let discussion take place and then move forward, if that is the appropriate and best thing to do, or not, as the case may be. On that basis, I think it is appropriate that we have the information given to members before the government proceeds.

I am mindful—and Mrs Dunne has just picked up on this point—of the fact that a significant number of very relevant stakeholders are raising real concerns with

members of the Assembly. I think it moves it beyond being simply a matter of government administrative decision making and into the realm of significant public policy. That is the basis on which we feel it is important that the Assembly has a role in this discussion.

Mr Corbell's amendment to Mr Rattenbury's proposed amendment negated.

Mr Rattenbury's amendment agreed to.

MR SMYTH (Brindabella) (4.13): This is a very important issue. Indeed, I have just received an email that says that Canberra has had its driest June in a quarter of a century, with only nine millimetres of rain recorded for the month. I think we all remember the torrential rains and the flooding in Queanbeyan. The dams are full; there is a lot of growth. You can see it, but you can also see that, a third of the way through winter, it is already browning off. The curing has commenced. We saw the warnings on WIN news last night that additional firefighters will be required, and we are expecting, at a minimum, an extremely heavy grass fire season.

With that on the horizon, you have to ask the question: why are we reforming the way fire management in Territory and Municipal Services is administered at this time? We did not get an answer yesterday. The answer was simply, "We're just talking with one officer and we're changing the name." We now have from the minister the assertion that it will enhance the operation of the unit. If that was the case, I am not sure why the minister did not say that yesterday. If members go back and read the *Hansard* from yesterday, they will see the minister was very cautious because, in a way, it was like he was caught out. He was not going to put his head up above the parapet—a short answer, sit down, get out of the way. And that worries me.

We go back to McLeod; we go back particularly to Doogan and recommendation 41, and I will read it again:

That public land management agencies ensure that their senior personnel have appropriate experience in fire management and are provided with adequate resources and suitably experienced and trained staff to effectively implement fire management programs.

That is the desired outcome. I believe, and the community believes, that that is currently being delivered in the structure that we have. If the minister can come back and explain how his changes—and yesterday, remember members, it was simply, "We're changing the name," but apparently now we are splitting the unit, we are moving some to planning, we are putting others elsewhere. It worries me when you get an answer one day and it is contradicted by the minister's own words the next. And that is the problem with this minister. Mrs Dunne raised the issue of the Nettlefold Street trees from September 2003. This minister was also found guilty of persistently and wilfully misleading the Assembly in June 2004. We have seen the debacles with the GDE; we have seen the debacle with the prison. We now have the ponds, whichever ponds you want to look at.

Mrs Dunne: Whichever one.

MR SMYTH: Whichever set you want to look at. This minister's record for the effective management of whatever portfolio he has got his fingers in is not one that is held up in high regard by any groups. You have only to look at the fact that he was stripped of planning. He was fired as the planning minister for the administration that he put in place. I do not think there is a great deal of trust in some of the decisions that have been made by this minister, and when you get the range of people in the community and the level of community disquiet over this issue, I think we all have a right to be concerned.

I thank Mr Rattenbury for his amendment. I think it enhances the motion. We look forward to seeing that information, and not just seeing it but having the chance to debate it. When the minister tables it, I expect there to be a debate, and I think Mr Rattenbury has the same expectation, and that it is not a matter of saying, "Here, I've tabled what you wanted; now I'm going to do whatever I want, anyway." I hope it is implicit in the amendment, but just to make it clear, I expect there to be a debate on the issue when it is tabled.

The reason I do this is I think best contained in the report by Stuart Ellis, Professor Peter Kanowski and Professor Rob Whelan, who wrote a report about the dreadful 2002-03 fire season across Australia. Remember that it was not just the ACT that suffered in 2003; New South Wales, and Victoria as well, had significant fires and damage was done. These three gentlemen who are experts in their field have developed this concept of what they call the "bushfire cycle", where you have a major event, there are accusations and blame, government or independent inquiries and consequences, increases in emergency services funding, initial community complacency, coronial inquiry and further consequences, and then growing complacency until you have another major bushfire cycle.

They say this can take up to 20 to 50 years over a cycle, depending on climatic, rainfall and other factors. But eight years after the 2003 event, it has taken some time; I think we had five restructures, four commissioners, three sets of law—the changes have been constant. We had a stat authority; we did not have a stat authority. Despite the government's administration of this area, the public servants who have been on the ground have actually made this work, and are actually now achieving.

The fact is that from one end of the spectrum, the professional bushfire fighters and those with an interest in fire management, all the way through to the other end, the conservation movement, they all are not happy with the proposed reforms. They are all lauding the staff and the work that they do, and are very happy with what they are achieving. That is a rare concurrence. The planets are in alignment. Everybody seems to be happy with this except for the minister.

You have people of the calibre of those that have written to me—and I assume they have written to others—making the statements that they "oppose the disbanding of the TAMS fire management unit". "We are dismayed at what is happening." "Cancel the dismemberment of the TAMS fire management unit." "Fire management teams will be significantly affected." When you have that level of angst coming out of the community then it does need to be looked at. It should be reviewed, it should come

back to this place when the minister tables those documents for debate, and if the minister can make the case then that will be a good thing.

If he can actually prove that there will be an enhanced outcome, if he can prove that there will be better fire mitigation, if he can prove that this will improve the response, if he can prove that it will protect the environment, I am sure people would agree with the reform. But let him prove it, because this is a minister whose record is not something that I would rely on. I commend the motion to the Assembly.

Motion, as amended, agreed to.

Ordered that order of the day No 2, private members' business, be postponed until a later day.

Strategic and functional review

MR SESELJA (Molonglo—Leader of the Opposition) (4.20): I move:

That this Assembly:

(1) notes:

- (a) the consistent refusal of the Government to publicly release the *Strategic and Functional Review of the ACT Public Sector and Services*; and
- (b) the Chief Minister's public pledge to introduce a "new era" of openness and accountability, as set forth in the ministerial statement concerning open government of 23 June 2011; and
- (c) the successful motions of 10 December 2008 and 12 February 2009 calling for the tabling of the *Strategic and Functional Review of the ACT Public Sector and Services*; and

(2) calls on the Chief Minister to table the *Strategic and Functional Review of the ACT Public Sector and Services* in the Legislative Assembly by the end of this sitting day.

It is a pleasure to be moving this motion today, because it is an important motion. It is an important motion for accountability and honesty and openness in government. We have heard a bit about that from the Chief Minister recently.

We need to go back. In order to put some context around this, we need to go back to the previous Chief Minister. It was the previous Chief Minister who said that he was going to be more open, more accountable, more honest. And then he led a government, which Katy Gallagher was part of, which was one of the most secretive and closed governments we have ever seen.

We saw things like the Costello review, which is the subject of this motion. We saw the former Chief Minister saying "If you want to blame someone, blame me" when it came to the bushfires, and then attempting to shut down a coronial inquest because

they did not like where it was going. It was showing embarrassing facts like the fact that people were not warned when they should have been when the government knew the bushfires were going to hit. We saw the disgraceful censoring of documents in relation to things like the Tuggeranong power station—the censoring of thousands of pages of documents because it was embarrassing just how badly that process had been stuffed up.

We have seen all that, and now we have a new Chief Minister. The new Chief Minister, having been part of that government, has said, just like the old Chief Minister, “I am going to be more open and accountable.” In a minute I will come to some of what the Chief Minister said in relation to being more open and accountable. But I would repeat the points I made in the chamber when the Chief Minister put those comments together: “The test will be whether you actually do something about it, not whether you pretend to do something about it. The test will be whether you match your rhetoric with action.”

Here we have it again. We have a test. We have an opportunity for the Chief Minister to back up that rhetoric. All that rhetoric will be as empty as Jon Stanhope’s rhetoric of openness was if the Chief Minister does not start backing it up with actions. And some of that can start today.

On 23 June, the Chief Minister’s ministerial statement concerning open government outlined what she meant by an open government. This is what the Chief Minister offered:

Open government is considered to rest on three principles: transparency in processing information, participation by citizens in the governing process and public collaboration in finding solutions to problems and participation in the improved wellbeing of the community.

She said:

Equally important to providing more government information to our community will be the further opening up of our own consultation process.

And she cited the following: the ACT Labor-Greens agreement for parliamentary reforms; the Territory Records Act provision for making cabinet papers public in 10 years as opposed to the standard 20 years in other jurisdictions; and the creation of an open government website in three months time which will also include government material released under FOI and a knowledge map of government information, policies and accountability indicators.

When talking about things like participation, collaboration and transparency, as I said earlier, these are concepts that are much better illustrated by actions than they are by words. We have seen many examples of the government falling short on transparency, whether it is the issue of bullying at Canberra Hospital, the secret negotiations to buy Calvary hospital or school closures and hiding them before the election. More recently, there was the Enlighten report, and also the refusal to conduct any form of inquiry into the case of former AMC superintendent Mr Doug Buchanan.

It has not been a good start. It has not been a good start from the new Chief Minister in showing that she is different from her predecessor. She can show that she is different, but she has not made a good start either as a minister for health or since she became Chief Minister. We have not seen openness.

What happens if we look at the issue even in our recent estimates process? The way this government handled the documents in relation to their government office block shows the lack of conviction when it comes to backing up the words the Chief Minister has spoken. If they were serious about it, they would not have been dropping their data, which were thrown together, at the end of the process of the questioning of officials. That kind of stunt that was pulled by the Treasurer does not reflect well if you believe in openness and transparency.

This motion today is important because the people of the ACT deserve to know what is contained in the functional review that was conducted in 2006. They deserve to know. There has been a continual lack of transparency displayed by the government, particularly on this issue. This has caused distrust and a lack of confidence in our system of governance. This document is at the heart of some of that distrust.

Since 2006, the government's actions as a result of the Costello review have led to things like the closure of 23 government schools, affecting approximately 15 communities; the disbandment of the sustainability expert reference group; cuts to advisory bodies; cuts to the ACTION bus network; cuts to tourism; changes to employer superannuation; an increase in the rates of taxes; cuts to business support programs; indexing rates by WPI rather than CPI; and a reduction in community sports facilities.

This report formed the basis of some pretty savage cuts. The government have never revealed why that was the case. They have never acknowledged that there was lots of wasteful spending, which was quite obvious and had very little to do with structural reforms. We have a situation where the Costello review, the secret Costello review, formed the heart of the government's decision to start charging Canberrans much more for their rates and their charges and formed the basis of this government's decision to rip the heart out of school communities, having said prior to the election that they would not do that.

They said before the election that they would not close any schools, and they turned around and said: "We have got a secret report. We know what we said before the election." It was Katy Gallagher who said it; it was Katy Gallagher who promised before the election not to close schools. She said: "We know we have got that. We know we said that. But we have got a report." What does the report say? "We can't tell you what it says. All we can tell you is that we have to close some schools, we have to increase your taxes and we have to cut some of your services."

That kind of lack of transparency around what is a very important issue for the community goes to the heart of why this government is lacking in credibility and why Katy Gallagher as Chief Minister will not be believed on her apparent renewed commitment to openness and transparency—when this is the record and this is the ongoing record.

Until that report is released, we do not know all of the reasons. We do not know all of the reasons why the community had to experience what it experienced. The government talks about why it had to make savings when in fact it was getting more money than ever. It was getting money coming in much faster than inflation, and it has continued to do so. Yet in the midst of all of this we have been getting fewer and fewer services in real terms.

Does anyone think that in the last few years, as a result of these reforms, we have seen people's real taxes go down? No, they have not; they have gone up. If we were delivering things more efficiently, you would expect that people's taxes in the ACT would be going down. In fact, on a per capita basis in particular we would expect that every family would be paying a little bit less, because the government said, "We are going to deliver things more efficiently."

That is what this is about. It is about efficiencies. Where are those efficiencies? If that was actually the case, we would see tax cuts. But we have not seen tax cuts. We have seen the opposite. We have seen tax per capita going through the roof. We have seen every family paying thousands of dollars more in real terms than they were paying at the beginning of the term of this government.

Was it just a cash grab or was it a drive for efficiency? We do not know. We do not know because it remains secret. Does anyone in the community believe that since 2006, or since 2001, the delivery of major projects has been better, they have seen an improvement in their infrastructure or they have seen that infrastructure delivered in a timely, efficient and cost-effective manner? No. We have seen the ongoing debacle that is the GDE. We have seen the Cotter Dam in that time. The government still cannot deliver infrastructure properly. Does anyone believe that housing has become more affordable? Has housing become more affordable? Housing has become less affordable in that time. These are all key measures.

If the purpose of this review was to make things better, to make things more efficient—they are not more efficient, because we all have to pay a lot more tax. Despite our paying more tax, they are delivering bigger deficits. So they are not being efficient at any end. Despite paying all of this extra tax and then delivering deficits, so spending more than ever, our health system has got worse. We now have the longest waiting times in the country. On all of these key measures things have got worse, not better.

Having suffered the effects of the extra taxes, the cuts in services and the broken promises, it is reasonable now, some years later, to say, "Why don't you share this with the community so that some of what you said at the time, and you have been saying since, can be tested objectively?" Did this report really say that you needed to do all these things or did you just use it as an excuse to pursue the agenda you wanted to pursue? Did you just use it as an excuse to raise a lot more taxes?

And what else did it say that you have not told us about? Mr Costello is a very bright, capable man. I am sure that he would have been putting out some ideas about how they could maybe cut taxes. I would not be surprised if he actually said, "Maybe you

could cut these taxes, get some efficiency here and deliver a bit of a surplus to the community.” They did not do that; they only raised taxes.

We can probably suspect that they took one part of what he said. It is a little bit like the Henry tax review—which, to the Rudd government’s credit, they actually did release. They did not keep it secret. But to their discredit, they had a tax review which had a range of suggested tax changes, and all they did was take one aspect of that, the mining tax—and they changed that anyway—and proposed to do that. Then of course they backflipped and did a deal with a couple of miners.

We can suspect here that Mr Costello not only recommended efficiencies—which have not been undertaken—or potentially some extra revenue: he probably also recommended some efficiencies and some tax cuts. I would be willing to bet that that was the case. The government do not want to release that, because it might highlight all of the things they rejected—the things that they felt they did not want to do or they could not afford but were a good idea. Wouldn’t it be wonderful if we could have that debate—if we could have a look at this report and say: “Why don’t you take up that suggestion? Why did you reject that suggestion from Mr Costello?”

As we discussed last night in the chamber, there is an opportunity here for a new Chief Minister to show that she is different, that she has learned from her mistakes and that she has learned from the mistakes of her predecessor, who claimed to be open and accountable and was not. This minister has not been open and accountable in the past. She has the opportunity to turn over a new leaf. She can do that by releasing this report. That would be the first test. If she does not, we can just assume that it is more empty rhetoric. We can assume that the words that she says about openness and transparency are just as empty as Jon Stanhope’s. (*Time expired.*)

MS GALLAGHER (Molonglo—Chief Minister, Minister for Health, Minister for Industrial Relations and Treasurer) (4.36): I thank the Leader of the Opposition for the opportunity to discuss again exactly the same motion that we have been discussing for the last five years. The government will not be supporting the motion, and that is not because the government does not support an open government and not because it is a question that the opposition has not had answered by this government in detail again and again. We will not be supporting it because an independent reviewer who has been appointed by the Assembly, Sir Laurence Street, already made a ruling on this very matter in 2009.

We will not be supporting this motion because, at the heart of this motion, it undermines the role of executive privilege and the reality that such privilege, responsibly exercised, is a necessary element for executive government to function—not just for this government but for governments in this place in the future. Members of the Liberal Party simply do not understand that privilege or do not respect that privilege.

In May 2009, during debate in this place on exactly this issue, even though the independent arbiter who made the assessment on this matter was appointed by the Assembly and even though his decision not to release the report was clearly communicated to members of this chamber, I at that point foreshadowed that the

opposition would continue to pursue this matter. And today, over two years later, those predictions I made are being proved true.

In the Assembly last week I made a statement about open government and the open government initiatives that are underway. It is important to understand that both open government and justly exercised executive privilege, and indeed parliamentary privilege, are necessary for good governance. Open government initiatives rest on three principles: transparency in process and information, participation by citizens in the governing process and public collaboration in finding solutions to problems and participation in the improved wellbeing of the community.

As I have stated both in reply to the ministerial statement and in comments I have made in this place since, I strongly believe that, as a first principle, information available to the government should be made available for use by the community. However, there are of course some deliberations of cabinet that do need to be privileged to allow government to do its job and to do its job properly. Similarly, deliberations of the parliament, of members of this place, are also subject to privilege.

Executive privilege is not something this government has dreamt up for its own convenience. Executive privilege is a principle applied across all governments in Australia. It provides for the appropriate quarantining of the discussions and decisions of cabinet. It allows debate on the most difficult and contentious issues to occur in the cabinet room without being constrained and in the knowledge that these considerations and discussions will not become public in the short term. It enables the executive to carry out its decision making freely and confidentially.

The government is elected to make decisions in consultation with the community. All of the major decisions flowing from the functional review that were considered and that would have a major impact on our community were progressed in consultation with our community.

The status of executive privilege is in keeping with the privileges that attach to our work in the Assembly. Privilege also applies to what goes on in this chamber so that we are able to do our jobs properly for the benefit of the people of Canberra. In a similar vein, privilege legitimately attaches to the deliberations of the cabinet.

This Assembly has explicitly recognised the Latimer House principles and adopted them as part of our standing orders. Those principles address exactly the issues being talked about today. Each commonwealth country's parliaments, executives and judiciaries are the guarantors in their respective spheres of the rule of law, the promotion and protection of fundamental human rights and the entrenchment of good governance based on the highest standards of honesty, probity and accountability. In their respective spheres, the parliament has a proper role to play in our system of government, as do the executive and the judiciary. But both those proper roles have boundaries, and those boundaries protect the capacity of each arm of the government to discharge its part.

In the case of the functional review, this is a piece of work that was commissioned for the cabinet and went to the heart of some of the most difficult decisions that cabinet

had to make about the structure and cost of services in the community. There was a need for consideration of these matters to be undertaken in an environment that allowed for an impartial examination of the issues and for decisions to be framed accordingly.

Whilst the report was prepared solely for cabinet, the government was public in its intent to conduct such a review. A joint media release by the former Chief Minister and the former Treasurer on 9 November 2005 detailed the terms of reference for the review. The 2006-07 budget papers detail the decisions of cabinet. However, the report embodies in itself the deliberations of the cabinet and, in the words of Sir Laurence Street, falls “well within the field of legitimate Cabinet immunity”. Sir Laurence recognises that the document addresses “topics which raise considerations at the very heart of the functioning of executive government, and with that, collective ministerial responsibility”.

Having identified the areas of the public service and of service delivery to target, we knew that some proposals would have a significant effect on the people of Canberra. The government embarked on an extensive consultation process and, following this consultation, we reviewed a number of the proposals cabinet put forward and we changed our approach.

We have the most open legislative framework for access to cabinet documents of any state or territory in Australia. Our Territory Records Act makes cabinet papers available to the public after just 10 years. The standard in the commonwealth has recently been reduced from 30 to 20. Under the ACT’s regime, the functional review will become publicly available in five years time, in 2016. If this was part of the commonwealth cabinet process, these papers would not become public until 2026.

The validity of the government’s continuing claim of executive privilege over this document has been tested in the Assembly on a number of occasions and in 2009 the Assembly itself agreed to the process for the appointment of an independent reviewer. Indeed, the establishment of an independent arbitration process for claims of privilege by the executive forms a key reform in the parliamentary agreement. And I welcome this reform. Having an independent, arms-length process for settling disputes is a useful enhancement of our system of responsible government.

The functional review is so far the only document to have been submitted to this independent review process, and the independent reviewer, the Hon Sir Laurence Street, concluded clearly that the review validly was, and should remain, a protected document.

Sir Laurence Street is, of course, one of Australia’s most distinguished jurists and is regarded as one of Australia’s leading practitioners in mediation and dispute resolution. As you are aware, Sir Laurence was appointed by the Assembly, not by this government, to arbitrate the dispute between the executive and the Assembly over the status of this document. I understand he has undertaken similar reviews for the New South Wales parliament. The government itself agreed to abide by the arbitration process and that it would be conducted by the arbiter appointed by the Assembly. No relevant additional circumstances or information have arisen since the independent

reviewer provided his decision in 2009 and I am confident there is no basis for this decision to be reviewed.

I have signalled my intention to implement initiatives around open government, including a commitment to provide, from next week, a weekly Chief Minister's report on key issues discussed and decisions taken by the cabinet. Nevertheless, there still remains the need to allow for detailed cabinet deliberations to remain in confidence. This is a legitimate cabinet immunity.

The government has consistently maintained that releasing the functional review would undermine fundamentally important principles of our system of government and compromise the capacity of this, and future ACT governments, to discharge its responsibilities properly. Sir Laurence agreed with this argument and we will not be supporting the motion today.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (4.45): As the motion points out, this is the third time in this Assembly we have considered this issue and that is, of course, on top of the controversy that went with it during the previous Assembly. Before I turn to the substance of the particular issue, I would like to reflect on the broader concept of executive privilege and the appropriate space for government secrecy. This matter, the broader question of government disclosure, has not been completely resolved and there are a range of legal arguments still to be had about the scope of executive privilege.

I think it is almost settled that the only test should be that of public interest, and the class of the document is not relevant. This is certainly the Greens' position. The central question is whether or not it is in the public interest. The fact that it is a cabinet document or part of any other class of document is simply irrelevant. This is the most simplistic way the issue at hand can be characterised and, despite some further technical legal issues around the margins, I think this is the question the Assembly should focus on. This is the approach that the Standing Committee on Justice and Community Safety adopted in their report into freedom of information reform, which of course has a significant overlap with the issue that we are discussing today.

I note that in the government's submission to the independent arbiter back in 2009 the government appears to assert that the class of document is a relevant factor and selectively quotes from a range of decisions, ignoring the express contemplation of those decisions that disclosure may or may not be appropriate. So it is disappointing that we do not have a more thorough decision to guide us on the appropriate scope of the privilege that is afforded to government to ensure its effective operation.

My colleague Mr Rattenbury made extensive comments on this issue in response to the independent arbiter's decision, and that was in May 2009, in relation to this matter. And I would take the opportunity to quote a couple of passages to reiterate the Greens' position on the issue. Mr Rattenbury said:

The government's case contained no discussion of the trend in advanced democratic systems towards narrowing or qualifying the extent of executive privilege, nor did it contain any judicial authorities which would support the case for release of the functional review. These glaring deficiencies highlight the need

to reform the manner in which the Assembly satisfies itself that any document should not be produced, because our resolve is still strong. We still want to avoid the costly and lengthy legal battle, which is the alternative to some form of independent arbitration.

Given the government's renewed commitment to openness, I would again draw their attention to a passage in the official New Zealand cabinet manual which reads:

In line with the philosophy of the Official Information Act 1982, the law relating to public interest immunity as a means of protecting government documents has moved significantly in favour of disclosure. Cabinet documents do not occupy any specially privileged position.

And this is the case in a number of parliaments. In the Welsh parliament, for instance, the cabinet does release a couple of weeks after the meeting was held, certainly, the decisions of the cabinet and the issues that were discussed in cabinet. And there are other examples around the world where this move to push that information out—again, just applying that public interest test, not what type of class the document is—is very much the rule that they are now going by. I invite the Chief Minister to confirm for the Assembly whether or not she shares this view and is committed to determine matters solely on the balance of which would serve the greater public interest.

So let me also take the opportunity to reiterate that at no point in any of the processes around the functional review did we criticise Sir Laurence Street, the independent arbiter, even though we have expressed a serious concern with the process and do disagree with the outcome.

I would like to make the additional point that given the government relied so extensively on the review for actions that were very controversial at the time, it is very unfortunate that the community did not have the opportunity to review the basis for the decisions that were made.

But going back, it was back in December 2008 that the issue of releasing the report arose for the first time here in the Seventh Assembly. And at that time we said that we would not support the motion to release it, that in the parliamentary agreement we clearly had an item that said that an independent arbiter needed to be set up. This was an independent umpire, independent of this parliament, who would be able to look at disputed documents around the issue of executive privilege and make that decision. So it was that in February we came back to talk about the document, and it was referred off to the arbiter. Of course, then that came back with a decision in May.

