



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**EIGHTH ASSEMBLY**

**20 MARCH 2013**

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**Wednesday, 20 March 2013**

**MADAM ACTING SPEAKER** (Ms Porter) 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.

**Petition**  
**Ministerial response**

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

By **Mr Rattenbury**, Minister for Territory and Municipal Services, dated 18 March 2013, in response to a petition lodged by Ms Gallagher on 12 February 2013 concerning the provision of MyWay terminals for all group centres.

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

**MyWay terminals—petition No 1-13**

*The response read as follows:*

The ACT Government notes the petition submitted by the petitioners, tabled by Ms Gallagher MLA on 12 February 2013 and makes the following comments:

The ACT Government recognises the need to provide convenient access to MyWay recharge facilities and is expanding the number of MyWay recharge options.

At present, MyWay recharge agent facilities are located in all five of Canberra's town centres and eight of its 19 group centres.

A tender process is currently underway to implement 10 new agent facilities. It is expected that six will be located in group centre, resulting in 14 of 19 group centres having MyWay recharge agent facilities. The allocation of recharge agent facilities throughout the Territory is based on the planning undertaken through the Transport for Canberra plan.

Expansion of the MyWay recharge agent facilities to the remaining group centres is dependent on funding allocations, user demand and interest from private enterprise.

The list of MyWay recharge agents is available at:  
[http://www.transport.act.gov.au/catch\\_a\\_bus/myway/myway\\_recharge\\_agents](http://www.transport.act.gov.au/catch_a_bus/myway/myway_recharge_agents)

In addition to using recharge agents, MyWay users can also recharge their MyWay cards online or over the telephone.

## Canberra—future

**DR BOURKE** (Ginninderra) (10.01): I move:

That this Assembly:

(1) notes:

- (a) the success and overwhelming civic pride with which our community has celebrated the centenary of Canberra's foundation;
- (b) the need to ensure that we continue to build on the achievements of the last 100 years through strong leadership, forward looking policies and the delivery of transformational projects; and
- (c) that there is growing recognition in our community, in our business sector and in our region that the future of Canberra's prosperity will require strong leadership to drive the linkages, partnerships and relationships required to continue to build a strong, sustainable and diverse ACT economy; and

(2) calls on the Government to continue to establish and set strong and progressive policies including:

- (a) municipal services—continue investment across the city to ensure Canberra remains a great place to live, including more digital information and giving communities a direct say on priorities to improve local places and spaces;
- (b) economic development—continue to support the diversification of our private sector and create new jobs through accelerating business innovation, support business investment and foster the right business environment to make Canberra a preferred location for business;
- (c) tax reform—continue our work to support a fair, simple and more efficient tax system, reduce the share of inefficient taxes and reduce taxes for lower incomes, and continue with appropriate and targeted assistance for those who need it which will allow the Territory to make investments for the benefit of current and future generations;
- (d) tertiary education—harness the potential of our tertiary and research institutions to maximise the opportunities for education, jobs and the economy such as the University of Canberra Hospital in Bruce;
- (e) school education—implement a needs-based funding approach to school education;
- (f) regional service centre—continue building our capacity to coordinate service planning and delivery in our region, particularly in the areas of health and education;

- (g) transport for Canberra—implement the Capital metro project to deliver the first light rail stage for Canberra and develop a master plan for light rail across our city;
- (h) climate change—implement policies to reduce energy use and save households money, drive the uptake of a 90% renewable energy target and establish Canberra as Australia’s solar capital;
- (i) disability services—support the implementation of the National Disability Insurance Scheme so that people with disability can fully participate in our society;
- (j) public infrastructure—continue to invest in critical public infrastructure such as the Majura Parkway, The Canberra Hospital Women and Children’s Hospital Stage 1 and 2, and our new Cancer Centre; and
- (k) industrial relations—continue our work in making Canberra a safe and desirable place to work by extending portability of long service leave, implementing the recommendations of the *Getting Them Home Safely* report and expanding trades traineeships and apprenticeships in the ACT Public Service.

I am pleased to introduce this motion today—pleased because strong leadership, forward-looking policies and the delivery of transformational projects are hallmarks of good government, hallmarks of this government, and pleased because this government have proven time and time again not only our leadership credentials but also our ability to deliver high-quality services, infrastructure and improved outcomes for our community.

Our centenary has provided a fantastic opportunity for Canberrans to reflect on our achievements over the last 100 years. From our 1913 beginnings we have come a long way. Our national institutions proudly exhibit our nation’s most important treasures. Schools and universities have been established to support a city that has become a place of learning and culture. Suburbs, roads and hospitals have been built.

But more importantly, a new Canberra community has been formed, particularly since self-government in 1989. Our local community’s pride in our city and in our achievements is strong. Indeed, earlier this month 80 per cent of Canberra residents interviewed expressed being proud or extremely proud of Canberra, stating, “Canberra is a city with good services, events and opportunities.”

The government has a clear vision for the future of Canberra as a fair, sustainable and economically vibrant capital. That vision can only be realised through the implementation of strong and progressive policies. I will briefly touch on the government’s key policy approaches to achieve our vision. More detail on these policy approaches will be presented by ministers and other members of the government during debate on this motion.

The ACT government will continue to invest across the city to ensure that Canberrans have access to high-quality services. Municipal services directly impact on the lives of

Canberrans on a daily basis. For this reason we need communities to have a direct say on what they consider to be most important to improve their local places.

The government recognises and continues to prioritise transport, municipal, and information and communication technology infrastructure. Other priorities include urban renewal, waste management and maintaining open-space assets to provide for the needs of our local communities.

The government released *Growth, diversification and jobs: a business development strategy for the ACT* on 30 April 2012. The strategy has three strategic imperatives: the right business environment, supporting business investment and accelerating business innovation. The strategy is a living document and will align to various election commitments and responses to developments such as the Asian white paper, the digital city strategy and StudyCanberra.

Implementation of the strategy will foster the right business environment to make Canberra a preferred location for business. The government has made significant progress in implementing the strategy. The government plans to report on outcomes to the Legislative Assembly mid-2013.

The ACT is leading the nation in undertaking significant taxation reform. The ACT is the first of the states and territories to undertake significant taxation reform, including abolishing conveyance duty over the next 20 years. The ACT taxation review found that the ACT's current taxation system, like all other states and territories, is inefficient and recommended significant changes to ensure a sustainable taxation system into the future.

In response, the government announced major reforms to the territory's taxation system as part of the 2012-13 budget. The government released *A fairer, simpler and more efficient tax system*, which outlined the government's plan to abolish inefficient taxes and to make the system fairer and more efficient over time. This will allow the territory to make investments for the benefit of current and future generations.