At the time we did say we were pleased that we would be setting up the independent arbiter, as it was about improving transparency in government. Of course we have taken that idea from a situation in New South Wales. It was modelled on the New South Wales Legislative Council reform following the Egan and Willis case. That was a dispute over some papers that ended up, I believe, in the High Court, costing several hundreds of thousands of dollars. And it was quite clearly recognised that that was just not the way to deal with disputes over papers. This was where this idea, this model, certainly within Australia, was first instituted.

We took it from that. We put it into the parliamentary agreement. It was agreed by the Labor government. We really felt that it was important, as I said, to have an independent person, someone separate from this parliament, who made that decision about which documents fell into that category that attracted executive privilege.

Sir Laurence Street reported back in May 2009 and I will come to that decision in a moment. But the reason why we also felt it was important was that we do believe it is important to get information out there to the public. It is also about our having, as representatives, as legislators, the best information so that we can make the best policy and formulate policy in this place and formulate laws in this place.

We do recognise that there is a tension between cabinet-in-confidence material and what should be in the public domain but as I said, some water has passed under the bridge. Times have changed a little since that first discussion back in 2008. Since then we have had the inquiry here in the Assembly into the Freedom of Information Act. There have been inquiries at the federal level. There have been moves in Queensland to change their laws in that regard. So we do see that there is very much a move towards more open government and more transparent government, more information being out there.

Of course things have changed in the world of technology too. It is not as hard these days. You can put reports online. They can be available. It is not about printing, publishing and distributing. It can be put up, as I said, very much using the web and other such technologies.

As I said, the Assembly has determined this matter. We created a process. That process was followed and the determination was made that it is not appropriate to release the review.

At the time, as I have stated, the Greens said that we did have some concerns about the practical operation of the mechanism. It clearly was not the inquisitorial-style process that we anticipated and I do hope that that can be resolved by the time we have cause to use that mechanism again.

In spite of these concerns, the Greens' view is that we should let that decision stand. We said at the time we would accept that decision and that remains our position. Shane Rattenbury said in a speech back in May:

We have said that we will accept and abide by the arbiter's decision, and we will.

The Greens remain committed to that decision. There must be an end point and I think, for this particular document, the end point has been reached, that is, of course, until 2016 when the cabinet disclosure provisions kick in and it is finally made public. Alternatively, of course, I would welcome government, and would urge government, to consider changing its mind on the matter and releasing that Costello review to the public.

Mr Seselja: That is what this vote is about. Are you voting for it?

MS HUNTER: No, this is about, once again, saying to the government, “We want you to put it on the table.” What will happen out of this motion, if it gets up, is that it will go back through the independent arbiter process. You know that; I know that. And what we do need to do—and I would hope you would join me—is urge the government to release that report. It will go back through the independent arbiter process, which we have set up through this Assembly. That is what we set up. It is a step forward in how we deal with disputed documents. It has been an improvement in this Assembly. We have been through this before.

As I said today, we do believe that that process does need to be looked at before other papers go there. But a decision was made by Sir Laurence Street, and the Greens will stick by that position. Therefore we will not be supporting this motion today.

MRS DUNNE (Ginninderra) (4.56): What we heard there was the video version of the job application from Ms Hunter so that she can permanently and legitimately occupy the ministerial suite on the top floor. What we have had is the flip-flop of the century—at least of this Assembly. All through the Assembly the Greens have been on here about openness, accountability, Latimer House, FOI reform and new processes for dealing with these issues. The process that the Greens put in place in standing order 213A was a process that they took out of the New South Wales upper house. It is a reasonable process up to a point, but the New South Wales upper house does not hold any government to account. The New South Wales upper house is that—an upper house, not a place where government is formed. This is a place where government is formed. I am not entirely sure—the only rung that this mechanism had did not work out well for the people of the ACT, because this material is still not available.

It is really rich to listen to Ms Hunter here today saying that every dog has its day, every motion has its day and “we have got to the end of our rope on this motion”. It is not convenient for Ms Hunter any more to press the issue. The Greens can see the trophy at the end of the tunnel. There is still a bit of a dispute as to who gets the trophy, but the trophy is that vacant ministerial position. Suddenly they are prepared to compromise themselves over all of these things.

The things that were important—the things that they set up, the accountability mechanisms—have just gone out the door. This member would rather be a minister than represent the people of the ACT. And because she would rather be a minister than represent the people of the ACT, she is prepared to bow to the will of the current Chief Minister, the person who will make a decision about whether there is a fifth ministry and who occupies that spot.

This is the tenor of Ms Hunter’s speech here today. We have stopped looking after the people of the ACT, and it has become an issue of self-interest. “Can I get the ministerial salary that goes with the ministerial suite?” “I have got the ministerial suite. I just need the salary to go with it.” Ms Hunter has wanted an increase in salary since about the first month she was in this place, and we are now making a bid for that.

What have we seen here today? This motion is an important motion. It was a test of the new regime under Katy Gallagher. Mr Seselja, from the outset, said that, if Ms Gallagher wants to show that she is about openness and accountability, the test for her will be the release of particular documents. He made these comments some time ago when the Chief Minister started talking about openness and accountability. So we bring it in here and we put them to the test.

Gallagher and Hunter together, the Gallagher-Hunter government, have failed the test of openness and accountability—as Mr Seselja has rightly said, and has been saying at length. It is interesting that Ms Hunter is in here today making this speech, because there is now a huge rift between what was said by Mr Rattenbury back in 2009-10 and what is being said here today. Mr Rattenbury was highly critical of the result of the process that Ms Hunter put in place in relation to the Costello report, and said so in here, to the huge fury of the Attorney-General, who accused him of all sorts of bad faith at the time. But here we have a much more compliant member today. The result of that compliance is that Ms Hunter and Ms Gallagher have let down the people of the ACT. This was a test for Ms Gallagher. She has failed—a big fat “F” for openness and accountability at her first test.

As Mr Seselja has rightly said, according to all that has been said by the government, the Costello report was the bible by which the 2006 budget cabinet made a whole range of decisions that affected the community in a multitude of ways. The most obvious and the most painful way was the closing of schools. But there were a range of revenue measures that slowly and gradually ate into the daily and fortnightly incomes of the people of the ACT. Every time you increase charges by WPI rather than CPI, that makes a big impact, and that compounds year after year after year. And the justification for that is hidden in the Costello report.

The ACT government made substantial changes to superannuation entitlements for their employees. The justification for that is in the Costello report, or so we have been told. Mr Seselja is correct to say that a whole lot has been laid at the foot of Mr Costello—“We are doing this because we were advised to by the Costello inquiry.” The people of the ACT cannot know whether that is correct or not. We do not know whether Mr Costello should be blamed for the closures of the schools. We do not know whether Mr Costello should be blamed for decisions in relation to WPI versus CPI or in relation to cutting superannuation entitlements. When all the debate in the country is about increasing superannuation to increase independence for people’s retirement years, this government was cutting it back.

These are the issues that were laid at Mr Costello’s feet. We also do not know, as Mr Seselja said, what else he suggested—whether he really did suggest the closing of quite so many schools or what was the nature of that. And when he was suggesting the closure of a certain number of schools, did he also say, “By the way, while you are saving in the outyears, when you get it all together, about \$15 million, how about you go out and spend \$350 million elsewhere in the education system”? These are the things that have never been scrutinised by the people of the ACT. These are the things that the people of the ACT want answers about.

Another thing that needs to be taken into consideration is that Ms Gallagher is hiding behind Sir Laurence Street's recommendations, saying, "Sir Laurence Street said it was cabinet-in-confidence, so we do not have to do anything about that." In the climate of openness and accountability, in the sort of vague FOI reform that the Chief Minister spoke about last week—if we were serious about this, a document that is now five years old would have very little relevance to current discussions in cabinet. If this minister was serious about openness and accountability, she would put it on the table and say: "There it is. It explains why we did all those things that were unpalatable. Now the people of the ACT will understand." Until this minister does that, the people of the ACT will rightly be of the view that they were duped—that the reasons that were given were false reasons, and that this government has something to hide.

As I said before, this was a test. This was a test for the Gallagher government. It has turned out to be a test for the Gallagher-Hunter government, and the Gallagher-Hunter government has failed—a big fat "F" for the Gallagher-Hunter government and a great loss for the people of the ACT.

I commend Mr Seselja for bringing this matter here today. I do not care whether the government is tired of hearing of it and I do not care whether the Greens are tired of hearing of it. We will continue to represent the best interests of the people of the ACT and continue to press for the publication of this document. I commend the motion to the Assembly.

Ms Hunter: Madam Deputy Speaker, a point of order.

MADAM DEPUTY SPEAKER: Yes, Ms Hunter.

Ms Hunter: I would like Mrs Dunne to withdraw statements where she has basically said that my motivation here is around having some sort of higher salary and taking on some other position. This is an outrage from the person who has been complaining about personal statements made in this chamber in the last day or so. I find it outrageous and offensive, and I ask her to withdraw her statements.

Mr Seselja interjecting—

MADAM DEPUTY SPEAKER: Mr Seselja, will you please be quiet. Ms Hunter, in relation to that matter, you may make a statement under standing order 46 at a later stage today.

Ms Hunter: Thank you, Madam Deputy Speaker. I will take that offer up.

MR SESELJA (Molonglo—Leader of the Opposition) (5.06), in reply: No-one else is going to speak, I understand. I thank members for their contributions. I do find the new position, the latest position, of the Greens on this issue to be curious. I am sure I distinctly heard a speech from Ms Hunter that was suggesting that they were after this kind of report. In fact, I heard a speech that said we should be urging the government to release it. Well, that is what this motion does. This motion calls on the government

to release the report. I find it extraordinary that Ms Hunter can, on the one hand, say that we should be urging the government but, on the other, vote against urging the government to release the report. That is what the motion is about. There is very little else that it is about.

There is this sort of flip-flopping from the Greens. On every vote, they seem to get further away from their stated ideals before the last election—further away from their claims about accountability and closer to the Labor Party. Here we see it again. Another of their core promises—to call for openness and accountability. In fact, they backed it. They supported the release of this review, but now they do not. So that is one more off the list.

They supported the re-opening of schools, and then they backed away from that. This week we have seen them cringing at the fact that they are backing away from the Tharwa community, and the selling out of the Tharwa community has also led to the preschool not re-opening, because they sold out the people of Tharwa. They have again sold out the community and moved just that little bit closer to their coalition partners—a little bit further away from what they claimed to stand for before this election. The longer this term goes, the closer we see the Labor Party and the Greens become—the more it is a coalition.

It is probably time they acknowledged it. The Liberal Party and the National Party, at a federal level, acknowledge that they are a coalition. They say it. They are open about it. They are two different parties, but they are a coalition. People know that if they vote for the National Party they are voting for a coalition government and if they vote for the Liberal Party they are voting for a coalition government. Why not just be honest with the community and say, “Yes; the Labor Party and the Greens in the ACT are a coalition.” Be honest about who you are.

You will not be able to pretend at the next election that somehow voting for the Greens is going to be a vote for change. It will not. We see it again today. We see the Greens’ attitude. Even on issues where they have stated a principle, they run away from that if they think they can ingratiate themselves with the Labor Party and their Labor Party coalition colleagues.

I commend the motion to the Assembly. We should turn over a new leaf. The Chief Minister had the opportunity to turn over a new leaf, and she has chosen not to. She can do it on many things, but in many ways she is proving to be the same as her predecessor. On everything other than the strength of conviction and the ability to deal with rogue colleagues, she is proving to be similar to her predecessor.

It is the same low standards—say one thing and do another. It is classic Labor Party spin. It is that Hawker Britton way of doing things. It is not about what you actually do just as long as you say something. Say you are committed to openness and people will think you are committed to openness. And then do everything you can not to be open.

People do grow tired of that, and they see through it. They will see through it with Katy Gallagher. She will pretend to be a number of things. But here was the test. Here

was a test for her to say, “I am different, I am open and I am going to back up my rhetoric with some action.” She has failed. And the Greens have failed, because they have decided to fall into line on a principle which they apparently used to hold dear.

I commend the motion to the Assembly.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 6

Noes 11

Mr Coe	Mr Smyth	Mr Barr	Mr Hargreaves
Mr Doszpot		Dr Bourke	Ms Hunter
Mrs Dunne		Ms Bresnan	Ms Le Couteur
Mr Hanson		Ms Burch	Ms Porter
Mr Seselja		Mr Corbell	Mr Rattenbury
		Ms Gallagher	

Question so resolved in the negative.

Motion negatived.

Social procurement

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (5.14): I move:

That this Assembly:

(1) notes:

- (a) the recommendations of the Public Accounts Committee inquiry report into ACT Government Procurement;
- (b) that government social procurement is an important part of post school options for people with a disability;
- (c) that the Government issued a procurement circular *2010/02 Social Procurement* in June 2010;
- (d) that the ACT Government launched the social enterprises hub in June 2010;
- (e) the capacity of ACT Government procurement decisions to affect positive social and economic outcomes, particularly amongst disadvantaged groups within the community;
- (f) that supporting local social enterprises through government procurement is an important way to support the local economy; and

- (g) the potential for social enterprises to also form an important part of the clean economy strategy;
- (2) develops a policy for social procurement and ensure that wherever possible social enterprises are preferred and report back to the Assembly by December 2011; and
- (3) calls on the Government to:
 - (a) identify goods and services for which social procurement should be prioritised during the procurement process, such as but not limited to catering, recycling, maintenance and landscaping;
 - (b) establish at least three demonstration projects to trial the implementation of procurement processes and outcomes for prioritised social procurement tenders or contracts in the 2011-2012 financial year;
 - (c) ensure that Procurement Solutions work with all other directorates and agencies to identify social procurement opportunities and the subsequent demonstration projects set out in paragraph (3)(b);
 - (d) ensure Procurement Solutions has comprehensive processes in place so that all contracts and tenders are considered for social procurement potential;
 - (e) create stronger requirements for government agencies to follow social procurement guidelines, including having to report on social procurement considerations for each contract; and
 - (f) report back to the Assembly by June 2012.

The motion I am introducing today addresses a very important topic that is often overlooked or neglected. It is about the employment and social engagement opportunities that are given to members of our society who have limited opportunities due to disability, illness and other disadvantages.

Mr Hargreaves interjecting—

MS HUNTER: I would love to hear what Mr Hargreaves has to say, but I would really like to get on with my motion.

Specifically, this motion acknowledges the important role that government can play in assisting disadvantaged Canberrans in employment through social procurement. Social procurement means using procurement and purchasing to help achieve positive social outcomes in the community. In addition to assisting disadvantaged communities in Canberra, social procurement has a range of other beneficial impacts such as building partnerships in the community and helping to strengthen local employment and the local economy. This motion asks that the government take further action in the area of social procurement to ensure that we are achieving genuine outcomes.

I have some disappointment in introducing this motion today, because it reflects the fact that the government has not made the effort that the Greens, and many in the community, believe that we need to have made by this point. It was over a year ago, in June 2010, that the government announced its changed tender process to favour organisations that employ people with disabilities and the long-term unemployed. This was a very welcome announcement. There was a great sense of anticipation amongst the community sector and businesses. But a year later, not a lot has happened. There is now a sense of frustration from some in the community, sparked by the promises that they have not seen fulfilled.

Firstly though, I want to emphasise some of the important positives about social procurement, and why we need effective action in this area. I refer members to points (1)(e), (f), and (g) of my motion. Point (1)(e) notes the capacity of the ACT government's procurement decisions to affect positive social and economic outcomes, particularly amongst disadvantaged groups within the community. The reality is that the government is in a privileged position and it can make a large difference with a small amount of action.

It is a very large contractor, employing many people, and it particularly employs people in areas of work that are ideal for social procurement contracting. The government is a big employer of people in areas such as catering, waste management, landscaping, maintenance and cleaning. These are all areas that are typically suitable for disadvantaged people—people with disabilities or people who are long-term unemployed. The government's efforts also send a strong signal to the community and to business. If we care about offering opportunities to Canberrans who have little opportunity, then developing a strong program of government social procurement is one of the first things to get right.

Point (1)(f) of my motion points out that supporting local social enterprises through government procurement is an important way to support the local economy. I think this is something we need to emphasise. We cannot overlook the importance of developing our local economy, and this ties into point (1)(g) of my motion, which notes that social enterprises can form a very important part of the green economy strategy for the ACT, or what some would call the clean economy strategy.

This is of course something that the Greens believe in very strongly. As economies reshape themselves in response to the environmental challenges we are facing, they will need to become greener. Social procurement can be part of that, and it can play a very important part in developing local green businesses and industries. Waste and recycling is a very good example. I cite the example of Renewable Processes, which recycles e-waste here in Canberra, and it also employs a large number of people with a disability.

The contracting scenario that involved this local company has been the subject of some concern. Members will recall that the estimates committee recently reported on the procurement process undertaken in relation to recycling contracts. It made some recommendations.

The committee pointed out that the local recycling company, Renewable Processes, had apparently received confusing and differing advice from different agencies about their potential for receiving an e-waste contract. This included positive assurances from ACT NOWaste. The local company planned its business around the expected work. Key to this was their employment, I have heard, of a large number—30 or so, I believe—of Canberrans with a disability. Unfortunately, it appears the result is the awarding of the primary recycling contract to a large, non-local company.

Several problems arise from this scenario. First is the issue that the government is supposedly committed to favouring social enterprises, or at least taking social enterprises into consideration for all tenders. When I asked in estimates hearings whether this was the case with this e-waste contract, the answer was no. NOWaste did not give any consideration to the significant and relevant social procurement elements to this contract.

When my colleague Ms Bresnan inquired as to why this was the case, the answer we received was that the tender was already in the pipeline before the social procurement policy came into effect. But I am not sure that that is actually correct. The time line we received through questions on notice says that the process for employing a television recycler actually started on 28 September 2010, and that is a number of months after the social procurement policy was supposed to have come into effect.

In addition to this the answers we have received through estimates to a variety of questions about social procurement have revealed some uncertainty around the process, and some uncertainty about the relevance that agencies have given to social procurement in different situations. I suspect that the internal processes in government for favouring social procurement in contracts are not completely developed.

Ms Bresnan asked further questions about this in the estimates process. It appears that while there is some knowledge in the departments and agencies that social procurement should be considered, it is not a strongly entrenched process. Mr Byles, the head of TAMS, told the committee that he has advised his executive directors that they are to include social procurement as a consideration as part of contracting and tendering. He said it is something that is important to consider in line with the value for money aspect as well.

I am sure Mr Byles has done this, and done it with the best of intentions. But my concern is that we need a stronger process. We would like to see a formally entrenched process with specific inclusion in tender requests and follow-up reporting. My motion today calls on the government to ensure that Procurement Solutions—in fact, it is no longer Procurement Solutions; it is Shared Services Procurement—works with all other directorates and agencies to identify social procurement opportunities, to introduce comprehensive processes so that all contracts and tenders are considered for social procurement potential, and to create stronger requirements for government agencies to follow social procurement guidelines, including having to report on social procurement considerations for each contract. I believe this will overcome the kind of issues we are seeing, where social procurement appears to be receiving limited or sometimes inadequate consideration.

I should emphasise that this is not just an impression gleaned from the recent estimates inquiry. I am sure the government is aware that the community also has concerns about the government's commitment to social procurement. Like us, it wants to see more action, and there has been some frustration.

My motion also calls on the Assembly to develop a policy for social procurement and to ensure that wherever possible social enterprises are preferred. I think that the Legislative Assembly is in a good position to implement such a policy and benefit from it. Also, I am sure that all of us, as members of the Assembly, would benefit from such a program occurring here in this building, in the Assembly. I am sure most MLAs know from their own involvement in the community how enriching, how important and how critical to people's lives these kind of programs can be.

One thing that I also have highlighted in the motion, and that I do want to specifically mention, is the benefits that government social procurement create in post-school options for people with a disability. We have heard a lot of discussion in this place about the lowering of the school-leaving age, for instance, at Black Mountain school—the concern from parents who are suddenly faced with that issue around what is to happen to the post-school options for their child, and the fact that there are not a lot of those options around. In fact, the number of hours is quite limited as well.

It is still an ongoing issue that we are continuing to focus on. We need to continue to push for a greater increase in those hours. But one way that that can be addressed is by an increase in the sorts of employment opportunities that can be made available, so that we can transition those young people out of places like the Black Mountain school, out of the Woden special school, and into what I believe will be fulfilling and fantastic opportunities for employment. It is not only about employment but also about social engagement—another incredibly important aspect in all of our lives, and it should be something that we make available for all people here in the ACT.

The motion I have introduced today is a fairly specific motion about an issue that can be very broad. There are many aspects to social procurement and indeed to the broader social economy which are important for us to discuss. I hope that with my Green colleagues I can have further conversation with the government and the Canberra Liberals about these issues.

Lastly, I want to emphasise that despite some of the issues raised in this motion, I do believe the government is committed to social procurement. I believe that the government and the relevant agencies are genuine about making a difference in this area. My motion references some of the good work that has been done, such as the establishment of the social procurement hub. This is also feedback we are getting from people out in the community. They appreciate this work having been done. The Greens appreciate it, and we are keen to be supportive in any way we can.

But I think that this motion is required to galvanise the government's efforts, to address some areas and factors that we think have emerged as problems or issues that need to be addressed. By doing that, we can ensure that the ACT really achieves some fantastic outcomes in this very important area—this issue around social procurement,

this issue about employment and engagement. We know there are so many wonderful opportunities that can be available to so many Canberrans who may, as I said, have a disability; they may have an illness; they may be from a refugee background; they may be long-term unemployed.

There are a range of different projects across Australia, which is why we have called for some demonstration projects. We already have some social procurement and some social enterprises here in the ACT. We really do want to expand that. We do want those three demonstration projects to go ahead, because we think that is part of promoting this as a very viable way for departments to go about procuring particular services, and also to be promoting it in the wider community, in the private sector and so forth.

We believe that so much can be gained through social procurement, through assisting and supporting social enterprises, and that is why today I commend my motion to the Assembly.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Health, Minister for Industrial Relations and Treasurer) (5.27): I thank Ms Hunter for the motion today around social procurement. The government supports the motion, but will be proposing some minor amendments to the wording of the motion; I will outline the reasons for those proposed amendments shortly.

A lot of work has been done in this area. This is an area where I am extremely interested in seeing how much more we can do in the area of social procurement and really use the purchasing power that the government has to provide additional benefits to members of our community, particularly those who are disadvantaged in some way and marginalised from the labour market.

In 2010, the government released our social procurement policy, and we published a procurement circular on the procurement website. The policy is closely linked with the broad objective of social inclusion by aiming through procurement activity to provide opportunities for all people who are disadvantaged to gain employment. Much of what we buy involves local employment, and we believe strongly that this should be leveraged to enhance the social inclusion objectives.

This social procurement policy is only 12 months old. We need to develop social enterprises capable of responding to our tenders and supplying to the government. The procedures for procurement have already been changed to reflect the policy, and agencies are currently incorporating social procurement into their thinking and planning with respect to forward procurement. Also, businesses that are not social enterprises need time, and often support, to be able to respond to social procurements that are not directed to social enterprises—for example, where social benefits are pursued through regular contracts.

We have provided some additional financial support to the ACT Social Enterprise Hub to assist them with the work they do in supporting emergent social enterprises to become sustainable businesses. Indeed, I have met with Mandy Richards and Kevin Robbie from Social Ventures Australia, who were really interesting in talking to me

directly about some of the opportunities they think exist within the ACT government's procurement opportunities. And it is certainly a discussion that I have had with a number of officials about how we can further promote social procurement processes through each directorate.

So a lot of work has been done. I would like to recognise the commitment of Shared Services Procurement in this area, in taking the challenge that was given to them 12 months ago and actually starting to deliver. There are obviously a number of businesses which are quite successful now or are in their embryonic phase where support is being provided to them through the social enterprise hub. The most obvious or the most public example of that is Cafe Ink, which is located at Woden library and has won a number of awards. I think it has won the Chief Minister's inclusion award. It has been very successful in not only providing catering services to the government but also providing some jobs for people who had been marginalised from the labour market for a long period of time. I should declare a conflict here, in the sense that my brother runs Cafe Ink when he is not on paternity leave looking after his son. I will make that clear. But we as a government think that Cafe Ink is very successful, and I know that a number of other members in this place have used its services.

When I go to Ms Hunter's motion, I think there is a lot of agreement around almost every element of her amendment, bar some minor changes. I move the amendment circulated in my name:

Omit all words after "That this Assembly", substitute:

(1) notes:

- (a) the recommendations of the Public Accounts Committee inquiry report into ACT Government Procurement;
- (b) that government social procurement is an important part of maintaining and supporting broad community social sustainability objectives, including post school options for people with a disability;
- (c) that the Government has already developed a policy of social procurement and that the Government issued procurement circular 2010/02 Social Procurement in June 2010;
- (d) the ACT Government launched the social enterprises hub in June 2010;
- (e) the capacity of ACT Government procurement decisions to effect positive social and economic outcomes, particularly amongst disadvantaged groups within the community;
- (f) that supporting local social enterprises through government procurement is an important way to support the local economy; and
- (g) the potential for social enterprises to also form an important part of the clean economy strategy;

- (2) calls on the Assembly Secretariat to develop a policy for social procurement and ensure that, wherever possible, social enterprises are preferred and the Speaker to report back to the Assembly by December 2011; and
- (3) calls on the Government to:
 - (a) identify goods and services for which social procurement should be prioritised during the procurement process;
 - (b) establish at least three demonstration projects to trial the implementation of procurement processes and outcomes for social procurement tenders or contracts in the 2011-2012 financial year;
 - (c) ensure that Shared Services—Procurement work with all other directorates and agencies to identify social procurement opportunities and the subsequent demonstration projects set out in paragraph (3)(b);
 - (d) ensure Shared Services—Procurement has comprehensive processes in place so that all contracts and tenders are considered for social procurement potential;
 - (e) create stronger requirements for Government agencies to follow social procurement guidelines, including having to report on social procurement outcomes in their annual reports; and
 - (f) report back to the Assembly by June 2012.”.

The amendment goes to the fact that we need to tighten up some of the wording in this document. Clause (2) of the motion, for example, relates to the Assembly Secretariat, so we leave that as that; that is a matter for the Assembly.

Clause (3) calls on the government to implement some social procurement practices into the procurement framework and process. The government is supportive of the direction in this part of the motion but the amendments go to this issue to make sure that the motion better reflects what is practicable in the current context. This will improve the likelihood that the actions proposed in the motion will be successfully implemented.

The amendment goes to remove the categories of procurement that should be prioritised in the procurement process. The motion as it stands lists catering, recycling, maintenance and landscaping as a non-exhaustive list of goods and services that should be prioritised for social procurement. If I use Cafe Ink as an example here, you can see that there are not enough social enterprises with the capacity to deliver the government’s requirement for these types of procurement. Cafe Ink obviously can provide some catering to the ACT government; however, it is not able to provide catering to all of the directorates across the ACT. But as the sector develops, we will be able to continue to support further development in that area. We will continue to assess procurements on a case-by-case basis to determine which could be suitable for social procurement.

Due to the reasons I have just given, I have also moved to delete the word “prioritised” from clause (3)(b). The government will work to establish at least three demonstration social procurements in 2011-12 and report to the Assembly on their progress by June 2012. The directors-generals will be asked to identify forthcoming procurements that may suit a social procurement approach and Shared Services Procurement will liaise with all relevant agencies, including the social enterprise hub, to ensure that there is capacity in the community to meet the government's requirements.

As it reads, clause (3)(e) would require the government to report on the social procurement considerations given to each procurement. The government enters into many thousands of contracts, and it is simply not possible to report on what considerations are given to social outcomes for each of these contracts. Instead, the amendment that I move will require that social outcomes actually achieved through ACT government contracting are reported in agencies' annual reports.

As well as the amendments mentioned, I have moved to make technical amendments to change the motion's references to “Procurement Solutions” to “Shared Services Procurement”.

The government fully supports the direction of Ms Hunter's motion. The amendment I have moved simply seeks to clarify a couple of areas which I have just outlined and make sure that the motion, and the aims and outcomes of the motion, are achievable and practical.

I note that a lot of work has been done across government, in terms of information sessions that have been provided to staff across ACT government agencies. I believe that Shared Services Procurement are doing what they need to do to make sure that we promote social procurement.

Indeed, I think Kevin Robbie from Social Ventures Australia and Mr Mark Daniels from Social Traders have been in to give a number of presentations and workshops on social procurement. They have very substantial experience in this field, and not only in Australia. From my understanding and from feedback I have received from officials, the presentations were very well received by the government. A lot of the issue here is making sure that people are considering these issues when they are developing a tender document. So it is very important that we make sure that those information sessions are getting to the people they need to. From memory, there have been six information sessions provided, including some to the non-government sector. A lot of that information is available on the website around the presentations that have been made.

We are very supportive of this. I will very happily work with members to look at ways that we can further promote social procurement across the ACT government and look for opportunities to use our purchasing power to ensure that we are providing real and meaningful job opportunities for people who find interactions with the standard labour market a bit difficult or alienating. There is obviously some real potential in health,

and I have spoken to the Director-General of Health around that, particularly as we construct some of our new facilities. I think the opportunities there are significant.

With that amendment in mind, let me say that the government will be very happy to support the motion put forward by Ms Hunter today.

MRS DUNNE (Ginninderra) (5.37): Mr Speaker, I also have an amendment, but it might be better to deal with Ms Gallagher's amendment and then I will decide whether it is necessary to move it or not.

MR SPEAKER: I think it will.

MRS DUNNE: I thank Ms Hunter for bringing this motion forward today. It is quite clear that on this topic there is an outbreak of furious agreement about the appropriateness and desirability of extending what has become known as social procurement. I am not sure that I am entirely comfortable with the terminology, but if that is the terminology that people wish to use I will go with it.

While the Canberra Liberals are highly supportive of the concept of social procurement, I must say that I am not entirely sure why Ms Hunter has brought on this motion today, considering, for instance, the discussion after question time yesterday in relation to social procurement and the progress that has been made in relation to this subject. Ms Gallagher has touched on the progress to date and the pilot programs. I am scratching my head a little as to why we are bringing this forward. I suppose that, while the ACT Greens say that the purpose of this motion is to give the government a little push along, and there may be some merit in that argument, in a sense this is the Greens looking for relevance and to have some ownership in this place. And why is that? I think it is because the Greens in the ACT, like their federal counterparts, think that they are the champions of social reform. I would hold that the Greens do not hold a monopoly on that one.

I am sure the Labor Party can speak for itself, but the Liberal Party is not one to ignore community values and expectations. We demonstrated this only this morning when I introduced a reform bill for penalties for criminal offences, to bring them into line with community values and expectations. The Liberal Party is not one to ignore the contribution that our community makes to our economy, our lifestyle and our wellbeing. We are not ones to ignore the expertise, innovative thought and creativity that exist in our community. We are not ones to ignore the community spirit that exists in our community—the social clubs, community-based organisations of all sorts, community services, volunteering and the like.

The Greens are not the only champions of community or social reform. In fact, it could be argued that the Greens are against social reform, because their policies are unable to deliver social outcomes. They are unable to deliver social outcomes because the Greens do not care what their policies cost or how they will be paid for by the community in the way of increased taxes, increased water and electricity charges, the withdrawal of funding for non-government schools, and unrealistic and unachievable targets for carbon emissions.

Because they do not care what their plans cost or how they will be paid for by the community, the Greens are in many ways the enemy of community and social reform. Until they change their approach about “Here’s the policy and let us not care about what it costs” the Greens will continue to remain irrelevant to the people of Australia and the people of the ACT.

But first, let me get back to the subject of social procurement. We need to ask the question: what is social procurement? The government’s procurement circular of 2010 and the public accounts committee report into government procurement, both of which are referenced in Ms Hunter’s motion, describe social procurement or social purchasing as factoring social value into procurement. This can be achieved by targeting purchasing through companies that adopt socially responsible practices; including community and social benefit criteria in the tendering process; engaging lead contractors who subcontract social benefit organisations; and social tendering involving social purpose businesses or enterprises.

No-one could disagree with the principles of procurement practices that embrace these strategies. I am sure that if anyone were able to ask the CEOs of community-based, not-for-profit, social-purpose businesses or enterprises, and there are plenty of them around, they would say that not only are they willing to participate, but also they are willing to compete, and in fact do compete, with for-profit enterprises in the business environment. If you look at the work of Communities@Work or Koomarri, just to name two, you can see that these are organisations that have long experience in the area of social procurement and are prepared to compete competitively in the marketplace.

This brings me to the question of a competitive economy. Like it or not—and I do not think the Greens do like it—we operate in a competitive economy in this territory and in this country. Indeed, there are quite stringent laws about ensuring competitive neutrality and promoting a competitive environment. Unfortunately, Ms Hunter’s motion promotes an anticompetitive approach in clauses (2) and (3)(a), which call for a level of preference for social enterprises and for the goods and services for which social procurement should be prioritised. The Chief Minister has addressed that in her comments and in her amendment.

I am sure that social enterprises would not want preferential treatment. Most of them are proud of the quality of the goods and services that they deliver. Most are able to deliver these goods and services efficiently and effectively and at a competitive price. Most are proud of their customer and after-sale service. Most would be quite willing to compete for the right to supply those goods and services, standing on their own proud record. It is inappropriate, and perhaps even anticompetitive, to call on either the Assembly or the government to give any kind of preference to social enterprises or the goods and services that they provide.

This goes to the first part of my proposed amendment to the motion, which I will speak about now because it addresses and crosses over with some of the concerns which have been highlighted by the Chief Minister. In a sense the Chief Minister and I are more at one about the practicalities outlined in the original motion.

My amendment would remove references to preferential treatment, reinforce the notion of a competitive economy, and require the government, in developing its policy—or, perhaps more correctly, refining its policy, because the policy does already exist though there is some implication from the Greens' motion that the policy is not there—in this area to ensure that its policy respects the requirements of the relevant legislation cited in my amendment. It may be that we have to move to insert some of these things, because we do have to take account of the fact that there is a regulatory structure in the ACT government processes that underpins procurement at all levels.

The second element of my amendment is to remove the wordy and highly prescriptive but limited actions called for by Ms Hunter. Again, the Chief Minister's amendment does to some extent address that. Of most concern with these actions is that they are process driven. They are all about processes. They make assumptions about the kinds of work that can actually be done in any realistic, efficient or effective way within government. They make assumptions that the administration is not capable of coming up with strategies of their own. And they fail to allow for other strategies that the administration might have available to them or indeed the ability of the administration to innovate in those areas.

The amendment that I will move later calls for action from the government in a more general sense, leaving the scope and extent of those actions largely open to the administration to allow the administration to achieve the best possible outcomes. The take-out message from both the Chief Minister's amendment and my foreshadowed amendment is that Ms Hunter's list of tasks at paragraph (3) are overly prescriptive.

Importantly, my foreshadowed amendment allows scope to the government and the administration to achieve outcomes and not just outputs, as is the current construction of Ms Hunter's motion. It also brings forward the reporting timetable so that the Assembly is informed of the progress of these actions by the end of 2011 instead of June 2012. Much of the work that needs to be done in response to the action called for in the motion can be done in the allowed time frame, and will provide an opportunity for any changes in the strategy the Assembly might then consider necessary to be put in place at an earlier time.

This motion is to some extent a non-motion. It achieves nothing new because the government already has a range of strategies in place to implement the principles that everyone agrees we should implement. The motion as it stands currently is anticompetitive and overly prescriptive. I understand Ms Hunter's wish to give the government a gentle push to be more active in promoting and implementing the social procurement principles, but I think that she fails to do so, and the extent of the amendments proposed by either the Chief Minister or me would demonstrate that.

For the most part, the Chief Minister's amendment does most of what my amendment does. My only concern is that I think the reporting timetable should be brought forward a little. I would be interested in a discussion on that issue. Then I will consider whether I will move part or all of my amendment a little later in the song.

MR SPEAKER: Mrs Dunne, I appreciate what you are trying to do, but my advice is that, given that Ms Gallagher's amendment changes the whole motion, if you want to amend hers you should probably do it now.

Mrs Dunne: Yes. I am just trying to work out how to do that on the fly.

MR SPEAKER: All right. We will leave it for now. I am sure the Assembly will give you leave when you have considered that, and we will come back to it.

Mrs Dunne: Thank you for your advice, Mr Speaker.

MS BRESNAN (Brindabella) (5.49): I will talk a little about what social procurement and social ventures actually mean, and I hope Mrs Dunne listens to my speech so that she can learn something about them. The concept of social procurement and enterprises, or social firms or ventures as they are also known, is not a new one. The social firm model originated in Italy in the 1960s and is now common across many countries, including most Australian states and territories.

Victoria has been the leader in the area, and there are well-established businesses that operate on a social venture model. New South Wales has well-established social ventures. Brisbane is a particular example. The Brisbane City Council established a social enterprise hub in 2007, following a pilot program in 2006, and in 2009 the hub was expanded to include Logan and Ipswich city councils. Each of those councils actually practises social procurement processes. The Brisbane hub has over 40 social enterprises. Of course the ACT has a social enterprise hub.

I will acknowledge now the work of Mandy Richards in establishing and managing the ACT Social Enterprise Hub. Her commitment to creating employment opportunities for people with a disability and for people who are disadvantaged is the key reason for the hub's success. I would also like to acknowledge the work of Social Ventures Australia, who have already been mentioned today, on being a partner in the ACT Social Enterprise Hub and on running the information sessions on social ventures in the ACT, which the Chief Minister mentioned. Other partners in the ACT hub include PricewaterhouseCoopers, the Snow Foundation, the Mental Health Community Coalition and the ACT agencies ACT Health and the disability, housing and community services directorate.

Social enterprises are businesses that trade for a social purpose. There are numerous definitions of social enterprise throughout the world and it is a much-contested term. Social Ventures Australia describes social enterprises as having the following characteristics:

- explicit social aims
- commercial orientation—

an important point to make—

- social ownership
- social accountability ...
- use of profits for community benefit
- socially inclusive values base

The key aspect of a social firm or enterprise is that it has a supportive work environment and that needs of employees requiring support are built into the design of the workplace. The typical model applied for a social firm is that it dedicates between 25 and 50 per cent of positions to employees with a disability or who are disadvantaged, pays all workers at award/productivity-based rates, provides all employees with the same employment opportunities, rights and obligations and generates the majority of its income through the commercial activity of the business.

On this last point, it is important to note that a social enterprise is a business which has to generate an income and be competitive with other similar businesses. It also employs a mixed workforce—for example, people with and without a disability. The dominant culture created is one of good health and productivity for all employees, leading to a positive work environment.

It is important to emphasise the previous points I have made as I think there is a perception by some—and it seems quite evident from Mrs Dunne's speech—or an apprehension towards social enterprises that these business will not be viable and that agencies, companies or governments will be taking a risk by contracting out to or engaging the service of social enterprises. As I have already noted, these businesses have to be competitive and operate under the expectation that they need to be competitive. The experience from overseas and interstate, and indeed here in the ACT, shows that they are more than successful in meeting this objective.

From the Social Ventures Australia website, they note that as an organisation they aim to support the development of social enterprises that are based around creating real work for real pay either as a transition to the open labour market or as an alternative labour market for those people who need a supportive work environment. The key point is that it is about creating work and business opportunities for people with a disability or who are disadvantaged and need some additional support in the workplace. It is about giving people the opportunity to become economic participants in daily life and gain the benefits that come with that. And that includes being a participating member of their community

I firmly believe that the ACT, due to its size and because of the opportunities that having a large number of public service agencies bring, can look to create significant employment opportunities through social ventures and actually achieve this. As I have said, it is not a new concept and one of the key issues is getting people to support and understand the concept. And that is why the government needs to take a lead role and support social ventures through procurement processes.

While there has been the development of a policy and guidelines in the ACT, there needs to be actual processes in place through government which do not just make agencies aware of the policy but actually encourage them to support social enterprises through contract arrangements and ensure that this is something which is considered in procurement processes.

I do acknowledge that the government has been supportive of the social enterprise hub and through the hub, as has already been mentioned, we have businesses such as Cafe

Ink at the Woden library, Ronnie's Succulent Snails run by Ronnie Lawrence, with the support of his wonderful mother, Mirinda, and other businesses that are supported here.

My experience of social enterprise has come about through the area of mental health, as the social firm model has become very well established in creating employment opportunities for people with a mental illness. The earlier example I noted of the social firm model originating in Italy largely centred on the city of Trieste where they established highly successful business opportunities primarily in hospitality. And that was primarily for people with a mental illness.

Specific groups in Australia such as Social Firms Australia have established employment opportunities for people with a mental illness. Social Firms is a not-for-profit organisation that creates accessible employment for people with a disability and recognises the important role that employment plays in social inclusion. They have a workplace support team which consists of experienced professionals, including occupational therapists, psychologists and consumer advocates, who are committed to developing supportive workplaces for people with a mental illness. The workplace team delivers evidenced-based support programs and is engaged in a range of innovative research projects.

One of the case studies from Social Firms Australia is Cleanable, which is a successful cleaning business operating as a social firm. Cleanable was established in 2005 by Westgate Community Initiatives Group in partnership with Social Firms Australia and Social Ventures Australia. And Cleanable is a highly professional and sustainable business offering competitive rates. Cleanable operates at 17 sites across Melbourne and employs over 15 people with a mental illness. I use this example as social ventures are very much about creating supportive work environments, which include appropriate support services, but are also competitive businesses. I will restate the position: they are competitive businesses. We can build on the businesses that have already been supported in the ACT and create many other meaningful employment opportunities for people with a disability and people who are disadvantaged.

In regard to creating the demonstration projects—and this is one of the key issues in Ms Hunter's motion; Mrs Dunne has said it is a nothing motion—these demonstration projects are very important. This is an issue which has been brought to us by Social Ventures Australia themselves, who are the experts in this, wanting to have these projects established because they create an opportunity for these businesses to be sustainable but also to generate an income. And it is that very issue of demonstrating to the community that social enterprises can and do work, and that they are competitive, which is so important.

I note again, as I did, that social procurement is not a new concept. This is something which is used in the Brisbane, Ipswich and Logan city councils and through the Victorian government. There are also numerous examples overseas. This is about creating economic and employment opportunities for people with a disability or who are disadvantaged, through a competitive business process. It creates jobs for people who may not be able to enter the employment market through other means, while

creating a supportive work environment that assists them to stay in employment. At the same time, the business makes an economic contribution through the services it creates and provides. It is a highly successful and proven model and one we should build on here in the ACT.

I will add that we have people with great expertise available to draw on, including Social Ventures Australia, which has been noted by the Chief Minister. It is actually groups like Social Ventures Australia who are promoting and calling for social procurement practices. These are the people that offer advice to the Victorian government and to the city councils in and around Brisbane. This is not a new concept. This is something which is being promoted and used across the country and across the world and they have not experienced any anticompetitive suggestions, as Mrs Dunne has put forward. These demonstration projects, again—and this is a key aspect of Ms Hunter’s motion—are so important.

I will just add in relation to Mrs Dunne that I do not need to make nasty comments, frankly, about her motivations. I had the facts in this speech about why social ventures and social procurement are important, and the people who are actually promoting this are the experts. This is why we are putting this motion today. I commend it to the Assembly.

At 6 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.

MRS DUNNE (Ginninderra) (6.00), by leave: I move the following amendment to Ms Gallagher’s amendment:

Omit paragraphs (2) and (3), substitute:

“(2) calls on Mr Speaker to develop a policy that enables social procurement as a procurement option for the Legislative Assembly for the ACT and report to the Assembly by the last sitting day in December 2011; and

(3) calls on the Government to:

- (a) develop a whole-of-government policy for social procurement, which promotes social procurement as a valid procurement option for the Government, but which also upholds the principles of a competitive economy and respects the requirements of the *Government Procurement Act 2001* and the *Government Procurement Regulation 2007*;
- (b) develop a strategy for implementing the policy, including trialling the policy and raising awareness of the policy across government; and
- (c) report to the Assembly on progress by the last sitting day in December 2011.”.

This amendment is the same as the original amendment that I foreshadowed, and I thank the clerks at the table for their advice on how to get around the issues.

I think that there is furious agreement between the government and the opposition about the sorts of things that should be in paragraph (3) and paragraph (2). I think that the wording in both paragraphs (2) is pretty similar. The wording that we have proposed in paragraph (3) is much simpler and therefore much more expansive and allows the government more flexibility than I think even the government does in addressing these issues.

Both these paragraphs ask for a reporting by the end of December this year. It is, firstly, more consistent than the original motion, which had a reporting date for you, Mr Speaker, by the end of this sitting year but for the government midway through next sitting year. I think that that consistency is reasonable.

I know that a lot of work has been done on this but I also think that it needs to be taken into consideration that there are government procurement guidelines. I think that that needs to be kept in our mind when we are doing this work. I commend the amendment to the Assembly.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Health, Minister for Industrial Relations and Treasurer) (6.01): I do accept that there is a lot of agreement between the government, the opposition and the Greens on this motion. The government will not support Mrs Dunne's amendment, primarily because we have already developed a whole-of-government policy for social procurement. So that has already been done.

I understand the point Mrs Dunne is trying to make around the principles of competitive economy but the government does believe that we need to develop and support social enterprises in a different way to other business enterprises. I understand the point that is being made, and the competitive process of procurement will still apply. We are very comfortable with the way paragraph (3) in the government amendment deals with that issue.

I take your point about December 2011. I think the issue for the Assembly is that that is really to develop a policy by December 2011. The requirement on the government is to report back around how successful the process is going, and I think we do need a few more months to actually see how that goes. We are doing heaps of work on what is required of the Assembly.

However, I can certainly say here that if there are things to report by the end of the year I am very happy to do so but I think when we look at what we are going to be reporting against, it will be the three demonstration projects, the trial of the implementation of the procurement processes and doing some more work across the requirements for government to follow social procurement. I do not think it is unreasonable that we have a year to do that piece of work and report back. But if there is stuff I can report by December I am very happy to do so. So we will not be supporting the opposition's amendment today.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (6.03): I did find it quite extraordinary that probably at least a third, if not more, of Mrs Dunne's

speech was actually an attack on the Greens and an attack on the motivation for bringing forward in this parliament what I think is a very worthy issue. Yes, there was a report yesterday afternoon, but we have had a lot of people who are involved in this area come to us. Their children need employment options and so forth. They have asked us and worked with us on this motion. I find it a little distressing that Mrs Dunne basically dismisses their issues—the people of the community, people with children with disabilities, people who are trying to assist in this area. She just outright dismisses it and is incredibly rude about it at the same time.

In fact if you go through the amendments, there were very minor amendments made by the government, taking out some specific things around catering, recycling and so forth, which was a list that said “such as but not limited to”. It was not being prescriptive. But that was taken out. There was the amendment, as Ms Gallagher has said, where we did have “Procurement Solutions” and we need to get into the new lingo “Shared Services Procurement”. There was in paragraph (e), for instance, in “calls on the government”, the change from “considerations for each contract” to “the outcomes in their annual reports”. That is to be reported at a certain point, which I think is much better. We also pretty much amalgamated the post-school options for people with a disability into a broader statement around the importance of social procurement. And that was very minor.

So I do find it very interesting that Mrs Dunne has said pretty much the government’s amendment has addressed my issues. She obviously did not read through the motion and get a real sense of what we were saying in the first place, because she would have understood that what was being put forward by the government was very minor.

There was that report on social procurement that came down yesterday. As I said, we had a lot of discussions with people in the community who had asked us to have a bit of a push on this. The government have indicated that they believe that this is the right direction to go. We know that there are a lot of people within the public service who are also really there to be champions, but we do need to give it a bit of a push along.

Therefore, this is not an empty motion. This is actually an incredibly important motion. There are many families, there are many people, we will be reporting back to on what has happened here this afternoon and on the success of this motion. I know that they will welcome that. I really did need to make those points around what we were doing around the government’s amendment.

With regard to Mrs Dunne’s amendment, we will not be supporting that amendment. We will be supporting the government’s amendment. We will not be supporting Mrs Dunne’s amendment because it basically removes the most tangible, effective parts of the motion. That was around those demonstration projects. What Mrs Dunne is suggesting in her amendment is that we want to develop a strategy for implementing the policy, including trialling the policy and raising awareness of the policy across government. So she just wants to do something around the policy and trialling a policy. We already have a policy, as Ms Gallagher has pointed out. A policy is already in place.

What is happening at the moment is that Shared Services Procurement is out there, giving workshops on the policy. The policy exists. So once again, it does make me wonder how much Mrs Dunne actually understands about this area. I think she would not have gone down the path of the amendment if she did understand there is already a policy. What people need, and what we need, is some set demonstration projects. We are very pleased that the government has come back to support those demonstration projects, because, as I said in my speech, that is one way that you really can get out there and promote the great benefits of what this can achieve.