The ACT has a strong and vibrant tertiary education sector. This sector is important for job creation, such as the University of Canberra hospital in Bruce. The opportunities for Canberra extend well beyond direct economic impacts. Canberra is recognised internationally as a place of learning, innovation and creativity. The government is committed to fostering growth and opportunities flowing from education and research.

To continue to provide nationally competitive education and training, we need to keep improving our systems. Some elements of that include the ACT school leadership strategy, opening new government schools where they are needed and understanding that education funding needs to meet the needs of our school system. This means investing in new schools to match demographic changes as well as providing for the need to promote learning opportunities.

Franklin is the latest addition to the highly successful early childhood school model introduced in 2009, offering both schooling and child care to young children from

birth to year 2. It will cater for around 300 students from preschool to year 2, and offers a 120-place childcare centre operated by Anglicare. The growing number of families in north Gungahlin will also benefit from a second new school, Neville Bonner Primary School, which also welcomed its first students this year. Students are also enjoying stage 1 of the \$48.1 million Neville Bonner Primary School. When stage 2 is completed the enrolment capacity of the north Gungahlin region will increase to 818 student places.

Canberra is at the centre of the Australian capital region, one of the fastest growing in the country, which creates significant opportunities. Canberra as a regional hub has significant potential to expand and diversify our economic coverage, but also recognising important environmental and social connections. A rapidly expanding region does create some service planning challenges, particularly in the areas of health and education. Continued engagement with the region is essential to addressing these challenges. In December 2011 the ACT government signed a memorandum of understanding on regional collaboration, demonstrating our commitment to a regional approach.

Transport for Canberra is the foundation for transport planning in the ACT for the next 20 years and identifies a number of key actions for completion in both the short and the long term. This is important work, and it includes a number of transport efficiency actions and setting targets for emission reductions. Transport for Canberra integrates with land use planning to create a more compact city, where cycling, walking and public transport are easy travel choices. These modes are projected to make up 23 per cent of work trips by 2016 and 30 per cent by 2026.

Infrastructure improvements currently include an environmentally friendly public passenger vehicle fleet with modern ticketing and real-time passenger information, underpinned by efficient and accessible network planning and complemented by bus priority measures, bus stops and park-and-ride, bike-and-ride facilities. The development of a new monitoring and reporting system to support the delivery of transport for Canberra is currently underway, with consultation to begin shortly.

The ACT government recognises the importance of contributing to the global task of reducing greenhouse emissions. The ACT's second climate change action plan, or AP2, sets out a clear strategy for the territory to meet our 2020 greenhouse gas reduction targets and sets us on the path to becoming a sustainable and carbon neutral community. Large-scale renewable energy is the key area of action under AP2 which aims to see 90 per cent of the ACT's power source from renewable energy by 2020. The ACT will become a leader in solar energy through processes such as the current solar option. On 5 September 2012 the FRV Royalla Solar Farm Pty Ltd 20 megawatt proposal was announced as the sole successful proposal in the fast-track stream of the solar auction.

The NDIS has been described by many as the most significant social reform in this country since the introduction of Medicare. I am glad you agree. This social reform was made possible for eligible residents in the ACT when the Chief Minister agreed to the ACT's participation as an NDIS launch site at the Council of Australian Governments meeting on 7 December 2012. As a result, from July 2014 eligible



people in the ACT will have access and eligibility to the NDIS through the new National Disability Insurance Agency.

The government expects the first of up to 5,000 Canberrans with disability and enduring psychosocial disability will begin to receive this support and services through the NDIS. The scope of the transition for community and government services supporting people with disabilities and psychosocial disabilities will be unprecedented. This government will work with the commonwealth government to prepare our sector for the transition. The NDIS is a quantum leap forward as it puts the needs of people with a disability at the centre. They will be able to use their choice and have control in developing a plan that meets their needs and is tailored to their goals, wants and desires. It will provide certainty that people with disability will receive the care and support they need over their lifetime.

The ACT government will continue to invest in critical public infrastructure. Some examples include the new Majura Parkway, including an off-road cycle path, which is expected to be completed by June 2016, upgrading existing ACT government facilities currently leased to community childcare providers to enable centres to provide up to 100 new places, assisting with transition to the national quality framework and releasing at least three additional sites for the construction of new childcare centres in areas of high demand.

There is also a program of upgrading shopping centres. From the beginning of the coming financial year we will commence delivering on the commitments to major upgrades in centres including Evatt, Florey, Fisher, Kaleen, Hughes, Spence and Macquarie, as well as minor upgrades to a number of other centres.

We have made important health commitments, such as our commitment of over \$80 million to provide for an additional 5,000 elective surgery procedures over the next four years. The additional activity is on top of the proposed 45,000 elective surgery procedures already planned over this period, taking the total to over 50,000 elective surgery procedures in four years.

Finally, I would like to touch on the work that the government continues to do to make Canberra a safe and desirable place to live and work. This includes extending portability of long service leave. Portable schemes protect the basic entitlement of workers to take long service leave. The ACT has portable long service leave schemes in the building and construction, cleaning, security and community sectors. In 2012 it became the first jurisdiction to offer a portable long service leave scheme to the security industry. The ACT government has made a commitment to extend portable long service leave to the aged-care and contract waste removal industries.

Another key initiative is implementing the recommendations of the *Getting home safely* report. The government has committed to implementing all 28 recommendations in the *Getting home safely* report. The government has already met with industry and employee groups to discuss implementation, has commenced work on necessary legislative changes and has committed to providing WorkSafe with the additional resources it needs to perform its regulatory and educational roles. The government is also expanding trades traineeships and apprenticeships in the ACT public sector.

The government is committed to reducing the outsourcing of entry level jobs and increasing opportunities to directly employed trainees and apprentices in the public sector and will also work to ensure that contractors on large-scale capital works projects funded by the ACT government engage an agreed minimal level of trainees and apprentices.

I welcome the opportunity to once again highlight the leadership, experience and forward-looking policies of this government. As the Chief Minister said last Tuesday at our centenary toast, we are proud of our nation's capital. We are proud of our home. We are proud of what has been achieved in our first 100 years and we are excited about the next 100 years. Leadership must be more than having long-term goals and a way of achieving these. Leadership must also be flexible and adaptable. It must be responsive and transparent. It must be accountable to the community.

As the centenary celebrations have shown, Canberrans are proud of their community, their city and their home. There is growing recognition in our community, in our business sector and in our region that the future of Canberra and the achievement of our city's vision require a commitment from all of us. Strong government leadership is required to drive the community, business and regional linkages needed to achieve our vision. (*Time expired.*)

**MR HANSON** (Molonglo—Leader of the Opposition) (10.16): I thank Dr Bourke for bringing this motion on. It is always entertaining, if nothing else, when Dr Bourke speaks. The Canberra Liberals will not be supporting this motion today. There are some elements I do agree with, but much of it is just about self-congratulation and much of it is rhetoric that is not happening from this government.

We hear from Dr Bourke explanations about strong leadership. It is ironic, when he was sacked recently as a minister to make way for someone from another party, that this strong leadership he is talking about is something that he espouses. It is interesting that the view of his own parliamentary party and his own Chief Minister was that they did not want him as a minister.

He also talks in language about progressive policies. It is important to talk about what this government means and what the Greens mean when they talk about "progressive" in this jurisdiction. You will recall, Madam Acting Speaker, that after the election Minister Rattenbury—I do not think he was a minister at that stage, though he was certainly angling to be a minister—said, "I am going to make this the most progressive, the most green jurisdiction in Australia." We know what he means by that, don't we? In the definition of the Labor Party and the Greens, "progressive" means as hard left as you can get. It means socialist. It means all of those sorts of things.

I was reflecting on what this mob mean by the word "progressive". I saw a tweet in the lead-up to the last election. Obviously Katy had been out there reining in the troops in the lead-up to the last election and had been to a Labor Party meeting. This is a tweet from the young Labor left, all of Katy's young Labor left followers: "Great to see that despite becoming Chief Minister, Katy Gallagher MLA still uses the word

‘comrades’.” I can just see her there: “comrades”. “Here we are, comrades. Off to the left. March off to our most extreme, the most extreme, left-wing green government in Australia.” And what did Katy Gallagher say when Shane Rattenbury said that he wanted to be at the extremes? She said, “Yes, that stuff I wear as a badge of honour. So, comrades, comrades of the left, comrades of the most green government in Australia, let us march on together and let us actually see what this government wants to achieve.”

*Members interjecting—*

**MR HANSON:** Oh, they are biting back. The comrades on the other side—are you on the left side, minister?

*Members interjecting—*

**MADAM ACTING SPEAKER:** Members! Sit down, Mr Hanson. Stop the clock, please. Members, Mr Hanson will be heard in silence. Thank you very much; you have the floor, Mr Hanson.

**MR HANSON:** They are certainly getting uppity, Madam Acting Speaker.

*Mr Corbell interjecting—*

**MR HANSON:** He is ignoring your ruling, Madam Acting Speaker. They do not like it, do they? They certainly do not like it. They do not like being reminded that behind closed doors at their socialist meetings, at their Labor left meetings, it is all “Comrades, do not worry. We are with Rattenbury. We will sack Dr Bourke. We will put Rattenbury on the frontbench and we will go marching together, comrades, to the left. We will be the most left, the most extreme green, government in Australia. We will take you all with us.” That is what this motion is about today.

Let us actually go through some of the policies that Dr Bourke outlined on the position of this government. Ironically, he started with a talk about basic municipal services. I think that anybody who has been in this place over the last four or five years would know that this is a government that has paid scant regard to basic municipal services. The party that has been talking about basic services in this jurisdiction is the Canberra Liberals. We see that as a priority, and this mob opposite do not. We know that for a fact.

When it comes to the basics, it is not glamorous enough for them. It is difficult to have a progressive grass-cutting policy, isn't it? It is difficult to have a progressive policy fixing cracks in pavements. They do not really worry about that stuff; it just does not appeal to them. But we see this as core business; we see this as the focus of what we want to achieve. Whilst this mob is trying to save the world from the Legislative Assembly, we get constituents saying, “Why isn't this government focused on us?” Let me quote a resident in Macgregor: “I am livid at the level of neglect this town has been run down to.” Let me quote a resident in Griffith: “The so-called maintenance of public areas is a farce ... trees are not pruned ... footpaths remain broken and unrepaired.”

Madam Acting Speaker, it is ironic what this mob are doing. Maybe they are just being a little bit twitchy about it. They know that and they say, “Oops, we had better try. While we are talking about our carbon emissions and all our progressive policies, let us just give a little bit of a nod and a wink to pretend that we care about this basic amenity that needs to be delivered.”

Economic development is the next point raised—“support the diversification of our private sector”. This might be something that Mr Smyth has had something to say about over the last few years. Again, from those opposite we see very little to support the private sector. In fact, after 12 years we have seen that, for the first time since 1988, private sector employment has slipped below the level of public sector employment. What we see from this mob opposite is a shrinking of the private sector in the ACT at the expense of the public sector. That appeals to the progressives. That appeals if you are a socialist. It is about the nanny state; it is about big government; it is about government getting into your life. It is not about encouraging the private sector. We know that. This is dead bang straight in accordance with the progressive policies that they espouse.

The tax settings that they have to encourage diversification are very few. And the tax reforms that they do espouse when they talk about abolishing taxes are simply about transferring taxes from one place to another and putting them on commercial rate bills. There are things like the lease variation charge: we have seen a stifling of development, particularly small development, in this town as a result of things like the lease variation charge.

The motion moves on to tax reform—the famous tax reform that this government put in the budget and implemented before taking it to the election. We know that this government is abolishing \$350 million worth of taxes and transferring that to residential rates. We know that you simply cannot do that unless you triple the rates revenue. It is impossible to do. We asked for the documentation. We asked for the evidence. We said, “Show us how you do that. Where is the magic pudding? How do you get rid of all these rates and charges? Things like stamp duty—how do you get rid of all that, \$350 million worth—without then tripling rates revenue? If it is a nil sum gain, if this is not going to actually be raising any more tax, how do you do that?” Those opposite look blank. They are refusing to engage in this debate because they cannot answer that question. The reality is that if you want to get rid of those other taxes you must triple the rates revenue.

In the 2012-13 year alone, we have seen businesses have their rates increase by 100 per cent. This actually came out on 666 radio. I was asked the question “Has this gone up?” I said, “Yes; we have seen some rates go up by 100 per cent.” Andrew Barr said, “No, that is not true.” We were able to provide the evidence. He said, “Oh, you meant commercial rates.” I assure you that, for the struggling businesses out there, having your rates go up 100 per cent in a year is not good news. And we have seen residential rates go up by about 25 per cent on a large number of properties.

The motion goes on to tertiary education. We all support our tertiary education system here. One thing that is noted in Dr Bourke’s motion is the University of Canberra

hospital in Bruce. We support that. I asked some questions about that in annual reports hearings on Friday. The government will not tell us when they are going to build it; they will not tell us how much it is going to cost. Where is the information? Where is the detail? The government are refusing to tell us. This has been on the table now for a number of years; again, we have seen very little information. What we are seeing is more evidence of the health infrastructure program in chaos; they simply do not know what they are doing.

As the minister said yesterday in answers to questions—have they got the money? They are looking at the amount of capital that they have got available, what they can afford. We know that they want to spend their money on their progressive policies like light rail. Does that leave enough money for things like tower blocks at the Canberra Hospital or the University of Canberra hospital? We will keep an eye on that.