What Ms Bresnan also mentioned in her speech was that there was that issue around being competitive and social ventures. That is part of what they get out there to do. There does need to be some competitiveness when tendering and so forth. But there also needs to be a little weighting in there for the importance of providing meaningful employment, a social engagement, ensuring that there is not social exclusion, that we are looking at social inclusion here in the ACT for many people, disadvantaged people, who do not have those other opportunities.

We just cannot in any way support Mrs Dunne's amendment. It really does not show that there is an understanding of what is being put forward today. But I will say that we will support, at this stage, Ms Gallagher's amendment to this motion. As I said, they are minor matters. They are technical in nature. They do shorten a couple of the parts of the motion, but pretty much it is the same as it was originally written. Yes, we will support the government's amendment but not Mrs Dunne's amendment.

Mrs Dunne's amendment to Ms Gallagher's amendment negatived.

Ms Gallagher's amendment agreed to.

Motion, as amended, agreed to.

Sitting suspended from 6.10 to 7.40 pm.

Executive business—precedence

Ordered that executive business be called on.

Appropriation Bill 2011-2012

[Cognate paper:

Estimates 2011-2012—Select Committee report—government response]

Schedule 1—Appropriations.

Proposed expenditure—Part 1.5—Territory and Municipal Services Directorate—\$270,991,000 (net cost of outputs) and \$235,826,000 (capital injection), totalling \$506,817,000.

Debate resumed from 28 June 2011.

MR RATTENBURY (Molonglo) (7.41): I might pick up where I left off last night. At the time that we finished up last evening, I was discussing personnel issues in the parks service. The anecdotal story we hear is that parks staff are struggling to support programs and park care groups, and that the groups do not see much of rangers these days as the rangers have such high workloads; they can really just pop in and out of events that are being held.

We said last year that as we move to protect some of the last remaining reserve areas in Canberra, there is going to be more work. Indeed, concerns in the sector are that parks and conservation staff remain stretched and are spending too much time on administration, and that the demands on them will only increase.

I appreciate the explanations provided in the estimates committee about how staff numbers do not relate directly to environmental outcomes, and I think that is a fair comment. I also acknowledge the minister's comment that it is not just about rangers; there are field officers also. I would never assume that staff numbers would be the only indicator of outcomes. Obviously, how staff are utilised will play a significant role. But I do think, given that we have heard how stretched staff are, that it is important that we keep a close eye on how the human resources are coping with the workload.

When push comes to shove, we cannot expect miracles from people who are constantly overstretched. These people in our parks service, be they rangers, field officers or ecologists, are highly skilled people whose services we value. Their passion and skills need nurturing, especially if we are to retain good quality staff and reduce staff turnover.

On the note of rangers and field staff, one issue that I had been hoping the government would consider is the relocation of our non-urban parks staff back into the Environment and Sustainability Directorate, so that they could be managed within a framework of biodiversity and conservation, rather than through a lens of municipal services. Given that research and planning has already been tagged to move across to support the conservator, it makes good sense in our view to integrate the implementation teams with those writing the policy, so that we can maximise the feedback loops that could occur between these two groups of people. After all, rangers out working in our nature reserves are highly skilled, trained professionals who would have much to add to the development of policy. This idea was reflected in recommendation 156 of the estimates report.

Unfortunately, it seems that the government has decided not to grasp this opportunity. The government response to estimates states that the idea has been considered, and the "land management function will not be split between TAMS and the Environment and Sustainability Directorate". The way this response has been framed demonstrates how the government has thought about this—that somehow it would be splitting the land management function, rather than it being about creating a team approach to biodiversity and conservation.

The Greens believe this is a wasted opportunity, and I think it is a poor decision by the government, if I have read it correctly. They have taken the status quo approach rather than striving for something better. I would urge that that matter be given further consideration because I think there is great opportunity there.

I want to talk a little bit about parks reporting for Namadgi and budget indicators. As I have already said, while I acknowledge that staffing levels are absolutely not the only indicator of the state of natural areas, the truth is that we do not seem to have any other indicators. I am disappointed to see once again no funding for a state of the park report for Namadgi. Nor did the Namadgi management plan have ecological reporting requirements in it, and we are still relying on anthropocentric indicators for the budget process.

The indicators of land management in budget paper 4 are all about “customer satisfaction”. I believe we do need some measure of environmental performance. I have been told that state of the park reporting is resource intensive, but I am still at a loss to know how we are able to tell if we are tracking okay in terms of ecological or biodiversity outcomes in Namadgi and, for that matter, other nature reserves, with the current range of indicators we have.

I am sure that those implementing the pest and weeds management plan have some specific indicators as to the success, but I imagine that they are more focused on the presence or otherwise of these destructive species rather than the actual health of the park. I would again urge the government to revisit this issue to give it consideration, and perhaps we will find more about this in the commissioner for the environment’s report on the state of the nature parks.

I would like to briefly talk about Mulligans Flat and Jerrabomberra. It has been welcome progress this year that the Mulligans Flat and Jerrabomberra boards have been set up, although I am surprised that the trust itself has not yet been established. I assume that we are to hear some news of progress on that front soon.

I think it is also good news regarding the allocation of \$1 million over four years for woodlands restoration, which is to occur right across the landscape and be supported by work in the connectivity study coming from the planning and research team. This project will be a welcome opportunity to implement strategies to maximise the restoration of box gum woodland under-storeys, which we know are important habitats that include native grasses and orchids, and are home to species such as the small purple pea and the button wrinklewort.

Welcome also is the work on connectivity, although I do understand that some of this work has already been undertaken in years gone by, so I do hope that it gets put to good use this time and actually gets integrated into the planning instruments properly and does not just become another report left in the cupboard to gather dust.

Connectivity issues are clearly going to affect how and where we can continue urban infill. It was an issue of concern with the eastern broadacre study, for example, as connectivity from north to south could be quite significantly compromised should

there be a large amount of the wrong type of development on the east-west line. Sometimes I sense that we are not quite sure of what the impacts are on connectivity, beyond the blindingly obvious. But if we want to proceed with urban infill and development and maintain our biodiversity in the bush capital, this will be valuable work.

With regard to a recreational management plan, once again we see no funding for a recreational management plan, but we are pleased to see that the government has committed to at least a review of the 2004 strategy in the 2011-12 financial year, and that it will be expanded to include urban parks and open space. I note that it will be prepared using in-house resources, and assume it will be integrated into the work that has already been undertaken.

There is no doubt that this issue does remain one of the more contentious areas as different park users have very different expectations about how an area should be used, and have very different requirements. I would encourage the government to continue on its path of engaging fully with the community as best as possible on all recreational use issues. Certainly, this is an area requiring constant vigilance.

The recent draft report on the Centenary Trail was an unfortunate example. The trail is designed to pass through a number of nature parks, yet the relevant park care groups were not considered to be important stakeholders. This is an extraordinary oversight and one that I trust will be rectified in later stages of developing this project. As our city gets busier, we will see increased pressure on parks and reserves, so a strategic sense of how we will use these spaces is going to be important into the future. They are the comments I wanted to make on land management.

With regard to TAMS, I think there are some good initiatives in the budget. There are some welcome areas of improved funding and resourcing. I think there are also areas that do require further improvement, and I look forward to continuing discussions with the government about that over the coming 12 months as we prepare for the next budget.

MRS DUNNE (Ginninderra) (7.49): There are a number of topics I would like to touch on in relation to the TAMS portfolio. I will probably get back to the same place where Mr Rattenbury left off, a little later in the song.

While the ACT government is willing to spend \$432 million on its government office block, complete with spiffy ministerial offices and a possible sky bridge to the Legislative Assembly building, the RSPCA struggles to meet the demands it faces in the care of stray and abandoned animals. The RSPCA struggles to meet the government's spiralling demand for services with funding that falls short of that demand.

Years ago the government told the RSPCA it would have to move to make way for the north Weston development, but no commitment has been made to assist the RSPCA to make that move and establish a new facility. The RSPCA is very willing to make the move but it needs government help. The question is: where is that? Possibly it is somewhere in the \$432 million that the government has kept for itself.

The RSPCA provides a valuable and vital service to our community. Much of that service is work that the government would otherwise be doing. We have seen an increase in street patrols, which is all very well and good. No doubt this will mean fewer stray dogs and cats on the street, but where will they go? The budget appoints a new kennel manager but reduces the hours of operation of the domestic animal shelter, which is a shelter for dogs and not any other domestic animals.

At some point these measures will mean more pressure being placed on the RSPCA, and we are seeing that on a regular basis. There was an unfortunate incident a couple of years ago when a pig ended up in the domestic animal shelter—a pet pig which was put down because the Domestic Animal Services did not know how to deal with it and could not find its owner, although the owners had rung looking for their pig.

The government tells us that negotiations are underway for a two-year agreement, but the funding is only provided for 2011-12. It is unclear what will occur beyond that. The government promises, in the answer to estimates question No 577, that “the funding in the agreement will be the subject of further negotiations and decisions within the normal budget processes”. So there is no certainty for the RSPCA.

The bottom line for the RSPCA, one of the most respected animal welfare organisations in the country, if not the world, is that they cannot make any plans beyond 1 July next year. Meanwhile the government is hot to trot on giving itself a bright, new, shiny office building with a special suite for its ministers.

The government agreed to the estimates committee recommendation in relation to the RSPCA. This is all well and good. But in doing so the government still have made no commitment to any support for the RSPCA, either for its future location or for its future activities. They have just made a bland statement that negotiations are continuing.

In terms of the domestic animal shelter, the estimates committee recommended that it be reviewed to determine the most effective and efficient way to ensure animal welfare. Again, a non-committal response comes from the government, saying that “the negotiations with the RSPCA will clarify this matter”. This is code for the government saying: “We want the RSPCA to do it all—provide shelter for the animals, do the investigations, patrol the streets. But we will want the RSPCA to do it for less than we can. After all, the RSPCA does have an army of volunteers.” I put the government on notice that we will be watching the developments in relation to the RSPCA very closely.

I would like to comment briefly on the Centenary Trail. The government allocated \$3.3 million over three years for its construction, design for which will commence in the 2011-12 financial year. In a question on notice, the Canberra Liberals asked the government what strategies are in place to promote the trail and what is its capacity to generate revenue. The answer to question on notice No 559 was that “no promotional strategies are currently in place as the project is yet to commence”.

Some might consider this to be an appropriate answer, but in fact it is another indication of the government's failure to consider projects all the way through to the end before they begin it. Too many times, we have seen this government undertake multimillion dollar projects on a whim, with impetuous decision making. We have seen it in relation to the urban waterways project in Dickson, Lyneham and O'Connor, where the government are spending more than \$30 million on Mr Corbell's pet project but failed to undertake a cost-benefit analysis or to work out how much we would charge for the water which is extracted from the system.

We have got a multimillion dollar project but there is no plan for how it might be promoted. There is no plan for how the government might pay for its upkeep. There is no strategy on how the trail might generate revenue to pay for that upkeep. It is not done because it is not completed. Where is the cost-benefit analysis for the upgrade of the Centenary Trail? What are the benefits? What benefits will this trail bring to the economic, social and environmental fabric of our community? The government simply does not know and it is willing to throw \$3.3 million of taxpayers' money at an unknown benefit.

And lest people might say that I am opposed to this project, I think that it is in fact a project that potentially has a great deal of merit; but, as in all of these things, before we spend money on it we should know what the benefits will be for the community. I think that the Centenary Trail has great potential to generate tourist interest in our natural areas but unless it is marketed appropriately we will not get that benefit.

I note the answers that the minister gave to questions relating to the control of pest plants and animals in the estimates process. I acknowledge that there are significant challenges and that the directorate has a range of programs and additional funding to tackle the problem. It is encouraging that there is, especially in relation to rabbit control, a will to go back and capitalise on improvements that have been made over previous years. But I am still quite concerned that, even with additional funding, there is still a long way to go in the area of pest plant and animal eradication.

I will be watching progress in this area particularly closely because the ACT government does not have a great record of weed and pest animal eradication. It does not have a great track record in this area and it is an area of considerable concern. If we let weeds, feral animals and over-populated animals get out of hand, it will have a huge impact on our biodiversity.

On the question of our biodiversity, I note the comments made by Mr Rattenbury in relation to the number of ranger staff and whether the ranger staff are appropriately placed. I also note the recommendations of the estimates committee and the government response on this matter. I think that it is fair to say that the government only gave passing consideration to the recommendations.

I think that there is a great deal of merit in the argument put forward by the writers of the estimates committee report when they called upon the government to consider placing nature conversation rangers in the department of sustainability rather than keeping them in TAMS. I agree with the comments made by Mr Rattenbury that we

are looking at this matter through the prism of land management per se rather than nature conversation and biodiversity.

Although I can see arguments on both sides and it is not a simple, black-and-white issue, I think that there is much merit in the position put forward by the estimates committee and by those in this place today in relation to the motion moved by Mr Smyth earlier today on the bushfire unit. There are issues about where rangers and these highly skilled staff are best placed. I think there is a very strong argument for them being placed in the sustainability directorate rather than in TAMS. *(Second speaking period taken.)*

The focus of TAMS is about land management, simpliciter. I think that the focus of the Environment and Sustainable Development Directorate is more about biodiversity. I agree with Mr Rattenbury's comments that the highly trained, professional rangers will have a great input not only to on-the-ground works but to policy formulation and that there is a logical synergy in putting all of those people in close proximity to the conservator. Remarks about the conservator are for another line of appropriation.

In relation to the TAMS appropriation, there are some big issues that we need to watch here in relation to animal welfare and land management, and we will be watching them closely. The issue of pest plants and animals is an area that I am particularly concerned about. I think that we have not achieved well over the last few years in this area. Quite simply, this is because it has not been resourced to an appropriate level and in a consistent way by the Stanhope Labor government and it is not continuing under Chief Minister Gallagher.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment and Sustainable Development, Minister for Territory and Municipal Services and Minister for Police and Emergency Services) (8.01): This is a good budget for Territory and Municipal Services and the territory. There is \$527 million for the administration of Canberra's municipal infrastructure and delivering essential services to the community to maintain and improve the city's urban amenity.

I would like to touch on a couple of areas of particular focus in the budget. And the first is in relation to transport. Transport is a very important component of the allocation in the Territory and Municipal Services portfolio and a very significant investment is occurring in relation to public transport. First of all, there is \$10 million over the next four years additional to the ACTION budget to improve bus services in the growing area of Gungahlin, in the inner north of the city, in Fyshwick, in Kippax and to the Canberra Hospital. There will be more buses more often, and better frequencies as a result of that investment.

Further, additional funding is being made available to improve the amount of information and the reliability of information that Canberrans can receive about their bus services. I have always been a strong advocate of the delivery of more timely, up-to-date information about where buses are so that people can plan their journeys with a greater level of certainty. So \$2.1 million is being made available to ensure that we can now deliver a real-time bus information system for the city.

We now have the capability in our buses, thanks to the government's investment in a new ticketing system, the MyWay system, where we are able to have GPS information on where buses are in real-time.

Opposition members interjecting—

MR ASSISTANT SPEAKER (Mr Hargreaves): Order, members, if you want to have a discussion, please keep it down.

MR CORBELL: I am very pleased to say that over the next 12 months we will deliver on that real-time system so that at major bus stops, there will be real-time information to tell people where the buses are, how far away they are in terms of time so that people can have certainty about the buses. We will also be rolling out initiatives in relation to mobile phone applications so that people can get bus information through an app on their mobile phone. So these are very important initiatives to improve accessibility to bus information and create an environment where people have greater confidence about knowing where the bus is, when it is going to show up and how far away it is.

Secondly, there are also some very important levels of investment in improving new municipal infrastructure as a whole. The government has made an allocation of \$144 million for the construction of the Majura parkway, a very important project and a project that the government continues to work closely with the commonwealth on to see that their commitment to the remaining 50 per cent cost of that project is forthcoming. There is \$1.5 million to improve a range of intersections in west Belconnen where we know there are a range of issues.

There is more money for addressing resource recovery, \$11.2 million to address some problems with stockpiled building waste as well as constructing new facilities where new resource recovery businesses can establish and create new economic activity in terms of new resource recovery. So these are all very important projects.

I am sure that my colleague Dr Bourke will be interested to note there is also some very important money being provided to revitalise the Eastern Valley Way inlet on Lake Ginninderra. This is a project that my predecessor, Mr Stanhope, championed and I am pleased that we are moving to complete this very important roadwork and address the amenity as well as the usability problems that are associated with that piece of infrastructure. So there are some very important projects in relation to municipal infrastructure and public transport.

More money is being provided to assist the regeneration of box gum woodlands, \$1 million over four years to assist with these projects. There is \$1.8 million for pest plant management in our nature parks and reserves. There is half a million dollars for approved rabbit control and \$300,000 for conservation measures for threatened species and communities.

There is a very important additional level of funding to the RSPCA, an additional \$150,000 per annum to the RSPCA, bringing the total contribution to over half a

million dollars. I will make special mention of the RSPCA. As the new minister, I had the opportunity to meet with the management of the RSPCA, and that was a very constructive and positive meeting. I understand that the RSPCA remain concerned about the level of funding they receive from the government, despite the very significant increase proposed in this budget. What I have said to the RSPCA is that we will sit down and we will have a negotiation about their service funding agreement and see whether or not we can resolve the differences that are currently between us and reach a suitable agreement in relation to the funding level.

So my commitment to them is to negotiate with them in good faith, try to resolve the outstanding issues and see whether we can reach an agreement in relation to the new service funding agreement so that they have certainty and the government have certainty. And that is the approach we are going to adopt in the coming months. To that end I have agreed and indicated to the RSPCA that we will roll over their existing service funding agreement at the new level of funding for the first quarter of the financial year whilst we undertake those negotiations. And I thank the RSPCA for their willingness to engage in those negotiations in that manner.

So the Territory and Municipal Services budget is a strong budget for building better municipal services in the city, significant investments in roads, public transport, waste management and a range of other important services.

Visitors

MR ASSISTANT SPEAKER (Mr Hargreaves): Before proceeding to put this item to the vote, members, I would like to recognise the presence in the gallery of a former member of this place, Mr Steve Pratt. You are most welcome, Mr Pratt.

Mr Smyth: In case Hansard missed that, Mr Pratt did say, “Thank you very much, Mr Assistant Speaker.”

MR ASSISTANT SPEAKER: I am sure Hansard has picked it up. If they have not, I appreciate the remarks from Mr Pratt. They are most welcome, as indeed is Mr Pratt to this Assembly.

Appropriation Bill 2011-2012

[Cognate paper:

Estimates 2011-2012—Select Committee report—government response]

Proposed expenditure—Part 1.5—Territory and Municipal Services Directorate—\$270,991,000 (net cost of outputs) and \$235,826,000 (capital injection), totalling \$506,817,000.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.6—Economic Development Directorate—\$75,353,000 (net cost of outputs), \$171,240,000 (capital injection) and \$7,586,000 (payments on behalf of the territory), totalling \$254,179,000.

MR SESELJA (Molonglo—Leader of the Opposition) (8.10): It is a pleasure to speak to this line item. I think that it is appropriate that we are debating this just after debating TAMS because I think that in TAMS there will be a lack of ability from this government to deliver on the basic services that the community expects, because of the spending through Economic Development.

Most of the detail for the big, new government office building that we got came through Economic Development and this \$430 million white elephant will be one of the reasons why, if the Labor Party manages to get this project up, the real infrastructure needs of the community will not be delivered by the Labor Party. There will be less money for road infrastructure. There will be less money for sporting infrastructure. There will be less money for health and education and all the things that are of critical importance to the community, because this government wants to build itself a shiny, new office building for \$430 million.

The first thing we have to touch on, I think, is the dodgy savings assumptions which the government has put together in relation to this government office building. The details of savings were provided to the committee on an A4 piece of paper, with the government not sure whether it was a Treasury document—

Mr Barr interjecting—

MR ASSISTANT SPEAKER (Mr Hargreaves): Hold the phone! Stop the clock, please. Minister, I asked members of the opposition, when the minister was on his feet, to hear him in silence. I would like that to continue and for Mr Seselja to be paid the same courtesy, please. Mr Seselja, the floor is yours.

MR SESELJA: Thank you very much, Mr Assistant Speaker, for bringing Mr Barr into line. I appreciate that.

The details of the savings were provided to the committee on an A4 piece of paper. We know the minister does not like this but it is embarrassing. It is embarrassing that you can put together the sum total of your savings on an A4 piece of paper, unattributed, undated, untold. And nobody wanted to take the blame. Nobody was sure whether it was a Treasury document or a LAPS document. All we knew was: when we asked, “Where are these \$19 million of savings?”, they produced this A4 piece of paper.

The savings identified as part of the \$19.3 million on the A4 piece of paper are of course different to the claimed savings of \$19.3 million in the budget impact analysis provided by Treasury. We have dodgy number after dodgy number. The A4 paper outlined potential rental savings, workforce efficiencies and churn as the three factors contributing to the \$19.3 million in annual savings. The budget impact analysis outlines potential rental savings, workforce efficiencies and running costs, general utilities management and maintenance as the three factors contributing to the \$19.3 million in annual savings.

Which one is correct? Why was the saving churn that was supported in the consultants' reports suddenly being ditched? And before I go to more of the contradictions in their claimed savings, remember this was put to us and this was what they said to us, effectively. We said, "What are your savings?" The former Chief Minister and the current Chief Minister went to the budget breakfast and said, "This will save us \$19.3 million a year. We will be \$19.3 million a year better off." So we said, "Where are those savings? They are not in any of your reports. They are not in any of the consultants' reports." So we asked them and that was when they produced this dodgy A4 piece of paper.

The dodgy A4 piece of paper, apart from being contradicted by later documents, actually only talks about the savings. It does not talk about costs. So they are claiming that if you build this shiny, new \$430 million office building there are no costs. There are only savings. They said, "Wouldn't it be wonderful if we built this building for ourselves and we owned it, because we would save \$12 million a year in rent." That is wonderful but if you borrow that \$430 million, that will cost you about \$30 million a year in interest. They did not take account of that.

So you have got this situation where it would be like a couple saving for a house and saying, "Okay, we are paying \$500 a week rent now and if we take on this \$400,000 mortgage we will be \$500 a week better off." That is not taking into account the fact that they would be paying interest on the mortgage. This is the level of analysis that is being provided.

So we go on. The savings that were listed on the A4 piece of paper did not match the savings assumptions that were in the costs and feasibility reports. The dodgy A4 sheet of paper has staff turnover costs at \$13,600 in terms of savings. The consultants say \$5,000. Which is correct? The A4 sheet of paper has staff savings at one per cent, consultants at 1.2 per cent.

The claimed efficiency savings of \$15.2 million are based on numbers that are not included in the \$5 million worth of savings in the consultants' reports. For example, the 10 per cent reduction in office consumables is based on information received from a number of organisations who had recently relocated to a single location but no report explicitly refers to this; similarly with the five per cent reduction in ICT. The case studies that these savings are based on have not been provided.

This is where the committee got to:

The committee recommends that the ACT government provide the correct analysis conducted by the consultants with savings assumptions that match the savings sheet provided to the Committee and that the Government report to Legislative Assembly before the project proceeds.

An earlier recommendation was:

The Committee recommends that the ACT Government provide the ACT Legislative Assembly with additional information to support a decision on the Government office building.

But it goes on. Alternative options for accommodation were not properly explored. The government only explored one other building in Civic to occupy, which was the Finlay Crisp offices. No other buildings were considered. That is not a thorough analysis of the market. The cost and feasibility reports explicitly excluded some options of private ownership as they were excluded from earlier on. Recommendation 17, which is not agreed, not surprisingly, is:

The Committee recommends that scenario options 2 and 4 be included in the CB Richard Ellis Cost Analysis report as they were 'excluded' at an earlier date and that the Government report to the Legislative Assembly before the project proceeds.

Why would you not want to consider all of the options? The government have blindly pursued this office project. They seem to be the only people who think it is a good idea, for \$430 million. This is why they had to put together these dodgy numbers. This is why they had to put together the dodgy savings. The only way that you can properly try to justify a \$430 million spend instead of all the other really important projects that the community wants is if you can point to some savings. The savings do not add up. They have not looked at whether or not private rental would actually be a better way to go. But most of their claimed savings, in fact, are about co-location. They have nothing to do with ownership and they have not taken that into account.