Moving to school education, the motion says “implement a needs-based funding approach to school”. The only evidence we have seen on that from this government is their support for the Gonski review, but that showed both ACT government schools and non-government schools losing funding. We do not support any loss of funding. Does this government? They have not made that clear. Are they going to be following Gonski to the letter? That results in schools losing funding. Are they going to make their position on that clear? It is very clear from this side that we do not support that. We need to see some modelling from this government on what the implications of Gonski would be in this jurisdiction, but to date we have not seen that.

The next issue in the motion is regional service. We had some debate about this. The Chief Minister set up a committee. You might remember that in the last sitting week the Chief Minister came up with her vision of regional engagement and we were able to point to the fact that 16 years ago, under Kate Carnell and the Canberra Liberals, this was actually all occurring. There were forums; there was regional engagement. There was significant work done in our region, with 17 mayors engaged. There were responses to productivity commissions. There was a whole bunch of work that was being done.

What did the Labor Party do? They got into government and scrapped it all. They scrapped it all. For 12 years they have done nothing. Now, Katy Gallagher, scrapping around for a vision, as we realised, up in her office, goes, “Right; this is what I am going to do. I am going to come up with regional development.” It is Katy Gallagher Kate Carnell lite. She said, “I am going to come up with some good ideas.” The problem is that she looked around at the blank faces of her caucus and did not come up with any. So she said, “Let’s refer this to a committee.” They have done that and we will see what that committee comes up with. I look forward to it. Let us hope that what that committee does come up with is some of the good ideas that would have been implemented in this jurisdiction before Labor came in and wrecked the whole thing.

On transport, the motion refers to implementing the capital metro project for the first stage of light rail. What we know from the Greens’ policy—this mob will do anything to implement Greens policy, to keep Shane Rattenbury on the frontbench and Chris Bourke on the backbench—is that this is just the first tranche, \$600 million plus.

Knowing this mob, that is going to double or triple. It is the first tranche of it. While Katy Gallagher is saying, “I do not know if I am going to spend \$800 million on a hospital,” Andrew Barr is saying, “It is light rail at any cost.”

That is what this mob mean by being progressive. It means that if it is an ideologically sound policy for the comrades back at the young Labor left meeting, then they will be doing it regardless of the cost. But if it is about delivering good health care—maybe something to fix the longest waiting times in our emergency department in the country and in the ACT’s history—they say, “I am not sure if I am doing that. I know we have been talking about it for 10 years, and we certainly guaranteed it before election, but after an election I am not so sure.”

I do have concerns with light rail. Would we like light rail? Yes, we would. Can we afford it? That is the question. This mob have driven us into deficits in the forward estimates of about \$575 million and borrowings of up to \$2.7 billion. Can we afford it? And can we afford it when this mob opposite, wanting to be the most extreme green government in Australia, are putting in 40 per cent carbon emission targets—I notice that is not mentioned in the motion, but it is eight times the national average—and 90 per cent renewables?

What is the cost of all that? Dr Bourke did not say that in his speech, did he? He did not say that this will cost us a billion dollars, \$2 billion, \$3 billion. They do not know.

*Mr Corbell interjecting—*

**MR HANSON:** Minister Corbell is interjecting when the minister’s own directorate, their own carbon emissions, went up by 40 per cent in the last year. The directorate responsible for cutting emissions—

*Mr Corbell interjecting—*

**MR HANSON:** By cutting them by 40 per cent—in one year alone increased them by 40 per cent. So we have very little confidence—very little confidence—that Simon Corbell and his mob will actually do that.

What we do know is that it will be just what this government do on everything that they touch. They will spend taxpayers’ money—they will spend it in buckets—and they will drive us further into debt. They will not actually achieve anything.

I thank Dr Bourke for his motion, for highlighting the policies of this government—the drive from this government and from the Greens to push us to the extremes of the left and the extremes of the greens in Australia.

**MS GALLAGHER** (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (10.31): It is great to see the opposition leader so excited at such an early hour on private members’ day. As we have come to expect, the same speech that has been given for, what is it, the last two years now has been dusted off. It is pretty much exactly the same speech as the Liberals, presumably en masse, will entertain us with today.

I must say, and I will get to the motion at hand, just responding to comments from the Leader of the Opposition, he might need to seek some treatment for his unhealthy preoccupation with the Labor left. He might need some medical help. It sounds like you are missing something in your life, Mr Hanson. You are missing that camaraderie—I do not know—but maybe you are drawn in a strange way to the socialist beliefs. I do not know. Perhaps, Mr Hanson, it is the fact that the Liberal Party at the moment is a little unfriendly. Perhaps those meetings are not as collegiate as they should be. Maybe there are too many people in the room.

*Mr Hanson interjecting—*

**MADAM ACTING SPEAKER:** Mr Hanson, Ms Gallagher has the floor.

**MS GALLAGHER:** You wanted a small meeting, and it is going to be cramped. No-one is going to be able to fit in. But I would suggest perhaps some attention will be needed to be applied to what I would see as a very unhealthy preoccupation. I have no interest in Liberal Party meetings.

**Mr Hanson:** Really? I'm not sure that is quite true.

**MS GALLAGHER:** If they are going to be in the paper, then, sure, I will read it, but I do not sit here um-ing and ah-ing about what happens here and who is saying what at a Liberal Party meeting.

I thank Dr Bourke for bringing this motion to the Assembly today. The government are very proud of the city we live in and, as I said last week and a number of times, we are very proud of the role we play as the national capital and a place we all call home. We relish the fact that Canberra encourages free-thinking and innovation and stimulates and nurtures our national pride. We relish the fact that our community is close, connected, well educated, politically involved and caring.

We celebrate the fact that our city leads and does not follow, that we punch above our weight in human rights, education and research and delivering new and innovative services such as the ground-breaking nurse-led walk-in-centre. We tackle climate change. We care for our environment. We make sure our children are well educated and we invest for the future, for our ageing population and indeed to ensure that we have a high-quality healthcare system.

When it comes to governing, Labor has never been afraid to lead, to tackle some of the hard issues, to break through and create real and substantial change for the community. We understand that leadership requires vision, having foresight and facing squarely up to hard choices. We understand that in order to lead our community we must make decisions to prioritise and focus our efforts to ensure we create the foundations for a just, prosperous and sustainable city of the future. This can only be done by having vision and the courage to shape our city by investing in transformational projects, creating essential infrastructure that is needed and creating community pride and spirit to support the changes and challenges which we will inevitably face when planning for the long term.

In 2011 we listened to Canberrans through the time to talk process, and Canberrans told us that they wanted to see a Canberra which maintains its reputation as a capital in the bush, lowers Canberra's carbon emissions, sees new development create a more compact city, sees new jobs come through employment opportunities in green and clean knowledge and service industries, builds a sustainable economy, not just as a national capital but as a regional hub, and pursues the continuing excellence within our education system. We listened to what was said in 2011. Indeed, we listened to Canberrans right through 2012 and we will continue that conversation with them.

In relation to tertiary education, the government's vision is to make Canberra Australia's learning capital. By creating the ministry for higher education, the government has acknowledged the important contribution higher education makes to our city's economic, social and cultural fabric. As the home of five separate universities, including Australia's national university, it goes without saying that the tertiary education sector is intrinsically linked to our economic development, to our diversification and to the vibrancy and energy of our city.

Our universities attract smart students and quality research and contribute to business and industry, innovation and diversity. Canberra has the highest proportion of university graduates in the workforce and also the highest rate of local students continuing on to higher education. And of the 40,000 tertiary students currently enrolled in university here, many have come here from overseas, with many more coming from around the region and around Australia. In 2011-12, the total economic value of international education to the ACT was \$321 million, with the contribution of interstate students put at \$180 million annually. The economic impact of these students studying in the ACT flows on, of course, to areas like tourism, accommodation, hospitality, retail, transport and other sectors.

To see the capacity of the sector to contribute to the vibrancy and energy of the city, one need only look to the activity and colour that now fills the city west precinct. It is hard to imagine now that only a few years ago there was little more than a car park where we now find the bustle of businesses and residences linking the city and the ANU and injecting new energy into both. What is more, through the development of this site, the government has contributed to the delivery of 1,000 new student dwellings under the national rental affordability scheme, ensuring that students have access to long-term, affordable accommodation. I look forward to working with the tertiary sector over the next few months to agree on priorities in this portfolio and also to working with universities in relation to partnerships, particularly key projects such as the University of Canberra public hospital.

Through the election campaign, the government committed \$2 million for StudyCanberra over the next four years to go to providing high-level, coordinated leadership from ACT tertiary education providers, businesses and government and creating a unique, highly valued educational opportunity for national and international students. Supporting the capacity of institutions such as the ANU and the University of Canberra to grow and to continue building social capital as well as the skill level of our workforce is important for Australia's future and is especially important for the future of the ACT.



In my last few minutes I will just talk about regional service delivery in relation to health services. I note the Leader of the Opposition's claims that I am Kate Carnell lite. I have never, ever assessed myself against Kate Carnell, and I never, ever will. If it is actually the case that all of this was done 16 years ago, then why are we starting all the new programs in health? Why has it taken around three to four years of negotiations with the New South Wales government, supposedly if all of this was done so many years ago? It is just incorrect. It is completely incorrect. It is a recreation of a Liberal fantasy history novel that Mr Hanson is clearly writing in his head and giving us the first draft of in the chamber this morning.

The renal services agreement, a new agreement, the cardiac agreement around how people from the region who have heart attacks are treated, the private sector relationships we have in elective surgery, the use of Queanbeyan Hospital for elective surgery—none of this was done 16 years ago. None of it has been done. It has all been put in place during my term as health minister and it was in partnership with the New South Wales Liberal government that I successfully negotiated these new services. And they are important. They are connecting Cooma, Moruya, Batemans Bay, Queanbeyan, smaller hospitals which are unable to provide that tertiary-level care, Bega, Goulburn, Yass and Calvary Health Care—again, all linking up and providing different projects that connect the region.

We will be working on a cross-border funding agreement with New South Wales which will concentrate on the implications for both jurisdictions of activity-based funding and the new elements of national health reform which will take effect from next year. Even the health infrastructure program has had a focus on our regional connections. There is the opening of Duffy House, for example, again providing respite care for people travelling to the ACT for treatment; the Capital Region Cancer Centre, where 50 per cent of people who use that service will come to the ACT; the Centenary Hospital for Women and Children; the new Neonatal Intensive Care Unit—all services that provide a large part of the delivery of health care to people from around the region. And none of this was being done 16 years ago.

The only thing that was done in relation to health care 16 years ago was that a hospital was blown up. Over the last decade we have been rebuilding the damage that was done: the loss of the hospital beds, the lack of planning, the no planning that was done for health infrastructure the last time Mr Smyth sat around the cabinet table. That is what we are fixing up. (*Time expired.*)

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for Workplace Safety and Industrial Relations and Minister for the Environment and Sustainable Development) (10.42): I thank Dr Bourke for bringing this motion to the Assembly today. I am very pleased to speak on one element of Dr Bourke's motion, which is in relation to transport for Canberra.

In conceiving projects in the areas of public transport and climate change, the government is developing an innovative, forward-thinking and transformational approach to achieve outcomes which not only solve Canberra's transport problems but which will provide wide-ranging benefits to the community now and into the future.

A good example, as highlighted in Dr Bourke's motion, is the transformational project which will be the capital metro light rail project. Capital metro will provide an easy, frequent, reliable, and high quality travel experience linking Gungahlin and areas in between to Civic, and it will be a model for a future city-wide network.

As we all know, Northbourne Avenue is one of Canberra's most congested roads during peak hour. Despite being the premier gateway to Canberra and an attractive avenue of national significance, this congestion significantly increases travel times to and from and through the city and reduces the amenity of the corridor for residents and commuters alike. This is a particularly significant consideration given the implementation of planning policies over an extended period of time that have sought to place more people living in close proximity to the corridor.

Significant investment is required to deal with these issues, and in doing so, the government is choosing to solve the problem in a positive and transformational manner that will provide broader benefits to our community and economy. In addition to providing a fast and frequent connection between Gungahlin town centre and the city centre, the project will also contribute to the broader sustainability of our city by encouraging a move away from the private motor vehicle to public transport usage, promoting and creating more opportunities for walking and cycling, increasing physical activity and, of course, having the commensurate health benefits as well as reduction in greenhouse gas emissions.

The project also acts as a catalyst for the transformation of the corridor itself and will allow for change and renewal in a way that would not otherwise be possible. Change and renewal of the urban form along the corridor will maximise access to light rail and maximise the potential of land along the corridor. People will be attracted to live and work in and around this corridor to take advantage of its benefits in terms of accessibility. This, in turn, will result in positive changes to travel behaviour and increased use of public transport as well as the health and environmental outcomes I have just mentioned.

Supported by integrated bus services, cyclepaths, footpaths and complementary land uses, the government's capital metro project will provide opportunities for transit-oriented development, where people do not have to rely on the car for every trip they take, they can work closer to home and be close to the amenity offered by the central city area.