The committee goes on, in recommendation 19:

The Committee recommends that a comprehensive analysis be completed on the effect the new government office building will have on the private property market and the potential crowding out of private investment and that the ACT Government report to the Legislative Assembly before the projects proceeds.

This is critical. We have massive vacancy rates in the ACT at the moment. The government wants to spend \$430 million to have larger vacancy rates. This is not good for our economy. That is not sensible economic management. That has consequences, consequences which have not been taken account of by this government.

Then we have the conflicting advice on how the building will be funded. The Chief Minister and the Deputy Chief Minister both claimed, through questions on notice, "The government has not indicated its preference to borrow for a new building and the budget estimates indicate sufficient cash will be available." However, the former Chief Minister, Jon Stanhope, stated:

... by financing the building itself and taking advantage of the Government's AAA credit rating the Government could access finance at rates significantly below those available to the private sector.

In the estimates hearing a LAPS official claimed:

The cost of borrowing is included in the feasibility analysis.

Minister Barr, when asked a question on interest payments, responded:

With the government's AAA credit rating, it would be lower than the private market.

The numbers do not add up. Nothing we were told during this process adds up. And you only have to go through the process of getting the information to show just how dodgy the government's numbers are. Mr Smyth, as chair of the committee, would be aware of how the chain of events went.

We asked each of the agencies, as we went through, about the government office building. We asked the Chief Minister and Cabinet Directorate and we were told, "You will get the answers when we have LAPS." Then we had LAPS. LAPS could not answer any of our questions. They could not answer even the most basic of questions. We asked them for the savings. We asked them for the efficiencies. They could not put them together. In fact, despite not being able to answer any of the questions, one of the officials from LAPS was able to point to a 2001 editorial in the *Canberra Times* which said it is a bad idea to sell offices.

What are we to make of that? What are we to make of a situation where the government is so sensitive about its numbers that, after we were told officials would be there to answer questions, they could not answer the questions? (*Second speaking period taken.*) We were told that they would be able to answer questions. They could not answer questions, even the most basic of questions. They knew the questions were coming. They had been put to other departments. What we got was: "There is a 2001 editorial that says it is a good idea not to sell your offices." If that were true, then we would have seen the incoming federal Labor government suddenly buying lots of government offices. We have not seen it, because it does not make sense.

Then we have the phantom efficiency savings where the consultants were told specifically by LAPS to assume a building efficiency of 88 per cent, despite the fact that the architects had designed a building to achieve 82 per cent efficiency. If you look at the plans you cannot find this efficiency adjustment. It does not exist. But it is worth \$26 million. They have conjured up \$26 million just by telling the consultants that that is what they will achieve, without saying how they will achieve it. These are dodgy numbers. In fact the estimates committee recommended:

The committee recommends that the ACT Government detail the potential increased cost of the Government office building at 88 per cent efficiency, if only 82 per cent efficiency of the current cost can be achieved, and explain why the consultants are asked to include it and that the Government report to the Legislative Assembly before the project proceeds.

Then we get to the rolled-gold nature of this building. This is a building with a \$2 million sky bridge. This is a building with a panic room. This is a building where we will devote \$11 million to just the ministerial wing, and this is a \$430 million building that, on this government's record, will blow out beyond \$500 million or \$600 million, because they have never delivered a project anywhere near the budget that they have set.

But let us have a look at what has been delivered in the ACT in recent years, just to give you a sense of how extravagant this spend is. The Health building, 46,000 square metres, just a little smaller than what the government wants to deliver, cost \$190 million. The Australian tax office building of 60,000 square metres cost \$230 million. DEEWR, at 39,000 square metres, cost \$170 million.

So taxpayers are being asked to pay for the most expensive government office building that has ever been delivered in the ACT—most expensive building on a square metre basis. It will be unrivalled in the amount they are spending on standard government office buildings.

What are the alternatives? The alternatives are: you could focus on the real infrastructure needs of the people of the ACT. You could focus on actually making the lives of Canberrans better—having better roads, having better sporting facilities, having better educational facilities, having better health facilities—but instead this government wants to waste \$430 million.

They want to do it, having not done the proper analysis. They want to do it, based on dodgy assumptions and dodgy savings that do not exist and do not even stand up to the most basic of scrutiny. This is a project that is poorly thought through and will cost taxpayers far too much.

I did want to talk a little about the government's supermarket policy because it does appear to be falling apart, and falling apart at a pretty rapid rate. This is the policy, of course, just to remind people, where the government picks winners. This is the supermarket policy where the government says, "We pick supermarkets." It is not: "We will go into bat for small independents over Woolworths and Coles." It is: "We will pick one supermarket outlet in order for them to become a third force." It is interesting that your pick-the-winners policy has failed when even the winners are criticising it. I read this week an article by John Thistleton in the *Canberra Times*:

Retailers fear the ACT's supermarket policy is failing after the announcement that Woolworths will build its biggest territory store at Canberra Airport.

It also said:

Supabarn is among retailers which believe the Government's supermarket competition policy to curb Coles' and Woolworths' dominance of the Canberra market is a dud.

That it is; it is a dud. They have chosen, through their supermarket policy, to exclude local IGAs, to exclude other independents, bidding for sites, for no rationale other than the vague possibility that we could get another wholesale business established in Canberra. That is not happening. It is not happening and it has failed. And even Supabarn, who has been a beneficiary of this policy, is now saying that the policy of picking winners of the Labor government is a dud. That does sum up this government's approach to business and its approach to industry development. Maybe now that we have got a different minister, we could hear an explanation why this government would not actually try to encourage as much competition as possible.

The ACCC has put in place some pretty solid guidelines about when the big players in particular should be excluded, and I think that is not bad guidance material. But this government has said, "That is fine. We can talk about when Woolworths and Coles will be excluded, but there are other people we want to exclude. We want to exclude IGA. We want to exclude Franklins," for no rationale other than the vague possibility that we might eventually see an extra wholesale business. How is that plan going? I do not think that that is progressing very well. And we are now seeing this policy fall apart.

Mr Barr has to come in and say that it is now really good that Woolworths is coming in. It is now government policy that it is good for Woolworths to come and compete with Costco, whereas until now not only has it not been good for Woolworths to come in and compete, it has not been good for IGA or Franklins or any of the other supermarkets to come in and compete. That is the pick-the-winners policy that we have had from this government.

That brings with it problems. That brings with it market distortions. And they are not positive. That is why Craig Emerson, their Labor mate, has been so critical of the policy. That is why the ACCC have been so critical—the ACCC who, according to the previous Chief Minister, must have had an axe to grind and must have had a particular agenda. You can criticise the ACC all you like, but generally they tend to favour competition. The Australian Competition and Consumer Commission as a general rule has been in favour of competition. So I would expect that they are not coming at it from an anti-competitive perspective and that when they criticise the ACT government's supermarket policy it is not because of a political agenda. Perhaps it is because they actually think the policy does not work.

Now we are seeing even key players who have been potential beneficiaries of the policy saying publicly that they believe it is a dud. There is your endorsement right there, whether it is Craig Emerson, whether it is the ACCC, whether it is Supabarn, they are now saying that this policy is a dud.

In conclusion, I come back to the government office building because it is so comprehensively failing at so many levels and it will fail taxpayers at so many levels. It fails the test from a financial perspective. The savings simply do not add up. When you have to go back and forth with different types of savings thrown together on an A4 piece of paper, which do not match the last savings or the savings after that, you have got a problem.

When you are spending far more per square metre than comparable buildings that have been delivered in the ACT in recent years, then you are spending far too much. When you are spending \$11 million on just the ministerial wing, then you are being far too extravagant. When you are spending \$2 million on the sky bridge, you are being far too extravagant. When you are not taking account of the massive vacancy rates we have in the ACT, then you are being economically irresponsible as well. When you are choosing to centralise everyone in Civic, you are not taking account of the needs of Gungahlin, the needs of Tuggeranong and the needs of the outer suburbs.

That will be the legacy if this building ever gets off the ground. That is the key, I think, to this part of the budget. It is something that should not be supported and cannot be supported, and the Canberra Liberals cannot support this ridiculous policy of the government. (*Time expired.*)

MR BARR (Molonglo—Deputy Chief Minister, Minister for Economic Development, Minister for Education and Training and Minister for Tourism, Sport and Recreation) (8.31): We have just lost 20 minutes of our life that we will never get back with that contribution from the Leader of the Opposition. I do not intend, through the next 2½ hours, to respond to each and every item as it is raised. I will conclude the debate at the end. But there is one thing that Mr Seselja said in his contribution that I do believe needs correcting. I have the information in front of me. It does relate to his comments about the position of Supabarn.

I have received an email from Supabarn management. They are very upset at being misrepresented by the *Canberra Times*. Anyone who has been in this place or has been in public life in Canberra for any period of time would note the propensity of the *Canberra Times* to misrepresent one's position is very high. It happens very frequently. For the record, Mr James Koundouris, the development manager of the Supabarn group, has written indicating his concern that the *Canberra Times* reported that Supabarn believes that the ACT supermarket competition policy is a dud. He wrote:

Supabarn confirms that it supports the ACT supermarket policy and at no time was there ever a statement made to the *Canberra Times* to the contrary. Supabarn will be confirming this with the *Canberra Times* today.

I am sure the *Canberra Times* editorial policy is not to give the same prominence to corrections of their reporters' all-too-frequent errors, but here is yet another example of where a local Canberra business has been verbally by the *Canberra Times* and repeated in this place by the Leader of the Opposition. He should check his facts. Perhaps if he had bothered just to put in a call to Supabarn before coming in and trumpeting his particular position tonight, maybe if even someone in his office had bothered to check that fact, it might not be as embarrassing for him tonight. But we have come to expect this sort of sloppy behaviour from the Leader of the Opposition. It is part of his method of operation. We have just heard 20 minutes of it. You cannot take anything he says seriously when he will not even fact-check the most simple of allegations. I have responded to that particular allegation in relation to Supabarn's position.

When it comes to supermarket competition, the combination of policy leavers available, the ACCC and the ACT government, have said it will facilitate greater competition.

Opposition members interjecting—

MADAM ASSISTANT SPEAKER (Mrs Dunne): Order, members!

MR BARR: If the Leader of the Opposition's policy alternative is to continue to cosy up to the duopoly in the Australian supermarket industry, if that is what he believes is the policy solution, then let him continue that. But I know and this government knows that that is a position not shared by the vast majority of Canberrans and indeed the vast majority of Australians. More competition is important, and that is why the government supports the enhancement of competitors to Woolworths and Coles, be that Costco, Aldi, Supabarn, IGA or any other entrant into the market.

Opposition members interjecting—

MR BARR: Madam Assistant Speaker, I do note the constant interjections and only one attempt by you during this process—

MADAM ASSISTANT SPEAKER: Do you want to move dissent, Mr Barr?

MR BARR: No, I am not moving dissent. I am just drawing your attention to it. You have not made a ruling. I cannot move dissent if you have not made a ruling.

MADAM ASSISTANT SPEAKER: Would you like to actually make a count of the number of times I have drawn people's attention—

MR BARR: No.

Mr Seselja: Madam Assistant Speaker, I think there is a reflection on the chair there, and I ask you to ask him to withdraw. That is a reflection on the chair. He is suggesting some sort of bias.

MR BARR: I cannot move dissent if you have not made a ruling, Madam Assistant Speaker.

MADAM ASSISTANT SPEAKER: Mr Barr, remove the reflection on the chair.

MR BARR: I withdraw, Madam Assistant Speaker.

MADAM ASSISTANT SPEAKER: Now would you continue to be orderly, Mr Barr?

MR BARR: Thank you, Madam Assistant Speaker. The point I was making, in relation to the government's supermarket competition policy, is that it means the release and direct sale of sites to Aldi and Supabarn and the expansion of IGAs in a variety of locations across the city. So it is more than just a policy of facilitating a local player's development, Supabarn. It is a multi-pronged approach that is also about releasing more sites to the marketplace and having more competition at group centres in particular. Perhaps the busiest supermarket in Canberra is the Dickson Woolworths, a site that has sufficient turnover per square metre to in fact support four supermarkets, and the government is moving to allow competition and to bring in other players in that part of the city. That will be a welcome boost to competition.

The Leader of the Opposition can talk all the trash he wants in this place but nothing will detract from the fact that he has no policy alternative. He has been opposition leader for nearly four years now and he has produced nothing of substance in this area. We look forward to the Leader of the Opposition releasing a policy in this area and perhaps putting forward an alternative position if he does not support what is being put forward by the government.

I could continue for quite some time but, given the late hour and the opportunity that those opposite will certainly want to take to speak to this line item, I will return to rebut any other spurious allegations, misrepresentations or a continuation of the sort of commentary that we have seen from the Liberal Party on matters of public policy substance when they have no alternative, nothing new to say. It is just rehashing the same tired old lines—opposition for opposition's sake.

MR SMYTH (Brindabella) (8.38): It is interesting that the minister can talk for so long but say so little. That is symptomatic of the government as a whole. They are full of rhetoric, they are full of hot air, but what they do not do is deliver for the people of Canberra. In this particular line of economic development they deliver absolutely nothing for the people of Canberra. If you are in small business, even if you are in big business, if you are looking for inspiration, if you are looking for leadership, if you are looking for a sense of vision, if you are looking for a sign of a plan, if you are looking for a commitment to the private enterprise of the ACT, you will not find it in this budget. That is because they do not understand, they do not get it, and they never get it.

You only have to look at the very first recommendation relating to this area in the government's response, which is recommendation 76, which simply says:

The Committee recommends that the ACT Government provide details to the Legislative Assembly when responding to the scoping study about how the million dollars for the Australia Forum will be spent.

The answer is it will not be spent on the Australia forum; it will be spent on the planning for West Basin. But if you go to the budget paper and you ask what is this million dollars for, what is the initiative titled? Australia forum. Any reasonable person picking up this document and asking whether there is anything in here for the Australia forum would see a line item and it says a million dollars and they would think that that was being spent on the Australia forum.

Indeed the subtext says that this initiative will support work on the development plan and infrastructure requirements for the West Basin precinct incorporating the proposed Australia forum. I know that groups like the Business Council and tourism groups welcome this government commitment to the Australia forum, but they will be very disappointed when they read what the money actually is for. The recommendation is noted, and the response is:

The Government will update the Assembly on the matters for which the ACT is responsible. The Budget provided funding to develop a precinct plan for West Basin which incorporates the proposed Australia Forum. This will be an iterative

process involving studies to identify the specific infrastructure requirements of the Australia Forum, and at the same time tailoring it to meeting Government development objectives for the precinct. It is not appropriate to dictate the studies required to achieve this in advance.

They then say in response to the next recommendation:

The Government is developing a precinct plan for West Basin, not designing the Australia Forum.

That is right, because this government has no dedication or commitment to the Australia forum and this minister constantly says it is a private sector idea. At least the previous Chief Minister had some idea that money was required to get this underway, and we congratulate him on the commitment of the quarter of a million dollars to the studies that has got us to the stage where we have actually got some options on the table.

But if you are looking for a future for the convention industry, the business meeting industry, the business event industry in this city, you will not get inspiration or support from this minister. That is a shame, because you only have to read the report to see their standard option that we could double the turnover from the business event industry and, if we really worked at it, there is the potential, as a best case, to probably triple it. That is significant funding. That is money into the ACT economy. That is taxes into the government, who are always claiming that they are poor. It is jobs for young Canberrans—in this industry, particularly jobs for female Canberrans, which is always important. But it puts us in a place where we have a profile and we can compete.

From my perspective, this whole response to the Australia forum is symptomatic of a government that just does not care, and if you want to go to projects that this minister has delivered specifically, then I will enlighten us all about the Enlighten event. You have to wonder about an event where the minister had to give away basically a third of the tickets to get a crowd there; a third of the tickets were giveaways. Now, at every event there are some freebies. You have complimentaries and you give the media some and particular people who are involved, but I am not aware of any event where a third of the tickets were given away—a third.

It is interesting that on the day of the event we got a glossy from the minister. It had all the good numbers in it, the numbers that seemed to portray Enlighten in the best light that they could, but what the minister, who had time to put a nice glossy together, could not tell the committee was the true story. He claimed something like 8,700 visitations, but could not tell us how many people that represented. Well, it represented about 7,500 people. The claim was made that it brought people into the ACT, just look at the visitor statistics at the visitors centre—but do not look too closely at last year, the previous year, because that was of course the masters. Well, the year before that had about 10 per cent more in the same period for which Enlighten ran. So you have to ask the question: did it bring people to the ACT?

If you talk to the accommodation sector, I know one hotel who said they got one night out of it that they can verify Enlighten being responsible for—just one night. You

have to ask what one bed-night for a hotel is. Compare that to the private sector and something like the Foreshore event. Most of us were at the Australian Hotels Association the other night where the Foreshore won an event for the best tourism event. They won a prize for the best tourism event and they get no assistance. They bring something like 17,000—

Mr Barr: They do.

MR SMYTH: They got a small amount of assistance. Sorry, I apologise.

Mr Barr: Never let the facts get in the way of the story, Brendan.

MR SMYTH: No, no; I am happy to acknowledge when I get it wrong—unlike you, I will acknowledge it. They got a small grant to assist, but what they cannot get from a federal Labor government is a commitment that they can use the same space three years in a row so they get some certainty for their event. But what there seems to be is no ongoing or growing commitment to the Foreshore event to help it realise its potential. The organisers of that do not give away a third of their tickets. What they did not get was \$3½ million of government expenditure. They run a great event, and the private sector in the ACT is a great sector, but what they do not get from this government is the support that they need.

The Chief Minister on the day of the budget is quoted as saying: “We are being asked to stand on our own two feet. We are having to do just that.” I asked her: “What does that mean? How do you stand on your own two feet? What is your plan?” If members go to page 13 of the government’s response, the recommendation is:

The Committee recommends that the ACT Government table, by no later than the first sitting day in December 2011, the plan to enable the ACT to stand on its own two feet through diversifying its economic base, instead of being so totally dependent on Federal funding and land based taxation.

What is the government’s response? You would have thought it would give an enthusiastic response to that: “Yes, we are happy to stand on our own two feet, and to make it happen we are going to have a plan.” No plan; just being noted: “Yes, we note the recommendation.” But we see, apparently:

This has already been implemented. The Government’s Budget Plan returns the budget to surplus in 2013-14, two years ahead of the original target.

But there is no plan to stand on our own two feet. To say that the budget document is our plan is to say it is business as normal and business as normal is to get record taxation and spend more than you get. The private sector does not get to operate like that. If there were reasons to run deficits to ensure that basic services were being provided, you might accept it. But we have more cash than we have ever had. Despite their protestations that they were affected by the global financial crisis, the revenue is, over four years, about \$2 billion more than the original estimates had determined. The problem is we spend it—that is the problem with this government. You have to question their spending priorities. We go back to Enlighten—why is it that the government felt this urge to set up an event in autumn, at a time of year that is already

cluttered with events? Even the industry do not believe they needed another event in autumn, but the minister did, and so we have an event that helps fill an already full calendar for that time.

But we still do not have anything in summer time of particular significance, apart from the Summernats, but January is very quiet, December is pretty quiet, and we do not have a significant event in July, which is also very quiet for the sector. These are the problems that the sector faces when, of course, we have got a government that does not care about what is going on here. You have got things like Australia forum which is getting some lip service from the government but not getting the support that it truly deserves. You have got an initiative called Australia forum but the money does not go to the forum at all.

You have got Enlighten, where the committee got a copy of the private report, the commercial-in-confidence report. For those who have not read it, there is a good footnote on the bottom of page 88 where apparently Mr Smyth and Mr Hanson, upon reading the report, were unable to find any reason to keep the report commercial-in-confidence. Indeed, most of the members said they did not see any reason to keep it commercial-in-confidence. What the committee did was honour the request from the minister that it be kept that way.

But in this new era of openness and accountability, the minister could release that report. It is his report. There is nothing that is commercial-in-confidence in the report. *(Second speaking period taken)* I am just warming up. I could go all night. You know I love it. This is a great sector and it is a sector that is being ignored by this government. But the problem is that we are not getting the full story because the full story, particularly on Enlighten, is so embarrassing for this minister.

The minister made some very brave statements, which I thought was great. It was much better than previous ministers in this area. We asked the minister what he thought were the areas that we could expand into, and he said that we should get into more tourism, sport, aviation, and education and training industries. So the committee was thinking that the minister had plans and ideas and would have no trouble responding to recommendation 79, which was:

The Committee recommends that the ACT Government table in the Legislative Assembly, by the first sitting day in December 2011, the industry development plans for the tourism, sport, aviation and education and training industries.

The minister had actually gone on to say that some of the other industries he thought would be good for the ACT were construction, information and communication technology, defence and science and technology industries. So what we did was we asked for some plans. We did not ask for them all in one hit. We said, "How about we have a batch by December, how about we have a batch by April 2012." I think the one that bemuses most people the most is where the committee also recommended, at recommendation 82:

... that the ACT Government table in the Legislative Assembly its industry development plan for the "clean economy" by the first sitting day in February 2012.

That is not a big ask. They have actually had the report since 2010. Probably by the second anniversary of getting the report we might get the plan out of the government. But they could not even agree to that, because they have in their little agenda that they will do it by April 2012. So we may eventually get a clean economy plan out of this government, but you do not get a sense of commitment to the industry, to the private sector, from this government. That is a shame, because if we are going to grow the economy, if we are actually going to have the resources the government wants to have, if you want to have more funds to use for your programs, they have to come from somewhere.

Currently we cross our fingers and hope the federal government will be kind to us. We seem to have this obsession with taxing land and we have seen that in the change of use charge debate that we have been having where extraordinary amounts of money are going to be milked out of the land industries again, but we do not have any commitment to helping the small businesses, the smart businesses, the medium businesses, the home-grown businesses in the ACT continue to develop and grow and hopefully export and make it work better for them and indeed make it work better for us. It is a shame that we do not have that.

As to tourism, there is some money for tourism. There is a blockbuster fund. I asked a question that would be reasonable to answer which was: what are the guidelines for the blockbuster funding? We could not even get the guidelines; they are being developed. So we have got some money for a project but we do not know how we are going to spend that money—but we have got the money. It is good that the money is there but you would have thought before that got through cabinet that the guidelines might have been at least somewhere where people could see them and have an idea what it was to be spent on.

The government, again, just to go back to the Enlighten report, hid behind commercial-in-confidence. The committee recommended that the government establish peer guidelines for future utilisation of the commercial-in-confidence protection. The government have agreed and that is all it says—it just says “Agreed”. We have not got a time frame, we are not sure how it is going to be applied, but I am pleased they have agreed. I guess that is at least a start. It is a good start that we agree on these things.

The issue of EPIC, Madam Assistant Speaker, as you would know I have followed for some years. EPIC now apparently has a rejuvenation plan and really—

Mr Barr: You have an epic interest in it, do you not?

MR SMYTH: I did not make an epic joke but it apparently has a rejuvenation plan. After asking for four or five years whether they would finally get the block that they wanted so they could expand, they have got the block. We have asked for years for the master plan, which we have never seen but we do not have a rejuvenation plan anymore—we have now got a master plan. The recommendation was tabled in the Assembly and the government have agreed. I look forward to that and it will be interesting to know when. I get very worried when they just agree with no indication of when that might happen.

Mr Barr: I am sure you will ask me every day until it is finished.

MR SMYTH: I will ask constantly, because I know that you will avoid doing it for as long as you can.

In the recommendations of last year's estimates report—sorry, it was in the dissenting report; that was the superior report last year written by Ms Seselja and me—to support the tourism industry, we asked for a plan for attracting new tourist-based attractions, tourist-based events and accommodation. The government did not agree to that; in fact, they did not even bother to respond to our report. They were speechless, quite clearly, at the quality of the report. But it forced the Assembly, in October, to direct the government to table those three strategies in this place by February this year.

The government dropped a flimsy document on the table. Even Mr Barr was surprised when the then Chief Minister, Jon Stanhope, stood up and said, "I have got this report in response to the committee," and then sat down and dropped it on the table without a word. One of the biggest private sector industries in the territory, and it did not even get a word. All it got was tabled. And Mr Stanhope walked away. I would have done the same. I would have been embarrassed to table it. It was not a plan. It was just a shilly-shally of stories and random facts tied together, expressing the fact that they were unable to table what the Assembly wanted because they did not understand what the Assembly wanted. Come and ask if you do not understand it. Bar that, go and read it.