A significant amount of work has already been undertaken by the government to start to implement this project. Last year the government confirmed the economic feasibility of the project and developed a concept design and high level cost estimates. This year I was able to announce that the capital metro agency is being established. The agency will continue the planning and design of light rail with a target date of construction commencement of 2016. There is a lot of work to be done with this project, and the government is fully committed to its implementation.

I would now like to turn to another element of Dr Bourke's motion, which is the emphasis the government has placed on helping our city make a shift to renewable

energy generation. The government has set out a number of clear and nation-leading mechanisms to drive the uptake of renewable energy generation. In particular, it is worth highlighting the government's groundbreaking large-scale reverse auction feed-in tariff process, the first of its kind in Australia.

Last year I tabled an instrument in the Assembly for the first capacity release under the large-scale renewable energy generation legislation. This instrument provides for up to 40 megawatts of renewable energy generation to be supported by a competitive process and for the plants to be located here in the ACT.

The auction was keenly anticipated both within and outside Australia, particularly in view of the difficulties encountered by other government programs, such as the solar flagships initiative. Proponents were keen to participate in a large-scale project that was not reliant on a power purchase agreement and which could be completed in a relatively short period of time. This was clearly demonstrated by the overwhelming interest from the private sector in engaging with the ACT's mechanism. Forty-nine prequalification proposals were received in stage 1 of the auction, with 22 of those proceeding to the final stage 2 proposal in either a fast-track or regular stream.

Members would be aware by now, of course, that this policy is delivering results. In September last year I announced that FRV Royalla solar farm was the successful fast-track applicant for their proposed 20 megawatt solar farm to be located on rural land in the south of Canberra. This facility is due to be completed early next year and is expected to generate approximately 37,000 megawatt hours of renewable energy each year, enough to supply the electricity needs of some 4½ thousand Canberra homes. In addition, over half a million tonnes of carbon emissions will be saved in the 20-year life of the farm's feed-in tariff entitlement.

This is just half of what we can expect once the full 40 megawatts are awarded in the auction around July this year, and it is exciting to realise just what might be achieved with 210 megawatts of renewable energy capacity in our region. It highlights this Labor government's forward-thinking, progressive and environmentally sustainable approach.

Under the recently released action plan 2, the government's greenhouse gas reduction action plan, we have set a target of 90 per cent of the territory's electricity needs being sourced from renewable energy by 2020. To achieve this, and subject to a positive review of the solar auction later this year, the government has indicated our intention to extend the present 210 megawatt cap to 690 megawatts, which will open up exciting prospects for further developing the ACT as a clean economy hub for the region and a centre for renewable energy excellence. Action plan 2 shows that by using a feed-in tariff model we can achieve 90 per cent renewables and meet our emissions reductions targets whilst continuing to maintain the lowest electricity prices in the country.

The threat of climate change is clear, and a large inland city like Canberra in the centre of one of the most stressed parts of the Murray-Darling Basin must respond to the issues it faces in terms of its geographic location. We must tackle climate change

through reducing our reliance on fossil fuel usage in both transport and electricity generation. The government's solar farm policies and our renewable energy targets are just part of our response to this pressing issue.

Finally, in the brief time I have left to me I will quickly comment on some of the industrial relations matters that Dr Bourke mentions in his motion. The government is particularly proud of its commitments to continue reform in the area of supporting the low paid and those who do physical work in our community. The government is establishing a new industrial magistrates court, with legislation to be introduced into the Assembly shortly, to provide for a more dedicated focus on the part of our courts when it comes to dealing with workers comp and occupational health and safety matters. The government is committing additional resources to WorkSafe ACT to ensure it has the capacity to fill both its regulatory and educational roles, and it is going to further strengthen the WorkSafe legislation to provide for on-the-spot fine provisions for inspectors in the field to improve compliance with occupational health and safety legislation.

All of these demonstrate a commitment on the part of this government, which has a clear and tangible vision for our city's future—a city which is a safe place for people to work, which has improved and higher standards of occupational health and safety, which is making the transition to a truly metropolitan model for the delivery of transport across our city, and is delivering a more sustainable outcome for all citizens through our commitment to tackling climate change and making the shift to a low carbon future.

**MR BARR** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Sport and Recreation, Minister for Tourism and Events and Minister for Community Services) (10.52): I thank Dr Bourke very much for raising these issues this morning. Before I go to the detail of Dr Bourke's motion it is worth making some observations on what can only be described as a very cheeky contribution from the Leader of the Opposition; so cheeky, in fact, that you would say he has displayed more cheek this morning than a sumo wrestler. He has made a series of assertions, particularly in relation to taxation and business and economic development, that are just plain wrong. He has misled the Assembly on a number of matters and he should come back and correct the record.

One obvious mislead during his contribution related to commercial rates. Mr Hanson neglected to mention in his contribution that \$230 million worth of commercial land tax over the next four years has been abolished by the government. There is no longer commercial land tax applied in this city. That tax was abolished, and that has put \$230 million back into the pockets of Canberra businesses. That little omission from Mr Hanson's contribution demonstrates his ignorance on matters economic, business and taxation.

Mr Hanson made some remarks in relation to the motivations behind Dr Bourke moving this important motion today, and it is ironic that one can draw particular parallels with what is occurring on the other side of the chamber in that neither of the leadership team of the Canberra Liberals hold any of the economic portfolios. If Mr Smyth was such a great contributor to these debates, why is it that his own party room sacked him from these leadership positions, Madam Acting Speaker?

Having responded to the particular cheeky assertions of the Leader of the Opposition, I take the opportunity now to deal with the detail of Dr Bourke's motion. We are, indeed, in a transformational time for our city. And what better time to recognise this than in our centenary year? It is important that the government take a leadership role in encouraging the transformation for this occurring in our city and in our economy. One of the key principles on which we are governing and one of the key principles underpinning the city's transformation is the creation of a strong, diverse and sustainable economy which meets the needs of our community now and into the future.

Our economy is amongst the strongest in Australia, even when compared to the mining boom states and the Northern Territory. We have low unemployment, high participation rates, very strong growth in wages and population and we have a good fiscal position. But to ensure we continue growing into the future the ACT government is acting to ensure our economy and our community are well placed to prosper and meet the challenges of the 21st century. In particular, the emergence of knowledge-based jobs and industries presents a great opportunity for our city. I would like to spend some time this morning focusing on the economic implications of this transformation in our economy and in the workforce, particularly the supportive actions being taken by the government.

A major facet of our vision for Canberra's economic transformation is encapsulated in the growth, diversification and jobs strategy I released in April of last year. The strategy has three strategic imperatives: creating the right business environment in the territory, supporting business investment and accelerating business innovation. The focus is on creating jobs by building strength in areas where Canberra has demonstrated competitive advantage and distinctiveness and concentrating on the key drivers to accelerate growth and diversification in the territory economy.