The problem was that we did not get a plan for any of those three sectors, three very important components of the tourism industry. This estimates report has now also recommended—recommendations 88, 89 and 90—a plan for new tourist attractions, a plan for new tourist events and a plan for accommodation. Surprise, surprise! The three of them are noted. Clearly the government does not have these plans. I am particularly amused by the response to recommendation 90, where we asked for a plan for accommodation. The government says:

Noted.

The Government will continue to release accommodation sites as appropriate and report on land release for accommodation purposes.

That is not a plan. Tell me the underlying planning that is being done to come to those sites. Tell me how it fills the gaps in the sectors. Tell me how it assists the tourism industry to deliver the potential that it has so that we are all better off in the ACT. Just to say, "I've got some sites for sale"—

Mr Barr: Doesn't the market determine that, though?

MR SMYTH: It does not say that. The minister says, "Doesn't the market determine that?" In a way the market will determine it. But you will help shape the market by telling people what your plan for the industry is. You need to tell people where you are going, what sort of tourism industry you want. It does not have to be particularly

detailed, and I would not expect it to be particularly detailed, based on some of your previous work.

Mr Barr: You are being a bit patronising now.

MR SMYTH: No, it is not patronising; it is actually the truth. Are you proud of the report that the Chief Minister dropped in the Assembly? Do you think it is a valid response to the tourism industry? They certainly do not. They were quite disgusted.

Mr Barr interjecting—

Mr Seselja: I note that he did not say yes.

MR SMYTH: He did not say yes; that is quite right. They were quite appalled that the whole industry was treated with such contempt. I think the minister last claimed that it was a \$1½ billion industry, and it was treated with total contempt for its future development. It is a great industry. It has lots of potential here in the ACT—enormous potential. But it is not getting the leadership it deserves and it is certainly not getting the support it deserves.

One could go on for a long time about this area. Perhaps I will; perhaps I will not. The point is that what we have not seen is the support that the industry requires. It is particularly important for small business. Some questions were taken on notice about small business and some of the imposts on them. There is some work being done to look at harmonisation to ensure that there is ease of reporting. There are a few good things that are happening. I suspect the drive is coming from the federal bureaucracy, particularly out of the federal budget, so that we get things like standard business reporting for small business. It is federal government led; it is multijurisdictional. It is a good start to making sure that we make life easier for small businesses. They certainly deserve it.

There are an enormous number of small businesses in the ACT. Some of them are one and two-person shows—dad and mum sort of businesses. What we need to do is make sure that they have a chance to reach their potential. One of the ways we have got to do that is to take the burden of particularly government paperwork off them so that they can get on with the job of growing their businesses.

When they grow their businesses, they present opportunities, they employ more Canberrans, they pay taxes to the government and they make this a more vibrant city and help diversify the economic base, which will be far more important in the future, particularly as, I suspect, there will be less certainty at some stage from commonwealth funding. As we all know, at some stage the government must rein in its spending. Unfortunately for the people of Canberra, that presents us with enormous problems if we have not got alternatives to simply living off commonwealth government money or land money.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (8.58): I would like to speak on two issues in this directorate—firstly the government office building and secondly the clean economy strategy.

The government office building is a huge project. The first point I would like to make is that the government has not helped itself in selling it. An enormous amount of work at great expense has been undertaken, and this is very useful and informative. However, to some extent the project has been made more complicated through the presentation of that information than it might otherwise have been. I would add to that that you can probably also attribute a significant part of the difficulty to the fact that significant expense will be incurred irrespective of whether we take the active decision to do something or passively continue along and maintain the status quo.

This is not simply a “build or don’t build” scenario; we have to do something. I think much of the difficulty has been in evaluating the difference between the various scenarios. There is a range of debates that exist within the broader “build or don’t build” question. One of these is the government ownership versus private ownership question and the various permutations that exist along the spectrum between the complete ownership options at either end. This question appeared to be somewhat further confused by the option of the building being owned by the superannuation provision account. This is very different from private ownership. In principle the Greens have no problem with this option; however, we do have to be cautious about this, because ultimately the money in the account will need to be paid out in entitlements, and there needs to be a mechanism for the government to ultimately buy the building back if it is to remain in public hands. The Greens are open to the broader question about the better ownership model, although it must be said that all the evidence available so far seems to suggest that public ownership is the better option.

The next significant question is: should we build a new building or buy an existing one and retrofit it so that it achieves the desired environmental outcomes and reduces the overall footprint of the building? A subquestion of that is: given that there is not a building of that desired size, would much be lost if we had a smaller building with slightly fewer public servants in it or, alternatively, two buildings to spread them across? This will, of course, impact on the objective of having everyone together to encourage agency interaction. I would be interested to hear more about how significant this would be. I understand the attraction of building a new, purpose-built building: it would probably be easier. But it remains to be seen whether the overall impacts would in fact be better. Further, given the existing and impending availability of office space, is it possible to lease a building at a significant discount for the next five to 10 years while the project is developed? This scenario would allow the sale of existing government buildings and allow that capital to be invested until it can be spent on building or retrofitting the longer term option.

I would say at this point that it would be an overly burdensome task to investigate every conceivable option. Nevertheless, given the scope of the proposal, and indeed the need to resolve the accommodation issue, the government should be approaching all the options with an open mind and, rather than ticking the boxes, carefully considering each option and being prepared to step back from the single new building option if that is what the evidence suggests is the most prudent thing to do.

One additional option that has been put is for the government to test the private market to see what they can deliver. This may well be problematic at this stage, but it

is nevertheless something that should be explored if for no other reason than to assist in the evaluation of the owning versus leasing question.

One other point that should probably be made is that we do not have an office accommodation strategy. Of course, that may well be the government office building, but we know that there are other operational requirements, such as the Gungahlin proposal. It would be beneficial to consider the broader objectives and requirements together and see how this impacts upon the single building model.

As I said, this is an issue that will not go away and is not a simple “do or don’t” question. There will always be direct costs incurred if we do not act. This year \$500,000 is being appropriated for the office building. The Greens agree that further research and evaluation are required, and therefore we will agree to the appropriation of this money. We do have some concern about the government’s willingness to consider other options, but we trust that we can work constructively on the best way forward for the ACT public service. We make it very plain that we will not necessarily agree to future appropriations for the project if we cannot resolve the issues that I have outlined.

The second topic I would like to address is the clean economy strategy—which, to the rest of world, is known as the green economy, as evidenced by the United Nations green economy initiative. I draw all members’ attention to the range of reports that are published and the scope of options they canvass. It appears that we will have a clean economy strategy, which would be better than nothing, which is the current situation. I would like to make the point that there is no alternative to this; we do actually have to shift our economy to support low-emission industries to ensure the long-term prosperity of Canberra residents. There is no reason why we cannot embark on this task now. There are many examples where subnational jurisdictions have forged ahead with positive initiatives in spite of reluctance by their national governments to properly address the issue.

Tomorrow—hopefully; we were supposed to be doing it today—we will be debating amendments to the feed-in-tariff, which has proven to be a very effective mechanism that has created jobs and helped what was an emerging industry thrive. To shut it down and perpetuate the rise and fall of renewable energy because of fluctuating government policies would be a great shame. There are many other options and a range of industries that can deliver low-emission jobs and help ensure that the Canberra community will rise to the challenge and ensure that ultimately we are in a better position to respond to the climate change challenge and deliver lasting prosperity for Canberrans.

I would make the point that a couple of stand-alone initiatives are not going to do it. We need a coordinated response that considers everything from the next iteration of weathering the change to the waste strategy; procurement policy; government office accommodation, whatever it ends up looking like; things like the levers we created in the lease variation charge bill debate last week; and other taxes more broadly. We need to consider everything we do. The strategy should be a holistic attempt to coordinate all the government levers so that we transition as quickly and as smoothly as we possibly can.

I hope that we will see real progress this year and that a strategy will be developed and start to be implemented. I hope that the directorate understands that there is no business as usual development and that the only lasting economic development will be in the green clean economy. I hope that this is recognised, that everyone working within the directorate appreciates the scope of the task and that the task of developing the strategy is addressed by all staff, not just left as a side project for a few to be involved with.

I note that the government response to the estimates report says that the clean economy strategy will be finalised by April 2012. The Greens welcome this deadline, and we hope that we can work with the government in developing the strategy and realising this item in the parliamentary agreement. We are all quite clear that it is something that we need to be looking at—how we move into the future and how we are going to ensure that our city, the ACT, continues to prosper into the future.

I note that in the government's response to that estimates committee recommendation, when it talks about the clean economy strategy it talks about things like the education export sector strategy. We know that education, the knowledge economy in this city, is a large part of setting up a clean economy. It has been recognised in the report that was commissioned by the government; it is recognised in United Nations reports and others that have been done around the world. We have some great brains trusts in this community. We should be harnessing that. It will be part of the industries and the jobs of the future.

That is one part of it. We also, I believe, have a greater role to play in the renewable market, again particularly with our tertiary institutions and the fantastic research that is being undertaken. We can harness that; we can ensure that there are jobs; we can ensure that we have a very strong economy going forward.

DR BOURKE (Ginninderra) (9.08): I am going to congratulate the minister on two initiatives in my electorate of Ginninderra. The first is student accommodation at the University of Canberra. Tertiary education is one of Canberra's major industries. I am delighted to see that student accommodation at the University of Canberra is going to be supported over nine years—over nine years to develop 94 one-bedroom ensuite units, 36 bedrooms with shared bathroom facilities, and 41 two-bedroom units. This will be accommodation for over 200 students. This will not only assist students but also have flow-on effects to the private rental market. I congratulate the minister on this item.

The second thing I want to talk about, which is different but also in my electorate, is the redevelopment of the Kippax district playing fields. Some \$2 million has been allocated for this. For those of you who do not know, Kippax district playing fields are home to the Belconnen Magpies football club, which is a very successful football club.

Mr Hanson: I did not know that.

DR BOURKE: You did not know that? I can tell you some more. Let me go on. The senior team has been in 10 of the last 12 grand finals and has won four of the last eight premierships. Pretty successful, I would say. The reserves have finished in the top three every year for the last 11 years. Not only are these adult teams very successful; they have an under-18 team which has played in the finals six times in the last 11 years and a women's team which has also played in six finals. And not only that: they have eight junior teams, which are based at Holt. Aussie Rules is a great game; I am very proud to be a keen supporter of it. Once again, I congratulate the minister on this wonderful initiative.

MR DOSZPOT (Brindabella) (9.10): I want to speak still on part 1.6, Economic Development Directorate, sport and recreation. With the new arrangements for departmental responsibility, I suspect that sport and recreation has become Minister Barr's forgotten child, his neglected child. I am sure that it is only because the minister has new, more pressing matters of state as Deputy Chief Minister, and not because he has little interest in the subject, that he has taken so long to answer questions from the estimates hearings.

Last year I described the sport and recreation portfolio in the lead-up to the budget as having a somewhat schizophrenic personality. I talked about the frustration of clubs and junior and senior sports associations such as football, AFL, Rugby Union, Rugby League, hockey, cricket, athletics, softball, baseball, netball, basketball, tennis and volleyball, with a combined representation of approximately 95,000 Canberrans. I stress again, minister, the frustrations of many of these grassroots associations at not having sufficient fields or courts to play on.

Community sports facilities are running at capacity and are stretched to meet demand. Inadequacy of available grounds is nothing new; it has been a feature of Labor's arrogance towards recognising the needs of the community, of this minister's lack of consultation with the community. We talked about this last year and, a year on, nothing has changed.

In the budget reply speech this year, I talked of the scattergun approach. I welcomed the announcement of improvements to the Isabella and Charnwood playing fields. As an aside, I am encouraged, but not entirely convinced, by the minister's assurances today that these are just the start of a series of upgrades to ovals around Canberra.

It is important that we provide support for Asian Cup matches and the proposed improvements to Manuka Oval. As the nation's capital, we need quality playing arenas to attract top sports events. But I remain concerned, minister, at the number of ovals that remain closed, the lack of availability of playing fields for local clubs to play sport at the junior level, and the fees that local clubs are expected to pay for playing fields that often do not have great facilities. When we have the minister heralding a new emphasis on programs that encourage under-15-year-olds to get active, it seems counterproductive to then slug clubs ever-higher fees to use these sporting facilities.

Sport and physical recreation are a vital part of the ACT community. The ACT is Australia's most physically active state or territory, with a sport and physical recreation rate of 87.4 per cent in 2009—the latest available statistics. When 41 ovals get closed due to watering issues and other cost pressures, it will and does impact on the participation rates of the country's young people.

The minister told the Assembly last year, and indeed again today, that the government valued the contribution that sport makes to the social and economic life of the territory. Great lines, but in bricks and mortar and dollar and cent realities, what does it mean? Is it just another example of his spin doctor policy approach? The “where will we play?” outdoor sports facilities initiative is a case in point. It was announced with great fanfare as an \$8 million initiative, but in 2010 it was deferred to 2011-13 and this year it barely rates a mention. We get two ovals brought back into play, but what of the others? Last year the opt-out line was:

I think there are some that, given that they have been out of circulation for so long, could have an alternative recreation usage.

That is Barr-speak for “when we closed them, I did not really expect to have to open them again”. How many playing fields are still in the out-of-circulation category?

We move forward to the estimates hearings this year. The first question asked of the minister was about the situation with the Valley Dragons Rugby League club and the pressures they are facing in relation to the costs of oval hire and the lack of facilities at the ovals they use in the Tuggeranong valley. And just on questions, the minister was in no great hurry to provide answers. We asked a series of questions on Friday, 27 May and only received the response on Banks oval, dated 22 June, on Monday, 26 June, exactly 30 days after asking the questions during the estimates hearings. I understood that the response time for estimates questions was five days. Minister, that is not a great advertisement for responsive government or for your efficiency as sports minister. But I guess it is still faster than your response to your own constituents.

The replies provide for interesting reading. Quite noticeably, there is a wide variation in the hourly rates for various ovals and for various sports. We are advised that hiring charges in the last decade have only increased in line with the WPI, the wage price index, and/or the consumer price index. Further questions were lodged as to the cost of watering and electricity for the various fields around Canberra. We were told that the water costs in 2008-09 were \$4.6 million and in 2009-10 \$4.5 million. This year to date, understandably, given the seasonal conditions, water costs have dropped to \$1.8 million. Electricity charges moved from \$185,000 in 2008-09 to \$233,000 last year.

I accept that sportsgrounds have ever-increasing costs for maintenance. What I cannot understand, however, is that apparently individual records for ovals are not kept. The department advise in their answer that “ground by ground records of quarterly billing for electricity and water are not retained”. On what basis then, minister, does the department determine variation in fees?

Why is it that baseball and softball matches played on an unenclosed oval are charged \$9.25 an hour, while Rugby League matches on the same type of oval are charged

\$33.65? Why is training for both softball and baseball charged at \$4.65 for senior and \$1.70 for junior, while training for senior Rugby League is billed at \$16.65 per hour? Australian Rules, on the same sort of oval, is even harder hit, with match play charges of \$34.20 an hour. And interestingly, on the question of vandalism, the department advises that details of vandalism are not recorded for each ground and nor are the labour costs. We have hundreds of hectares of land, and dozens of fields with a variety of infrastructures, and there is no recording of what it costs to maintain these assets on a field-by-field basis. So how do we plan for development?

I am thankful that the department provided such detail but, sadly, it does not resolve the difficulty for senior and junior sports clubs in the Tuggeranong valley, Belconnen or Gungahlin—all over Canberra. That difficulty is the availability of sufficient ovals. It is interesting to note that while in estimates I was assured that there is no such thing as a single-use oval policy. Remember, minister, that we talked about that? In fact, there does indeed appear to be a single-use oval policy. The Lanyon football club that I spoke of had sought access to the Banks oval, but access was denied. The minister has now confirmed that it is not possible for the Lanyon football club to use Banks oval because of infrastructure already in place, including long jump pits and throwing sectors. Frustratingly for the members of the Lanyon football club, this oval is their local oval. It is used, according to the minister's own figures, for only 175 hours a year, and that use is in the summer season, while the Lanyon club's usage requirement is only during the winter months.

So we have a single-usage sport oval used only in summer—a total contradiction to what you told us in estimates, minister. I refer to the answer sheet that you gave us. This is the question that I asked on 27 May: "Why was Lanyon football club not permitted to use the Banks neighbourhood oval?" Mr Barr responded: "The answer to the members' question is as follows: the Banks neighbourhood oval is a dedicated athletics facility; the infrastructure in place, including long jump pits and throwing sectors, would not allow for the two football pitches as required by the Lanyon football club to fit."

Minister, I am told that with more strategic use of available space—it is a big area of land, and you can see that on the TAMS sites. Even if, despite all the information we have been given, there is not enough room for two football pitches to fit, there certainly should be sufficient area for at least a single football pitch to be added inside the running track so that athletics is not inconvenienced and a local club gets some winter usage of a football pitch which currently is lying totally empty.

This would also be in line, minister, with your own strategic priorities that we spent a fair bit of time talking about this morning. (*Second speaking period taken.*) In relation to strategic priority No 7, we were talking about maximising support infrastructure, minister. You were telling us about the great plans. And indeed the *Strategic plan for sport and active recreation* is a good document; it has been put together by some very good people who understand the way sports usage and sporting facilities should and can be maximised.

Strategic priority 7 is "Maximise supporting infrastructure". Priority 7.5 is "Promote more partnering and sharing resources in program delivery, coordination and

leadership”. Here is a perfect example of one community group that is totally disadvantaged. If we apply the rules, your own strategic rules, there should be more information given to these people so that they can act together to facilitate both sports. That would also come under “Ensure coordination between the portfolios of tourism, education, planning, sport and recreation”. Furthermore, the success indicators would be met: “More multi-use facilities providing efficiencies in accessibility and management” and “Greater sharing of resources providing efficiencies in program delivery”.

That is in the glossy brochure. When we come down to the actual practicality of putting this in place, we have a very different situation. What the Lanyon football club got was a one-line response to a fairly detailed submission from them: “Not available; this is for use by the athletics club only.” When we brought this up in estimates, you told us that there is no such policy. Minister, even the comments that you give back to us now seem to verify exactly what the club was told in the first instance.

Yet, as we just said, there are other ways of looking at these problems. Given that long jump pits and the like are normally built on the edge of an oval, surely there could have been some accommodation for a soccer field to be placed there—for a football field to be placed there in a position where that could be taken advantage of without inhibiting use by the current sole user, athletics. I remain to be convinced that there is not a sensible compromise available. Also, I note the offhand response again from the department by a third party and the lack of consultation, once again, with local clubs—putting them in discussion together to see how this could be arrived at.

To highlight the anomaly of a single-use oval for only 175 hours per year, let me go to other ovals in the region. Ovals such as Gowrie already have nearly 3,000 hours of usage and Calwell ovals are similarly booked. Calwell’s three ovals are booked for 4,862 hours per year. So we are getting lots of usage in some areas, and then we have got an area that is lying absolutely useless—not useless, but not used in the winter months, and in summer months used for only 175 hours per year. It is quite interesting.

We have some serious overuse issues in the territory, as we have just said, and we have some sports that have very high participation rates. Football is played for nearly 31,000 hours a year, Rugby League for 6,000 hours, softball for over 4,000 hours, Australian Rules for over 5,200 hours and cricket for over 8,000 hours. These are local games involving local teams and thousands of families. And let us not forget the thousands of hours of netball and basketball also played in indoor commercial facilities and the hundreds, if not thousands, of hours of sport played on school grounds—yes, minister: some even in non-government school grounds.

Despite the numerous and all-important local issues, the minister only wants to focus on upgrades for Canberra Stadium and Manuka Oval, attracting matches such as Sheffield Shield matches to Canberra. And while it is important that we continue to invest in sporting infrastructure to attract major games, it is a hallmark of this government and this minister that they avoid close scrutiny and ignore the nuts and bolts, the grassroots issues of our local communities. Instead they fly media-grabbing kites such as presidential palaces for \$432 million and a roof for the Canberra Stadium. In place of hard yards policy detail, they distribute glossy brochures—fantastic glossy brochures outlining in colourful marketing-speak, Barr speak,

strategic plans to enrich the Canberra community through sport and recreation. Even the plan itself is based on another whole heap of plans, reports and frameworks .

While I do not wish to delay some of the other matters of scrutiny that we have got to get to, one can sense the tenor of how this government approaches a sport policy when the strategic plan suggests:

Sport and Recreation Services positioned within Government to provide maximum support to the industry ...

The government has achieved its goals. I would have thought that that was the basic role and function of sports administration within government—to support the stakeholders.

And on the matter of stakeholders, I again come back to the question of when the minister will finally appoint someone, either the CEO or the chair of ACTSport, to the sport and recreation minister's strategic advisory council so that you can get the feedback from all of the sports, not just the main, high-profile sports where, with all due respect, you can get your photo opportunities. We need to get down to some of these lower-level, grassroots areas, Andrew. It is this sort of rhetoric and bells and whistles and coloured brochure approach that is so often this government's substitute for real policy and real leadership.

And while we are on meaningless accountability measures, listing an accountability success measure goal of 92 per cent customer satisfaction with the management of sportsgrounds is really quite amusing and misleading. Sure, those that have access to playing fields are grateful. But does the minister realise the magnitude of the unmet sporting needs of our community? I reiterate that the scattergun approach of the past 11 years is not what the Canberra community deserves from government. The Canberra community wants local services delivered locally. Canberra families want to feel that their legislators know and understand the everyday needs of the community. One consistent message is about the urgent and growing requirement for safe local playing fields for the benefit of thousands of Canberra junior players across a range of sports.

The Canberra Liberals certainly understand the message from the community. Minister Barr, it is time to get your head out of the clouds or whatever air bridge you are dreaming of. Your treatment of sport in this budget is not transparent, it is not focused, and it provides no comfort that funds are being appropriately prioritised and directed. After 11 years of Labor mismanagement, the Canberra community deserves and wants better.

MR BARR (Molonglo—Deputy Chief Minister, Minister for Economic Development, Minister for Education and Training and Minister for Tourism, Sport and Recreation) (9.28): I will respond to some elements of Mr Doszpot's contribution. The overarching observation one would make, having just heard that, is that he is a little obsessed with personalities and in future he might benefit by spending a little more time focusing on the issues. But in relation to the specific issue that he is most concerned about, the soccer pitch inside an athletics track in Banks, I am happy to see

what can be done. I do not design where the long-jump pits go on ovals. I do not design where the athletics tracks go on ovals, and I do not make decisions around ground hire and who gets to utilise facilities. That is not something that is made at a ministerial level.

However, I am happy to facilitate, through sport and recreation services, a further meeting to see what possibilities there are around the use of a football pitch within the athletics track perimeter in the winter season and whether that is at all possible. If only to put Mr Doszpot's mind at rest on that particular issue, I am happy to further facilitate work in that area.

In relation to overall upgrades across the city, if we start in the south and make our way north, in the last two or three years we have seen 6.9 hectares in Gordon linked to non-potable water supplies as part of the "where will we play?" initiative. There are also upgrades, as I think Mr Doszpot alluded to, in this year's budget to ovals at Isabella Plains. There has been further work in terms of irrigation systems and grass conversion to couch throughout the Tuggeranong valley.

We move to Woden and Weston Creek. Associated with a number of school capital upgrades, there has been work undertaken on the playing fields in each of those areas. We then go to Phillip oval in Woden. That has received a multimillion dollar upgrade to ensure both AFL and cricket usage at a first-class standard for ACT competitions.

We then move to the inner north. Members would be aware of the significant upgrade project that is currently underway at the Southwell Park precinct in Lyneham. That has seen a significant expansion in a number of ovals and a significant expansion in the amount of lighting that is available within that precinct to facilitate a more fulsome use of that enhanced facility. The old lights from the Lyneham facility have been relocated to other playing fields in north Canberra, most particularly to Downer, to facilitate night-time usage of those ovals.

We then go to Gungahlin. Harrison, Ngunnawal, Nicholls and Bonner have all received significant increases in playing field capacity, through district and neighbourhood level ovals, some of which have been synthetic facilities delivered in partnership with the commonwealth government under the local schools working together initiative. That is particularly the case at Nicholls, Gold Creek and Holy Spirit. There is funding in this year's budget for restoration of ovals at Charnwood and the Kippax district playing fields.

Across every region of Canberra, there has been a combination of synthetic playing fields, new synthetic playing fields, couch conversion, irrigation replacement and new ovals to meet demand. Existing facilities have been expanded. New lighting has been provided at a range of ovals across the territory, the details of which have been made available publicly on numerous occasions. So it is a comprehensive policy of investment in community sporting infrastructure.

In addition to that, of course, there is forward planning for new infrastructure in the growing parts of Gungahlin, most particularly in Throsby but also in Casey and Crace. There has been work on the newly emerging communities within the Molonglo

valley—the linkage with Stromlo forest park, the feasibility study that is funded in this year's budget for future aquatic provision, as part of our territory-wide pool strategy, to ensure that we have an appropriate distribution of swimming facilities across the territory, noting that there is a lack of a year-round facility in the inner south, Woden and Weston Creek areas. So the focus on Molonglo in this instance is to ensure that there is an indoor facility that would be utilised year round.

In relation to other pieces of community sporting infrastructure supported in this year's budget, there is of course the Gungahlin pool, the Tuggeranong multi-use indoor sporting facility in the town centre and the funding that is available to upgrade some of those elite facilities such as Manuka Oval. Manuka, I note, in addition to hosting first-class cricket and being the home ground for the Giants when they play in Canberra, is a major ground for the ACT cricket and AFL competitions as well. So it serves a dual purpose and upgrading that facility will have a benefit not only at the elite end but also at the non-elite end of community-based sport within the territory.

I will close there and come back and respond to other shadow ministers and crossbench comments as the night proceeds.

Ms Hunter: I would like to take a point of order. In an earlier debate tonight during Mr Seselja's motion, which was No 4 on the notice paper, Mrs Dunne made some personal slurs against me. Mr Speaker, I would like you to review the *Hansard* and come back with a ruling.

MR SPEAKER: Yes.

MS LE COUTEUR (Molonglo) (9.35): There are a lot of issues that could be raised under this directorate because it has now become a large directorate. It includes not only LAPS and the LDA but also business and industry development. Ms Hunter has already touched upon, or in some cases more than touched upon, some of the issues that I will deal with in my speech. So it will be a bit of a tag-team event here.

First off, there is the government office building. Ms Hunter has already canvassed some of the issues. I would have to say that both my office and the Greens as a whole have been working through the documentation somewhat diligently over the past couple of months. There is an awful lot of it. Sadly, despite the sheer amount, I think that there is probably a bigger range of options available for the government than the government fully explored. The government has only looked at a very small range of possibilities.

I would have to say that I am still gob-smacked by the fact—and that does look better, as a pun, written down, I am afraid, for those of you who did not get it—that the government does not have an overall government accommodation strategy and does not intend to until after it has made a final decision on a new building. The cart and the horse analogy comes to mind here.

The Greens are still very open to the various options being further explored, and we note that this year's budget gives another \$500,000 to further feasibility studies. And we believe that it is sensible for there to be more studies, given that this is certainly a

large investment for the territory. I am afraid the fact has not escaped me as to just how much of a new light-rail system we could build with this \$430 million. So I think more feasibility studies need to be done.

On the subject of the amount of money, I have just come back from a Weston Creek Community Council meeting and there were people saying, “How come you’re spending \$430 million on accommodating you?” I had to point out I was not part of the government. But I guess the point I am making is that there is a lot of community concern about this potential investment and I think we need to do a lot more work to work out that it actually is a good use of what is ultimately the money of the people of the ACT.

I do commend the high priority the government is putting on sustainability. I do agree that improvement in government office accommodation is an important step that the government will take to achieve carbon neutrality, which is its goal, by 2020.

Retrofitting options is the area where I think the government need to do a lot more work. There are a lot of existing buildings in Civic and quite a lot of them are either empty now or can reasonably be expected to become empty in the next six years, which is the time frame for this building to be built. And it has been really disappointing to see the government have immediately come to the conclusion that they have to build a new building. I have been asking the former Chief Minister about this for years through estimates, annual report hearings and questions without notice, and he has been very clear that there is nothing he would consider apart from a new building that the government built themselves.

It is possible that that is the best option. I am not ruling it out, but it is not possible to know it is the best option with the amount of analysis that the government have done. I do believe the former Chief Minister when he said they simply had not looked at it.

I do note that the Greens and the other members who are on the estimates committee have seen a small amount of analysis of one building, the Finlay Crisp offices. Given the former Chief Minister’s clear statements and the dates on this, one does get the feeling that this analysis has just been cobbled together because we have been saying, “You need to look at it.” So the government said: “Okay, we will spend a couple of thousand dollars. We will look at it.” But I have got no impression that the government have seriously looked at this with the intention of seeing whether it is a real possibility. They have looked at it with the intention of crossing it off so that the Greens cannot continue to talk about it. But we are going to continue to talk about it because it is a real issue.

The other issue they do not seem to have looked at is co-location. They have really said it is all or nothing. I think it is not as simple as that—not with a public service of the size that they are talking about, not with an office building of the size that they are talking about. Co-location has some serious advantages but so does simply putting people closer together. They do not all have to be in one building.

Looking at it with more vision, if we actually put light rail down Northbourne Avenue, then those buildings along Northbourne would become a lot more accessible. In

particular, I note the Dame Pattie Menzies building in Dickson. It was only opened in 2007. I believe it is a 4½-star NABERS-rated building. So if transport options are improved, and they certainly need to be for many reasons, then this could be a very good building for the government to continue to own and use.

The government have just done a big, everything that we have got at present or everything new analysis. They have not looked at the actual options of different buildings. A triple bottom line analysis tool has just been released by the government for comment. Perhaps it will be used with the new building proposal. I think that would be great.

There has been a lot of emphasis on the cultural change from being co-located but, as I said when talking about the CMD, given that a new building will not be ready for six years surely these issues need to be—and hopefully they will be—addressed sooner. Again, if ownership is the key issue, there could be more options if there is more than one building potentially in the equation. In the public accounts committee, we questioned a number of these assumptions. The government has yet to respond to the committee's interim report and I very much hope that we will see this soon.

I raised the issue of street lighting in my TAMS speech last night, but I would like to reiterate the problem. We have lack of lighting in our city. Even after the \$2 million has been spent on city lighting, only 35 per cent of the city will meet the standards. This is dreadful, given the amount of work that is being done in other areas to make Canberra a safer place at night.

But one thing that I will note positively is that the government seem to have taken on board a complaint that they should not roll out small maintenance on infrastructure when there is larger infrastructure of the same area about to come on stream. This has been a total waste of resources, time, money and concrete, which is very greenhouse gas intensive. I am very glad to see that the city cycle loop is part of the work which will be done and is being integrated into the general CBD upgrade program.

Moving on to the LDA, there are a lot of LDA issues of interest to the Greens, but probably the most noteworthy is the Molonglo valley development. We are still concerned that environmental concerns are not properly addressed. The river corridor, in particular, has many environmental attributes which we are keen to see preserved and enhanced. We were very pleased to hear recently that there has finally been a decision not to dam the river, and it is a great relief. We have spent the last four or five years raising this issue and hoping that the ecological issues will receive the focus they deserve over and above the land sale values.

Community groups are still concerned about a number of river corridor management issues, though the main issue seems to be that there are too many competing uses being squashed into the very small river corridor space—the biodiversity protection and enhancement, especially for the pink-tailed worm lizard; the need for habitat connectivity; recreational uses, cycling, horse riding; general recreation; as well as, of course, bushfire outer asset protection zones. I understand there are still consultations on the river park. I hope that these outstanding issues will be resolved.

At this stage, we do not know what the federal department of the environment's advice on the Molonglo valley will be, although we do know that it exists. Very disappointingly, we understand that neither the correspondence from the ACT government to the federal government nor in the other direction is accessible to the public. However, I hope that when we have the new open government website the correspondence will be on there.

I can only hope that the ACT government is following the federal advice very closely and that the federal government has very good processes in place for checking the implementation of its advice. The fact that Wright and Coombs have been excised from the EPBC process completely means that the onus is doubly on the ACT government to ensure that the ecological values are well protected.

Some of the positives in the development of Molonglo include the sustainability adviser who looks at plans for each private house being built and can help homeowners understand how to improve their plans for sustainability outcomes and associated incentives and rebates; the \$1,000 rebate for energy efficient heating or cooling appliances, although I note with significant regret there is no rebate if you build a house which simply does not need heating or cooling; mandating seven-star housing for multi-unit and terrace housing in contract conditions. *(Second speaking period taken.)*

There is the intention to establish a materials recycling depot, like Village Building has at west Macgregor; sites for community gardens being put aside; an investigation into cogeneration and trigeneration of energy; plans for something like the bush on the boundary, which I understand will be called mangle in Molonglo; and better consideration of public transport options from the beginning.

This is not as yet a clear commitment. We have asked about this. We understand some consideration is being given here. We would like serious consideration to be given to it so that as soon as there are people, there are buses; that the right habits are established from the beginning. This will save people considerable amounts of money by not having to buy an extra car. An extra car costs \$5,000 to \$10,000 a year to run.

We note that there has been some work done on child-friendly planning and actually some consultation with young people, which is great. But there are still a lot of areas we remain concerned about. One is the continued lack of commitment to providing non-potable water to households, which may seem fine now, but there will be another drought and we need to be ready.

Another is the lack of plans for a cycle highway to get Molonglo residents priority cycle routes directly to Civic and the parliamentary triangle. We are unsure exactly who is responsible for funding and coordinating cycling infrastructure, not just the cycle highways but the recreational paths and the internal commuter paths within the suburbs. And we are unsure as to whether the paths near the river will be in the recreational zone, the ecological protection zone, the suburban footprint or perhaps the outer asset protection zone, which may in fact be a good idea, although that could lead to a lack of shading due to a lack of trees.

We are totally unclear about what the government's offset policy is, and how this will be applied to Molonglo. This, of course, is a lot bigger than Molonglo. Will there be any dog off-leash areas to reduce the impacts of domestic animals on the riparian zone? As I said yesterday in my speech about cat containment policy, in the TAMS speech, we are glad that the government is doing work on it but surveying human beings is no substitute for actually looking at the environmental impacts. As I understand it, residents of Bonner and Forde were aware before they moved in that the suburbs were going to be cat containment areas, and the residents have worked around this. This, as far as I know, has worked well. I hope this can be repeated in Molonglo, as it did work well.

Affordable housing is a considerable issue for Molonglo. Even for medium-income households, Molonglo blocks are expensive. The government is committed to a 20 per cent affordable housing target in Molonglo, but I do not know how they are going to achieve this. There will be a temptation to sell the blocks and sites for as much as possible but we need to balance this with meeting the needs of a full range of household types. I appreciate the LDA has to make profits for the government, while delivering policies. The challenge for the government is to deliver affordable housing at close to cost price, and deliver a range of housing types and to do it without allowing a few lucky buyers to reap windfall profits, which I understand has happened, unfortunately, in a considerable amount of the current affordable housing.

As to public housing as the most affordable housing, the Greens want to see a more concrete commitment to providing at least 10 per cent public housing in the new Molonglo suburbs. Without this, we will never hope to meet the overall goal of 10 per cent. I think everyone in the Assembly is aware that there is a serious level of unmet need for public housing and significant homelessness in the ACT. We did ask for new housing in Molonglo to be seven-star EER rated. Economically, this will be a better option than six star in the long run and environmentally, of course, it will be better. We are also concerned that given the compact blocks and no plot ratios for those blocks, being so small, we will in fact end up with very little vegetation in much of the suburbs.

Last, but not least, my concern is whether solar orientation has really been maximised in Wright. I appreciate there are difficulties with terrain but we have to get serious about it. There are areas in the world where zero emission developments have become common. LDA equivalents in other states such as in Adelaide, for instance, are already committed to these sorts of developments. In the UK, they have committed to zero emissions by 2016. This is the sort of thing we need to start working on.

Next I will move to the Yarralumla brickworks. I guess my first comment with that is the brickworks need to be conserved and protected as a heritage issue. It should not be done on the basis of some sort of trade-off with development in associated areas in Yarralumla. They are separate issues. I think it is quite appropriate to have some additional development in the area near the brickworks, between the brickworks and Government House. It is important here, as everywhere, that it is high-quality sustainable design and that it is a good public realm.

The most positive thing possibly about this development is the LDA's suggestion that they might be doing some radical work on public transport so that the people of Woden and inner south actually have some bus stops in accessible locations, but I note the price tag they are talking of, over \$100 million, and I think it is really important to see that a real commitment is made to this, and it is not just something which encourages people to agree to other development and then the thing they really wanted does not happen.

I note that the LDA has considerable plans for transforming Woden and increasing the density there. We do support the idea of change in Woden and clearly some of those car parks could be better used. We do think it is very important, as I mentioned with the Yarralumla brickworks, that as well as the residential development there is significant public realm improvement. The two have to go hand in hand.

I know there have been a lot of presentations at the Woden Valley Community Council meetings, because I have seen a lot of them. I know there has been significantly mixed community reaction. I do not believe there has been enough community consultation. The LDA and ACTPLA are planning significant changes in Woden and I really do not think that the residents of Woden appreciate what is being planned for their town centre. Some of it will be good but people need to know that some of it will not have positive community reaction, although hopefully it may be good in the long run.

I will talk about clean economy very briefly because I am running out of time but I also note that my colleague Ms Hunter spoke about it at some length. We are glad to hear that the clean and green economy strategy will finally be released by April 2012. Maybe it is good that it is not part of the end of the year special with the other sustainability policies—

Mr Rattenbury: The Collingwood approach?

MS LE COUTEUR: The Collingwood approach. But I have to say that the government is not having an impressive record with a clean and green economy. Tomorrow we will actually debate my colleague Mr Rattenbury's FIT legislation amendments, and here would have to be a spectacular example of failure—we have had an industry which has been encouraged by government regulation just to be kneecapped, or possibly even beheaded, by government regulation or lack of regulation. We have to do better than this.

Small business is another area where we have to do better than we are at present. It is very hard to tell what is happening in small business except anecdotally they are finding it tough. Supermarket policy is something clearly in the public arena at present and one of the biggest regrets here is that the government does not appear to be doing small business impact studies when they are releasing or approving changes in development. We have got a question on notice about this—it has not yet been answered—and examples of such impact analysis also seem to be extraordinarily hard to get hold of. We, so far, have failed to actually do so. This is a shame. There was a lot of work put into developing supermarket policy. I understand parts of it are being

revised as I speak. We all appreciate the need for competition but we appreciate the need for fair competition, not competition which is dominated by a monopoly or a duopoly.

I will just very briefly mention the Australia Forum. I would like to add that this should probably be a carbon neutral precinct, given the need for all Canberra to become that—but also there is its showcase status. That will be something where, given the ACT government will be involved, this would be a direction I would like to see the government push the Forum in.

So, in summary, it is a really interesting, exciting directorate but I think it is one that a lot more work needs to be done in in terms of a taking a serious look at the cost and benefit, the nuts and bolts, of having both an environmentally and an economically sustainable direction and also, of course, one that is socially sustainable.

MS BRESNAN (Brindabella) (9.55): I would just like to speak briefly about the affordable housing action plan that sits within the Economic Development Directorate. The ACT government has appropriated 350,000 per annum through this budget to the furthering of that plan. The Greens called for an affordable housing action plan in 2005 and the government delivered that first version in 2007 with an update in 2009. The Greens are concerned that the policy lacks clear targets and indicators for monitoring. This is something we asked for before the plan was established and it has recently been found by the Auditor-General to be a problem. The Greens are also concerned that the government continues to rely on measurements of housing affordability which do not reflect the reality of what people are facing.

In the past we have seen ministers in the media refer to measures based on median house prices and median wages. A much more accurate measure would be to examine the bottom 40 per cent of income earners and see what percentage of them are paying more than 30 per cent of their income on housing. The government also needs to factor into measurements how much it costs to run a house because, to give an example, 75 per cent of people presenting to the ACAT who cannot afford to pay their energy bills come from public housing. Low-income people cannot afford the running costs of a house and that impacts on their ability to pay for other essentials such as food, transport and health care.

The Greens do not believe saying that Canberra has the most or almost the most affordable housing in the nation is accurate as we know that people who earn below average incomes in Canberra struggle with the high average cost of living that the average wage earner can afford. The Greens also want to see some real analysis of who can afford the properties released under the OwnPlace scheme as we have received some complaints that people who are a part of the government's target market cannot afford this product.

Another factor is that demand for public housing is likely to increase by 2021 if reports from the Australian Institute of Health and Welfare are correct. We will have an increase in public housing properties and this will occur largely through investment from the federal stimulus funding but we must plan and keep pace with current demand to avoid major increases in demand in the future.

In conclusion, I am pleased to see the ACT government committed to undertaking policy work on this matter and hope that it will result in more evidence based policies and programs which target people in housing stress. It would have been good if the government had acted on concerns sooner about the action plan targets and the need for evidence based policies, however we take it as a positive sign that this is now occurring.

DR BOURKE (Ginninderra) (9.58): I am going to congratulate the minister for two policies, two items, two more instances which are in the area of small business because as you know, members, small business employs more than 50 per cent of the Canberra workforce and small businesses are a significant component of that.

The first program that I am going to talk about is the innovation connect program, which is going to continue to be supported for another four years. This provides step-up funding for technology based businesses and entrepreneurs to accelerate development and commercialisation of products and services. Basically it assists companies at the pre-start up, start-up and growth stages and since 2008 this program has supported 57 local companies.

The second program I am going to talk about is a range of advisory services to support high growth potential firms, accelerating their capacity to grow and attract external development finance. These services focus on mentoring, capacity building and possibilities for accelerated growth. They include preparation for venture financing, innovation and commercialisation strategy advice, and support for the development of high level entrepreneur skills, business sustainability and company value realisation.

Minister, I congratulate you on your support for small business in Canberra.

MR RATTENBURY (Molonglo) (10.00): I am not sure if I can follow on in quite the same spirit as Dr Bourke but I will do my best.

Mr Barr: Come on; my netball team mate promised me you would say something nice.

MR RATTENBURY: I have got some nice things to say, Mr Barr; it is all right.

I would like particularly to speak about the tourism and sport and recreation elements of the Economic Development Directorate this evening. When it comes to tourism, much of the discussion in the estimates hearings, and certainly then subsequently in the media, focused on the new Enlighten festival. Criticisms were made—Mr Smyth has made them again here tonight—of how little money it made and the number of free tickets given away.

I think there is a genuine debate to be had about who is best equipped to set up festivals such as Enlighten—whether it should be a community-based or artist-based group or whether it should be government. There are arguments both ways; I do not think it is an open-and-shut case. What I do think is important, though, is for festivals

to gain recognition and momentum over time. It is nigh on impossible to create a runaway overnight success when it comes to festivals. Floriade is a good example of this; as we all know, it started out small and local and now has grown to attract visitors from much further afield.

For this reason, I think some of the commentary on the profit margins and number of free tickets has been somewhat short-sighted. I think it was unrealistic to expect the event to be an instant success. It may well take a number of festivals over a number of years to grow into what the government hopes it could be.

That said, there will be lessons learnt from this year's Enlighten. Certainly the choice of artists, the focus of the festival and the target audience are areas where we need to learn lessons. And whilst INXS are very popular for people from my and Mr Barr's generation, they perhaps were not the exact type of artists we need for this kind of festival. They are some of the evaluations that no doubt need to take place.

From what I have heard, the light shows projected onto the buildings in the capital were particularly well received, and I think there are things that can be worked with to make the festival more successful next year. The essential idea of working with our national institutions and doing night-time events is an attractive one, particularly in winter. As most members know, I spent a number of years living in Amsterdam; certainly the major cultural institutions there had a very significant program of night-time openings. They were immensely popular; once they became well known, it was very difficult to get tickets to many of them because it was such a popular thing to do. So I think there is real opportunity in that sort of area.

I encourage the government to both experiment and learn from the things that did not work so well this year. Recommendation 86 in the estimates report sums up the situation pretty well when it suggests that the government should provide details on how it will improve Enlighten and over what time frame. As I said, I think there are improvements that need to be made, and the government needs to be quite strategic in looking at its future investment in the festival.

Another aspect of tourism in the budget is the blockbuster fund, which has been welcomed by the industry and related businesses. Certainly it was well recognised at the AHA dinner on Monday night; it was clearly a popular decision amongst the industry. It is a proactive way of putting aside some money towards getting those blockbuster events into the ACT. I note the recommendation from the estimates committee that the government should table the guidelines that apply to accessing the blockbuster fund. I understand that there are large amounts of money involved in the fund and that it needs to be spent in a transparent way and according to strategic guidelines where we can see that the money is being spent in a sensible way.

I endorse the recommendations, but I would like to make some additional comments. The guidelines will aid transparency and ensure that there is direction as to how the government spends the money, but we also need to allow for flexibility and responsiveness to the sorts of events that may appear on the horizon. We have all talked very positively about *Masterpieces* as being the ultimate event to come to Canberra. The government's investment in that was clearly a very successful one. But

we are not always going to get those. Whilst we do need to have guidelines in place for some guidance, we also need to not close the government off to that kind of possibility or a range of other possibilities. We need to have the flexibility. Guidelines are good—some framework of what we have in mind—but we also need to allow room for creativity and doing things that we might not have thought of that turn out to be an unexpected or tremendous success.

Let me move to sport and recreation. There were a number of positives in the budget. The Greens welcome the funding emphasis on community facilities in the budget, because we believe investing money in community sport delivers the most bang for buck.

The \$26.3 million for the 50-metre pool at Gungahlin is good news for the people of Gungahlin. I think some of them would suggest it is overdue, but it is certainly good news because they do deserve to have access to such a facility in their region, particularly with the growth in that community and the demographic spread of that community. An aquatic facility is going to be a tremendous addition for the region. We welcome the decision to invest now in infrastructure for this growing region. All we now need is light rail to Gungahlin so that people can commute to work after their morning swim. That would create the ultimate in active transport for the good citizens of Gungahlin.

We are also pleased to see investment in local community level initiatives such as the \$2.1 million for the multi-use centre in Tuggeranong and \$3 million for playing fields in Kippax, Charnwood and Isabella Plains. This is exactly the sort of infrastructure we need in our suburbs to encourage a healthy, active lifestyle for as many Canberrans as possible.

We are also pleased to see that the government is planning a feasibility study into a leisure centre at Molonglo, potentially filling a gap in services in the Weston Creek area. And it is positive that that thinking is being done now. One of the great frustrations for many of the residents of Gungahlin has been that their community was long established before many of the facilities came along. There has been a real gap there where people, particularly the young people, of Gungahlin have really suffered through the lack of these kinds of facilities.

One of the questions that I have that I was not able to get to the bottom of in estimates, and the minister might be able to assist me with this tonight, was when I sought to explore the government's policy on what sort of organisations receive funding for assistance with accommodation. This came up during question time today. Whilst it was contentious to ask this in estimates—more contentious than I anticipated—I was trying to understand the difference.

This year we have seen just over \$1 million for player facilities at CIT to support the Canberra Raiders. This may be a fair investment, but I think it would be a debatable point in the community. Some people will say that we should not invest in elite sport; others will say that of course we should: it is an important part of the community. I do not seek to put my view on that tonight, but I want to explore the consistency in the government's policy position.

We have had Mr Corbell, when it comes to community legal centres, make a number of comments and quotes which could equally apply to the Canberra Raiders. For example, he said in estimates for Justice and Community Safety:

... we would make the observation also that community legal centres are independent entities with their own boards that make their own decisions about what staffing they take on and how they accommodate those staff.

Presumably the Canberra Raiders are a similar type of entity. He went on to say:

A community legal centre is not a public service agency; it is a private not-for-profit organisation—

as are presumably the Canberra Raiders.

I make these observations, as I say, not to particularly protect the Canberra Raiders but rather to seek some clarity around and some consistency in the government's approach to how we assist community organisations, whatever field they are in, with their accommodation needs. This is an issue that I have explored in some depth. Mr Doszpot brought it up again during question time today and highlighted the problems of, for example, the community legal centres—the Women's Legal Centre was a specific one—and the difficulties they are facing.

Another issue for me came out of asking questions around rent, issues around hiring the Canberra Stadium and how Territory Venues and Events operate those agreements. Some of the answers I was given indicated that I could not have that data because it is commercial-in-confidence. So be it, but I was interested to note that when it comes to ticket prices for the NRL, for example, for a family of four to go and see a game of Rugby League, it is \$80 for the Raiders at Canberra Stadium, it is \$70 for the Broncos at Suncorp and it is just \$40 for the Bulldogs at Homebush stadium.