Examples of this include investing in the clean economy, boosting our standing as an international tourist and business destination, harnessing our science and research capabilities to grow knowledge-intensive businesses and recognising our world-class educational institutions for the role they play in boosting the territory's productivity as well as being one of our main export sectors. In doing so, we aim to harness the knowledge to drive innovation and business growth to ensure our business community is collaborative, connected and, importantly, sustainable to make Canberra a preferred location for businesses to operate.

I will take a moment this morning to mention a few examples. Next month I will lead the ACT's first trade mission for the centenary year with missions to Indonesia and Singapore. The mission is a collaboration with organisations such as Austrade, the ACT Exporters Network, the Australian Indonesian Business Council and a number of local businesses and educational institutions. This mission will be a key step in boosting the ACT's reputation as a destination for international business and tourism, particularly in these lucrative Asian markets.

In March 2013 we established the Centre for Exporting Government Services to actively prepare and assist ACT companies to engage with governments in overseas

markets. We have also established the global connect program for the various trade-development-related activities supported by the territory government. Global connect is a gateway to a number of internationalisation programs including trade connect, the trade missions program, the Centre for Exporting Government Services, the ACT Exporters Network, the ACT Chief Minister's export awards and the international student ambassador program.

An important piece of information around connecting our city to the world is around bringing international flights to Canberra Airport. Canberra attracts over two million overnight visitors each year, who are responsible for nearly 10 million visitor nights, and 1.7 million day trip visitors each year. Whilst the majority of our overnight visitors are domestic, the international market offers significant potential to further grow our tourism sector.

Australian Capital Tourism, in conjunction with the Canberra Airport Group, is leading a project to attract direct services from New Zealand in the first instance with a medium-term view on attracting services from South-East Asia, particularly Singapore. The development of aviation partnerships in key international markets, including New Zealand, China and South-East Asia, will help realise potential in this area and further secure our city's long-term future as a key business and tourism hub.

A major transformation for our city will be facilitated through the development of a digital economy and this is critically underpinned by the national broadband network. More than 4,000 homes and businesses around the Gungahlin town centre can now connect to the NBN, and the network is being rolled out progressively around Canberra. By mid-2015, 135,000 homes and businesses in Canberra will be connected. Many ACT residents and the business community are already taking advantage of the opportunities presented by high-speed broadband. For example, the digital hub based at the Gungahlin library is already providing free community workshops and training to improve digital literacy and knowledge of NBN functionality, and the digital enterprise centre, managed by the Canberra Business Council, is now providing free workshops and training for the business community.

A key part of transforming our economy is around ensuring our tax system is sustainable for the long term, and the need for reform was outlined in both the Henry and Quinlan reviews. The ACT taxation review found there were major risks to the long-term sustainability of revenue for the territory and that many of the major taxes previously levied were unfair and volatile, and so the government acted. We have made taxes fairer, we have made the tax system simpler, and each year we make the tax system more efficient to ensure its long-term sustainability and to ensure the long-term sustainability of the government's revenue base. This ensures we have the ability and flexibility to meet the needs of an ageing population and to continue to provide the services and infrastructure our community deserves.

The government's five-year plan enables important community services to be continued to be delivered at a high standard. It includes expanded concessions and targeted assistance measures for households and, importantly, it reduces the ACT's share of inefficient taxes and increases the share of more efficient taxes over the next

five years. In 2011-12 the ACT's share of inefficient taxes was 71 per cent. This reduces to 62 per cent by 2015-16. \$169 million of excess burden is put back into our economy. (*Time expired.*)

**MR GENTLEMAN** (Brindabella) (11.02): I would like to talk about some areas that I am passionate about. I would like to thank Dr Bourke for this motion. The area that I would like to concentrate on in Dr Bourke's motion is paragraph 1(b), which states:

the need to ensure that we continue to build on the achievements of the last 100 years through strong leadership, forward looking policies and the delivery of transformational projects.

The government is committed to those projects and the best vision for Tuggeranong, which is in my electorate. I would like to talk firstly about the walk-in centre that we campaigned on during last year's election campaign. In my conversations with local people from Tuggeranong, they asked for better access to health care. That is why we have committed to a walk-in centre in the centre of Tuggeranong, giving access to free basic health care, an initiative which, of course, was rejected by the opposition.

Another area we are working on in Tuggeranong is the CIT. The government has committed \$7.5 million to build a new CIT in Tuggeranong, giving local young people the opportunity to study locally after year 12.

We have also committed to two master plans in the Tuggeranong region. The first one is the Tuggeranong master plan. That master plan looks at a vision for Tuggeranong, creating up to 800 new dwellings in the Tuggeranong town centre itself. That creates, of course, more local jobs. It creates better connections to Tuggeranong by its unique landscape, improving pedestrian access to the lake and protecting views to the surrounding hills and mountains. The master plan has a vision for the Tuggeranong town centre. As Canberra's urban gateway to the mountains, it offers a unique urban lifestyle with easy access to open spaces and waterways.

The vision for Tuggeranong town centre was developed in the light of feedback from the community, background and research analysis, the ACT government's interagency advisory group and the expert reference group. It encapsulates Tuggeranong's point of difference compared to other Canberra town centres and it sets out what a centre should become in the future and what makes it unique. It should be recognised, of course, that Tuggeranong town centre sits within the broader context of Canberra and its future direction should complement that which has been identified for Canberra.

Also, I would like to talk about the outcomes for the Tuggeranong town centre master plan. The vision for the town centre is supported by four outcomes, which outline in more detail what the centre will become in the future. How these outcomes will be achieved is outlined by six planning and design strategies and their corresponding key actions and design elements, which are described later in the Tuggeranong town centre report.

The outcomes for the Tuggeranong town centre include a centre connected to the mountains, lake, river and bush. Tuggeranong town centre is unique because you can live in an urban area with all the services and convenience that that provides, while

ensuring that new development maintains access and views to the beautiful natural features such as lake, river, bush and mountains.

Buildings are on setbacks from streets and are positioned so that views to the mountains dominate. This is particularly evident along Soward Way and Anketell Street. It is easy to access and see the lake from the centre's main street, Anketell Street. Walking from the centre down to the Murrumbidgee River is, of course, a pleasure. It is a centre that is accessible to broader Canberra and it is easy to move around. Spaces which were previously unattractive and unused have been developed or redeveloped and continue to activate the streetscape.

Many surface car parks in the centre have been developed, allowing for the creation of much nicer places for people to walk and linger. Car parking is accommodated in basements, on rooftops or on the street, and pedestrian and cyclist connections through the centre are direct. Walking and cycling are easy. Small businesses are supported by the increased foot traffic passing by them and public transport facilities are located so that they are central and accessible for most centre users.