Now jokes aside about the relative merits of those teams, I do find that a great diversity in prices, and I am intrigued as to why it is so expensive for a Canberra family to go and see the Raiders when a family from Bankstown going to see the Bulldogs can get admission to see that game for rather less. I am interested in the government's take on that issue as the owner of Canberra Stadium—whether it is an issue to do with the stadium hire cost structure or whether it is an issue that the Raiders are perhaps more responsible for.

So a few issues are raised there—ones that we will continue to pursue over time.

MR BARR (Molonglo—Deputy Chief Minister, Minister for Economic Development, Minister for Education and Training and Minister for Tourism, Sport and Recreation) (10.10): To close debate on this section of the budget, I would like to thank all members for their contributions. The Economic Development Directorate is obviously a new directorate pulling together a number of important areas within ACT government. I certainly appreciate the variety of feedback that we have received tonight on the budget. I do not agree with all of it, but I do note the passion and desire for a better economic outcome for the people of Canberra that is evident in everyone's contribution. So I can start on a positive note by thanking members in that context.

There are a number of areas I think it is important to respond to. Obviously the government office block has been the subject of a considerable amount of commentary tonight. I think Ms Hunter was the first to observe that it is not simply a case of build it or do nothing, that regardless of the decisions that we take as an Assembly in relation to appropriating funds to accommodate our staff there will be a need for a significant appropriation of funds in the coming period, over the next decade, and that will undoubtedly be one of the more significant decisions that we take.

The government's view is that it is not a matter of either/or, but that we can pursue our accommodation options through the government office block and also pursue a variety of other major capital works. In fact the government office block will make a range of other projects that are of interest to members of the Assembly much more viable because the office block would have important positive implications for those projects—light rail and rapid transport are examples of this.

I say this for two reasons. Vacating a number of the buildings that we own along Northbourne Avenue would free up a range of sites for redevelopment for a mix of residential and commercial uses. This is of course in addition to the plans that my colleague Minister Burch has in relation to the redevelopment of the Northbourne flats. More dwellings along this approach route in addition to the ongoing growth in Gungahlin will make a dedicated rapid transport corridor along Northbourne Avenue a much more viable option. Furthermore, increasing the number of people who work in the city creates critical mass at a destination point and of course a departure point at the other end of the day. So the location of the government office block would suit a multi-stop transport loop around London Circuit which could then be linked to other rapid transport spines such as a southbound route.

It is important in the context of this debate to look at how this project would fit in with a number of other priorities. I note there is concern in relation to current office vacancy rates. I do point out, as I did in estimates, that this building would not be occupied for six years and that with a range of incentives that the government has put forward to the property industry around redevelopment of C and D grade stock within the city for alternative uses it would be possible, in fact highly probable, that current surplus stock could be adapted for an alternative use, again to support that critical mass around a new rapid transport system particularly within walking distance of a London Circuit loop. I think there is considerable merit in that policy approach and aligning the government's investments with a range of incentives in the taxation area and in the planning area I think provides a very sound way forward, in fact.

There is always considerable debate—the Leader of the Opposition raised this in his initial contribution—in relation to savings figures. I always find it amusing that, when an estimates committee asks for a particular piece of material to be presented in a succinct way, it then says it is outrageous when there is an A4 sheet of paper. Well, the reams of material that was provided was apparently too much to absorb so there was a request for a simplified version to be provided, and it was.

I note the government has responded to all of the recommendations of the estimates process. I have indicated in response to questions this week in relation to the public accounts committee that we will be finalising our government response to those recommendations and I certainly look forward to continuing that debate.

I now turn to the tourism, sport and recreation and business and industry development areas of the Economic Development portfolio. I must observe about Mr Smyth's contribution that I do not think I have heard call for more plans since Black Jack McEwen. It is a bit of McEwenism emerging in Mr Smyth's approach to this, but I also know that if we deliver each of these plans then I will take Mr Doszpot's advice to ensure that they are not glossy. When we do deliver a plan I get accused that it is glossy and that I am a merchant of spin. I think in this instance I am damned if I do and damned if I don't, so we will continue to pursue—

Mr Smyth: Maybe you are just damned.

MR BARR: Well, maybe so, Mr Smyth. We will continue to pursue our policy objectives in relation to the Economic Development Directorate. I note the interest of the Greens party in relation to the clean economy strategy. I think the one element that I would like to make clear to everyone is that none of these strategies will be old-style 1960s industry development plans out of the sort of Soviet Union-Chinese economy approach, seeking to micromanage each area of industry within the territory. I have no interest at all in pursuing that sort of industry development strategy.

Frankly, I would rather just give everyone a tax cut than I would spend years developing ridiculous micro plans for industry development of every possible permutation. The government does not have that level of control over economic activity, nor should we. I do not think we should be desiring that level of control. I am surprised that a Liberal Party spokesperson is calling for such a level of government intervention in the industry. I do find that amusing. Nonetheless we will continue our work and there will be a robust debate about the virtue of strategic tax relief versus initiatives of support off the budget and we look forward to that debate in the next 12 months.

In relation to Enlighten, before I close, I would like to thank Mr Rattenbury for his most sensible of observations and commentary in relation to the event. It again perhaps does not surprise me that the *Sunday Times* in its race to be the poor man's *Sunday Telegraph*—the downward spiral to third-rate tabloid journalism—would seek to entirely misrepresent the nature of such an event. It was never the government's intention to make money off Enlighten. We in fact had a budget allocation to ensure that we could set up and market the event. We have a marketing budget that we spend anyway, but of course we sought to promote in our key destination markets our new event. That is logical. I would be surprised if anyone thought that we would establish a new event and then not market it. Of course we were going to market it and of course there are higher costs in the first year. The industry standard is that it takes about five years to establish a new event and I think that is a reasonable expectation for Enlighten. There will be changes to the format. The event will evolve, just as Floriade has over its time and just as other events do.

I certainly recognise that there were elements of Enlighten that worked exceptionally well and elements that were not so successful, and we will, of course, learn from that and seek to continue to enhance the event in the years ahead. I do note that the event was very successful in raising awareness of Canberra as a tourism destination in our key markets, and that the impact of our marketing campaign was very positive in terms of the key performance indicators that our marketing campaign sought to meet. I certainly look forward to a growth and expansion of Enlighten in the years ahead.

Finally, in relation to the blockbuster fund, again I acknowledge the very sensible contribution of Mr Rattenbury. Yes, there is a need for guidelines. The program opens on Friday, and I will be releasing the guidelines at the time the program opens on Friday, but there is a need obviously for flexibility. That is why the event fund was established, to enable flexibility for the government between budgets to procure major events for the city. We do have a couple that we have our eye on, and I look forward to being able to make those major announcements in the very near future. Just to allay the concerns of the estimates committee, when I launch and open the blockbuster fund on Friday 1 July the guidelines will accompany the launch of that particular fund, as you would expect.

I thank members for their contributions tonight. I think the Economic Development Directorate is an exciting new area of ACT government. I am really pleased to have the honour of being the first minister in this area with this new directorate, and it brings together a range of really important contributors to the ACT economy and will, with the team that is being pulled together, be a fantastic contribution to ACT government and to the ACT economy in the years ahead. I thank members for their support of this particular line.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.7—Treasury Directorate—\$52,034,000 (net cost of outputs), \$116,277,000 (capital injection) and \$22,609,000 (payments on behalf of the territory), totalling \$190,920,000.

MR SMYTH (Brindabella) (10.23): This directorate really sets the scene for the consideration of the budget. I just make the point that it is odd having it come in at the seventh line when so much has gone before it that probably could have been or would have been said in this part of the debate. So be it. It might be something we take on board for next year.

First of all I would like to thank the Treasurer for the technical briefing that was offered to the estimates committee. I think it is a very worthwhile thing to do. We did it for the first time last year and it worked well. It allows members of the estimates committee to get across some of the technical detail perhaps before some of the political detail is discussed. In that way it is not a bad initiative and I hope that it is included in future years.

I think, though, that what we have is a Treasurer who has a remarkable capacity for dithering when firm decisions are called for and I guess, in part, this is perhaps why she is handing the portfolio across to her deputy. He might take control and achieve many of the things that the Treasurer has failed to achieve—for instance, the budget savings or imposing her will on the departments and agencies to keep to their budgets. And it will be interesting to see in the coming days, when we finally get the Treasurer's advance summary and the end-of-year summaries, which departments have blown their budgets and have not made their savings.

Simply letting the world swell around her—and we had that wonderful comment that she found it very frustrating and was reduced to tearing her hair out—is not the leadership that one should have and that is not the leadership certainly that the people of the ACT deserve. The Treasurer does not have a plan to reduce the budget deficits. This is quite clear. She says she has a plan. But when we question the veracity of that plan we find, in things like the 2011 budget notes, \$149 million of savings are still required to try to get the ACT budget back into surplus. That can be found in budget paper 3, pages 18 and 28. I suspect there is a lot of wishing and hoping to achieve this target. And the question really is: where has the Treasurer been over the past three years?

There are two contradictory trends in the ACT budget parameters that are worth discussion. First, consider revenue. In the 2009 budget the Treasurer told us of a substantial loss of revenue because of the GFC. You only need to refer to the budget speech, budget paper 2 on page 2, to see this statement. It really is quite something.

As to the loss of revenue, of course the reality is something quite different. Using the Treasurer's own figures one can see that the ACT budget is gaining something like \$1.3 billion more than was initially estimated by the Treasurer across the years from 2008-09 to 2011-12—an additional \$1.3 billion—when the Treasurer told us that we had lost around \$1.1 billion. It is worth reading this from 5 May 2009:

Mr Speaker, the impact on our budget has been more severe.

...

These factors alone contribute to a revenue loss of around \$1.1 billion since the last Budget, and around two years growth off our revenue base.

We lost a quarter of the budget in a single year. It was quite a remarkable achievement.

Mr Coe: Just another year.

MR SMYTH: Yes, it is just another year. That is right. The Treasurer told us that we had lost around \$1.1 billion. This means that the ACT would have received across those three years an additional \$2.4 billion more than Treasury had estimated over the period or an average of something like an additional \$0.6 billion each year in additional revenue. According to these numbers, the ACT is not in any sort of parlous state, as the Treasurer would have you believe. On the contrary, just on the revenue numbers, you would have to say we are doing very nicely in regard to other jurisdictions.

Of course that is what the CommSec report says—the CommSec report, which the Treasurer is quite keen to quote when it says we have got the best economy in the country. And we do, simply because all of the others fell away. It is hardly of any credit to the Treasurer that we are at that stage. It is more a strength of the underlying fundamentals of the economy, particularly the huge dependence we have on federal government spending. If you are going to take the good news, you have to take the bad news. And the bad news is that CommSec confirms the trend in the revenue, and that is that we were insulated from the GFC. It does not say partially or mainly. It says we were insulated from the GFC.

This brings me to my second trend. The real issue is the inability of the ACT Labor government to control its spending. If you consider the major areas of spending in the ACT budget, nearly half our budget is spent on wages. But how much are salaries and wages estimated to increase during 2011-12? Seven per cent. And you simply need to refer to budget paper 3, page 72, to see that. While other states in their budgets are talking in terms of increasing wages in the order of 2.5 per cent, the ACT is at nearly three times this level. We are in something like cloud-cuckoo-land if we believe that this is sustainable. I truly believe this Treasurer has no idea of what is going on in the real world.

It brings us to some of the economic progress. In general terms, most of the projections set out in the budget would appear to be quite reasonable, given the unknowns or risks that continue to prevail. I think we are all watching with interest what is happening in Greece and the debt crisis that they face, the continuing debt crisis in the United States, indeed the debt crises of many other countries, rising inflation in China, the two-speed or possibly the three-speed economy that operates currently in Australia and the looming prospect of higher inflation in Australia.

However, there is a question on the rate of unemployment in the ACT and indeed there is the huge issue of the skills shortage. It is interesting to note from the monthly bulletins from the ABS that the ACT has a fairly consistent rate of unemployment in the order of three per cent. I think we need to consider a recent analysis, however, of those people who may wish to work. For people who need to refer to the ABS bulletin, it is 6220. The ABS has estimated at present there are 2.8 million Australians who fall into the categories of those who are unemployed and who wish to work, who are working part time and want to work full time, who are working short hours and want full-time work, who are working part time and want full-time work or who have given up looking for work but would work if they could find a job.

Based on the bureau's analysis, there are something like another 13,000 or 14,000 people in the ACT who would like to work. I am not suggesting we add those into our unemployment figures, which would take the rate from three to nine per cent, but what it shows is that almost one in 10 people in the ACT who could be in the labour force are not in the type of work or the work conditions that they would prefer. I mention this simply to emphasise that some economic parameters may not reveal all that can be shown, and indeed that analysis does need to take great care.

It is of course one of the fundamental areas in the budget and there are a number of recommendations in the report and there are a number of recommendations, therefore, that the government has responded to. Some of them just respond to the way the budget is presented and I would ask members, and particularly the Treasurer, to look at them in the way that they are offered, in an attempt to improve presentation of the budget. There are a number of recommendations that would have allowed the government, and indeed this Treasurer and Chief Minister, to actually allow people to get a feel for how much openness and accountability that she would like. I refer to recommendation 29:

The Committee recommends that the ACT Government provide a detailed analysis by Directorate of actual savings in their respective annual report.

The Treasurer claims the savings are there. So you would have to think this would not be a very hard thing to do. But what is the response? It is: not agreed. Let me read out the explanation:

The savings have been incorporated in agency budgets. Reporting annual expenditure against budgets, as exists in the annual financial statements, is the appropriate vehicle to provide such reporting.

I am surprised that you might not do it in the budget and you might not do it in the annual report as well. It raises an issue of whether you are willing to or not. Open government goes out the door when you claim you have got the data, a committee recommends that you put the data in the annual report so that we can see against the performance of the department for the previous years what savings have been made, and what does the government say? "No, we do not agree." So much for open and accountable!

The committee then asked that the ACT government conduct a review of the efficacy of the efficiency dividend policy, in particular how the delivery of services has been or will be affected. If this policy is working, there must be some outcome. So you would expect that the government might be able to respond. But yet again, what is the answer? "Not agreed." Given that that is the first of my 10 minutes and it is now 10.30 pm, I might finish there and take this up in the morning.

MR SPEAKER: Thank you, Mr Smyth. That is appropriate.

Debate (on motion by **Ms Burch**) adjourned.

Adjournment

Motion (by **Ms Burch**) proposed:

That the Assembly do now adjourn.

Childcare

MRS DUNNE (Ginninderra) (10.33): Recently, I visited Rainbow Cottage childcare centre in Belconnen and met with the centre director, Debbie Brew, and her marvellous staff. Rainbow Cottage is a childcare centre with 63 places, catering for children from infancy to school age, and employs 13 staff. The centre has a very low staff turnover, with many staff having been at the centre for a number of years.

During the visit, Debbie and I, and our staff, discussed the national quality framework and talked about staff-to-child ratios. In the case of Rainbow Cottage, the nursery currently operates from birth to 18 months and has 10 babies. The new framework will require the nursery to run from birth to two years and will run with eight children. The toddler room, which currently runs from 18 months to three years for 11 children, will become two to three years with 10 children. That is a net loss of three places. While the staff-to-child ratios are supported, the centre physically cannot expand, so they will have to reduce the number of children in the place. This is a great shame.

Another childcare centre I had the pleasure of visiting was the Weston Creek children's centre. I visited there on 12 June, along with the Hon Tony Abbott and his wife, Margie. The centre, which is a new centre, as a result of the fire in 2003, has been operating for 13 years. There are 100 children at the centre and it employs 36 staff. Emma Morton, the director, is very concerned about the impact of the government's national quality framework, along with the federal government's decision to freeze child indexation rebates and the general cost of living increases that put an enormous amount of pressure on working families and their ability to afford childcare.

Like Debbie, Emma feels that there is too much pressure on childcare workers, yet there are no rewards. Emma is in a constant state of juggling to keep the costs for families down and paying her staff above-award wages. Keeping staff motivated is a challenge she faces. Emma and Debbie are not isolated in their thoughts on these matters.

This week I had an opportunity to visit Totom House multicultural early childhood centre in Kaleen and was hosted by Robyn Bloomfield and her staff. Robyn has been the director of Totom House since June last year. The centre is a community-based not-for-profit centre that caters for children from infancy to school age; it employs 19 staff and it occupies a building owned by the government. The centre recently advertised to fill various roles and the response has been disappointing. The director, rightly, is concerned about the future and being able to fill vacant positions.

When we walked around the building, I was shocked at the quality of the building. The building has undergone various so-called renovations over the years. Quite frankly, the state of the building is a shambles. This government should be ashamed of the quality of the building where our children are being looked after. Robyn informed me that she had asked a number of times for assistance with some repairs. Some repairs had been done three times, and then they found that the problem was not in the ceiling but in the roof. There was leaking where there had been bodgie jobs. We

walked through the toilet areas, and I was appalled. The toilet in the babies' room is behind a roller door because they can find no other way to isolate the toilet from the main area of the babies' room. The structure is appalling. If I were the landlord of that building, I would be ashamed. The minister should be ashamed.

By stark contrast, I visited Baringa early childhood centre. I was hosted by Judy Small. Judy is very proud of the new renovations that have taken place there. I do note that, by contrast, the splendid renovations at Baringa childcare and extension come at about half the cost of the childcare places that we will see established in Flynn, where we will see just over 100 places at roughly \$40,000 per place. This is a matter that we should be very concerned about. The money that the government is spending on refurbishments is not necessarily giving us value for money. A lot of money is being spent in some places, and other places like Totom are going begging.

Australian Hotels Association awards Radford college art show

MR COE (Ginninderra) (10.38): Firstly I would like to add an award winner to my speech from last night on the Australian Hotels Association ACT branch 2011 awards. I failed to mention that the Foreshore music festival won the best tourism initiative, and I congratulate the organisers, Laurence Kain and Ryan Phillips, on the entertainment and great work they do in that event, an event which I have spoken about in this place before.

Tonight I would like to put on the record my congratulations to Radford college and the celebration of their art show, the 27th annual art show, which was held on Friday, 3 June through Sunday, 5 June, the opening being on that Friday night. As I have said in this place before, I am a former Radford student, and tonight I wear my Radford tie in recognition of the good place that it is.

The art show is a feature in the Radford calendar and is very well attended by both the Radford community and those from further afield. It is a great opportunity for local and regional artists to display their work. That work includes woodwork, sculpture, jewellery, photography, ceramics, glass and paintings amongst other forms of art.

At the opening, Robyn Archer AO gave a very informative and entertaining address, and we heard from a number of the other organisers.

I would like to put on the record my thanks to Mr Phillip Heath for the work he did with the art show and more generally for the work he is doing as the principal of the college. His sincere, consultative and community-oriented approach to leading the school is reaping dividends. I very much congratulate him for all the work he is doing.

I would like to thank the sponsors of the art show. They include Leonie Lucey, Henry Ergas, the National Gallery of Australia, whitefox.com.au, the Aarwun Gallery and Capital Indoor Plant Hire Pty Ltd.

Radford have always had a very strong community involvement. The art show is certainly reflective of that involvement. There are many people whose names I would

like to put on the record now to thank them for their role in making the 2011 show happen. It includes the student musicians, who are coordinated by Mrs Bronwyn Brown, and who include Naomi Kwong, Nicole Fung, Vivian Zhu, Naomi Nguyen, Laura Pham, Mia Di Bortoli, and Erin, Liam and Aidan Pierlot.

There were the student café assistants, coordinated by Mrs Beth Girvan. On Friday night there were Emma Speldwinde, Sally Foster, Beth Stone, Kate Goodman, Sam Hartwig, Tinmay Yu, Alex Cardew-Hall, Meg Cole-Adams, Tiffany Westende, Isaac Dugdale and Brendan Wright. On Saturday and Sunday at the café, there were Jinhee Schneider, Alex Richards, Jess Nutt, Daniel Melloy, Kate Overton-Clarke, Lauren Farley, Sophie O'Dea, Courtney Streeter, Bridget Seberry, Jasmine Braybrooks, Isaac Dugdale, Tim Allen, Brendan Wright and Ben Hood.

The art show committee was coordinated by Hanna Baudert. Her committee included Shari Blumer, Fionna Granger, Tania Methorst, Berend Methorst, Ruth Kovacic, Poh Ling Lee, Marietta Brinkley, Sue Miller, Roza Passos Faunce, Helen Marsden, Susan Hall, Berend Methorst, Tracey Fitzgerald, Kate Potter, Lindy Armstrong, Jan Gatenby and Andy Peyton. Some of those people had multiple roles on the committee.

Finally, I mention the Radford College staff who supported the event: Robert Harris, Celia Lindsay, Rob Riley, Allan Pennicook, Allan Lee, Beth Girvan, Bronwyn Brown, Helen Swarbrick, IT staff and Jennie Currie.

I commend them all and thank them all for their wonderful work. We all look forward to the 28th art show in 2012.

Mrs Melpomeny “Melba” Tsoulis—death

MR DOSZPOT (Brindabella) (10.42): In tonight's adjournment debate it is with deep sadness that I make this condolence speech about the death of Mrs Melpomeny “Melba” Tsoulis. This morning, Wednesday, 29 June 2011, around 400 members of the Canberra community attended the funeral service for Mrs Melba Tsoulis at the Greek Orthodox Church of St Nicholas in Kingston. Mrs Tsoulis passed away last Saturday, 25 June 2011 and, with her death at the age of 90 years, the Greek community of Canberra lost one of its post-World War II pioneer members. She was a true matriarch of the Tsoulis family and a key figure in the social and philanthropic activities of Australian Hellenism.

She was born in the Greek Macedonian city of Florina on 21 May 1921. Melpomeny “Melba” Tsoulis arrived in Australia in October 1951, accompanying her two infant children, Sophia and Constantine. Her husband, the well-known leader of Australia's Greeks, Nick Tsoulis, had arrived in January 1951. He became one of the pioneers of the building and construction industry in Canberra.

Melba Tsoulis had a pleasant and vivid personality, eager to contribute in community affairs. She stood by her husband, Nick Tsoulis, when he was building the Hellenic Club. She was next to him when he was erecting the Greek Orthodox Church of St Nicholas and she was encouraging him when he was elected inaugural leader of the Greek Macedonian Federation in Australia. She opened her house, admitting hundreds

of new immigrants, when her husband was the president of the Olympic Soccer Club in Canberra. Above all, she was there to support her husband when Nick Tsoulis was elevated to serve Canberran Greeks as the president of the Greek community in Canberra.

Later on, when her husband died in 1996, Melba Tsoulis undertook the role of the matriarch, encouraging her son, Con Tsoulis, to undertake the leadership of the Greek community for three successive terms in office as its president.

Melba Tsoulis was always a vocal advocate in issues concerning her Greek heritage and culture, always eager to partake in the community efforts and integrate into the mainstream of Australian society. She was always a strong supporter of those in need and served for many years in the local Greek Orthodox Benevolent Society, offering substantial bequests and supporting the philanthropic role of the local church.

She will be missed for her perseverance and her determination and commitment to her ancestry. A loyal Australian settler of Greek background, she became a citizen, with enormous respect for and loyalty to Australia.

I would like to offer our sincere sympathy to her family: daughter, Sophia, and her husband, Andrew Haridemos, and their children, Nick, Eleni and Melba; son, Kostas Tsoulis, and his wife, Anna, and their children Nick, Melba and Arthur; and her 10 great-grandchildren. May she rest in peace.

Rotary Club of Canberra Weston Creek

MR HANSON (Molonglo) (10.45): I rise tonight to talk about a function I did not attend, and that was the Rotary Club of Canberra Weston Creek handover dinner for the outgoing president and the incoming president. The outgoing president was Janice Paull, who has done a magnificent job in her role this year. I think that the Rotary Club of Canberra Weston Creek benefited greatly from her guidance.

Today I was talking to a couple of members that I met at the Shepherd Centre when I attended their birthday celebrations. I think we all agreed that she had done a great job and that she had grown throughout the years as an individual. I think it is the case with Rotary that its members often get as much out of it as they put in. Certainly in Janice's case, she has contributed greatly to the Rotary Club and to the community and has, I think, benefited greatly herself, as we all do by being associated with Rotary.

John Kennedy has taken over as president, and I am sure he will do a sterling job. I look forward to being a member of the club under his leadership and I wish him well in the year ahead.

Question resolved in the affirmative.

The Assembly adjourned at 10.47 pm.