The centre is an attractive destination for the Tuggeranong district and broader Canberra. The town centre is a thriving community and business hub. It provides a range of services and facilities which serve the Tuggeranong district and broader Canberra. An increase in the centre's population helps support these services and facilities. An increased population has attracted public and private investment in the centre.

Of course, we have heard the Tuggeranong Community Council and those living in the area of Tuggeranong call for the expansion of better urban areas for the centre. We also see Tuggeranong town centre as a centre which is diverse, resilient and flexible to change. We want to see it support and encourage food production, where green roofs are common, where walking and cycling are the preferred modes of transport in the centre, where residents do not need to leave the centre for access to their day-to-day needs, where buildings are designed to accommodate different uses over time, to be adapted to changing circumstances and market conditions, where the population supports existing and new retail, where buildings have a variety of tenancy sizes, thus responding to a broad range of business opportunities and where new buildings respond positively to the street and benefit from good orientation.

We have also looked at the Erindale master plan. That recommends 1,200 new parking spaces to assist park and ride as well as easing parking difficulties. There is a new bus station there at the Erindale centre, providing lighted intersections for better traffic management and allowing for the development of two new streets. Part of block 1, section 295 is to be released for a new full-line supermarket and additional retail. There are also extra bike lanes around the area.

The Erindale master plan calls for a diverse mix of land uses and urban spatial topologies, making it a friendly, low-key, relaxed place where people like to work and shop. It is convenient and centrally located, offering a range of services in one location. There is an eat street place in the Erindale master plan, a precinct at Gartside Street. Economically, it is one of the strongest performing shopping centres in Canberra. It also has easy parking.



The opportunities in the master plan show a capacity for infill and increased densities to support businesses and employment. The plan encourages new buildings to be adaptable in terms of uses. It encourages the provision of landscaping, which helps create a sense of place and character, to make improvements to finding better pedestrian-cyclist experiences and to make improvement to the visual presence of the main approach routes. It encourages investment and expansion of complementary services and provides for the redevelopment, as I said, of the bus station with opportunities for transit-oriented development.

The development of the town centres in Tuggeranong show how this government is looking forward to delivering transformational projects across Canberra. The government is also working for those living in the south of Tuggeranong, ensuring that they have the best access to facilities for the future. The government will invest \$44 million to build new emergency service stations at Calwell, Conder and, of course, in the north, at Aranda. It will improve bus services for Tuggeranong with more buses being put on to the blue rapid route from Lanyon, with the 312, 313, 315, 318 and 319 routes being some of the busiest in the territory.

Work is underway to construct a new park-and-ride site in Calwell, replacing the existing site on Webber Crescent at the Calwell shops. The site will include approximately 16 spaces to replace the existing 12 currently located in the shopping centre car park. That, of course, allows more shopping centre parking for residents of Calwell and those travelling to the shops on their way home.

It follows, of course, the \$7 million investment the government has made in stage 1 of the Ashley Drive and Erindale Drive duplication. That is from Sternberg Crescent to Erindale Drive. We have invested in the Lanyon Drive and Monaro Highway upgrade. That was \$19 million of joint funding from the federal, New South Wales and ACT governments. That has assisted Tuggeranong commuters that want to travel to the city or northern Canberra.

We have upgraded local shops, including the Carleton shops at Kambah, at Fadden, at Wanniasa, Castley at Kambah and the Marconi shops at Kambah as well. We have made the area safer for Diversity ACT by placing street lights there so people can park and access the area in safety at night.

When I talk to my constituents, these are the things that they want in their local area. They want access to affordable health care, access to education locally and job creation. They want access to public transport and the building of infrastructure for the future. I am proud to be part of a government that has made such developments in our local area.

Another area of strong interest for me, of course, is renewable energy. We have heard the minister this morning talk about our new renewable energy targets and the opportunities in those for making a sustainable future for Canberra.

**MS BURCH** (Brindabella—Minister for Education and Training, Minister for Disability, Children and Young People, Minister for the Arts, Minister for Women,

Minister for Multicultural Affairs and Minister for Racing and Gaming) (11.12): I thank Dr Bourke for bringing this motion on today. I have listened with keen interest to the contributions of all. If we look at the national disability insurance scheme, there is a community aspiration to support the transformation of the lives of people with a disability in our community, their families and carers. Last year the ACT, along with four states, agreed with the commonwealth government to become a launch site for the NDIS.

In addition to people who have intellectual or developmental disability, the NDIS will be available to those born with a physical disability. It will be available to those with a disability from an accident and it will be available to people with a psychosocial disability. This is a national reform that will help smooth out the inequities that people with a disability now experience, inequities based on age, how they acquired their disability or based on where they live. The NDIS provides equity so that people with a disability will receive the care and support they need over their lifetime, regardless of where they live.

The NDIS will not only support those in our community who most need our support; it will contribute to the whole community by assisting those people with a disability to enter or get back into the workforce. It will also help transform the lives of families and of carers of people with a disability who are at risk of being burnt out caring for a loved one by providing funding for support and respite services.

From July of 2014, eligible ACT residents will begin to transfer to the NDIS. We expect 2,500 Canberrans with disability and enduring psychosocial disability will begin to receive support from the NDIS during 2014-15. The number of people supported by the NDIS is likely to increase to approximately 5,000 by June 2016.

The ACT government, in partnership with the commonwealth, is committed to investing in the NDIS. From July of this year we will invest collectively \$10.6 million to respond to the demands for disability and mental health services that we know exist today. From July of this year, eligible ACT residents with a disability or mental health illness will be able to apply for one-off grants to improve their quality of life. These grants may be for aids and equipment or for other services that reduce the impact of their disability, improve their independence and increase participation in community activity. There will be two rounds of grants: one in July and one in September of this year. The commonwealth has committed a further \$12 million for the ACT in sector preparation and workforce development.

If we look at the recent Like Canberra campaign, we see that among the top 100 things that people like about Canberra is that we are an engaged and educated populace with progressive views and a truly open attitude to diversity, and that we have a high standard of living and quality of life. That was put to a vote of 135,000 Canberrans.

Madam Acting Speaker, for some members of our community their standard of living has not been as high as it should. Despite being an engaged and educated people, we have a need to do more for those in our community who have a disability. The time for improvement is now. People with a disability, their families and their carers have

been waiting a long time for this change. I look forward to playing my part as the NDIS helps transform the lives of those valuable people in our community, those that are living with a disability.

No discussion about the future of Canberra could be complete without a discussion of the transformational impact of education. There can be nothing more powerful in transforming a society, and indeed a city, where high quality education to every citizen is offered. Providing education not only provides better economic outcomes to society and to the individual; equally, it produces healthier, longer-lived and happier people. Education is a great leveller. It empowers people from all walks of life to make the choices to fulfil their dreams, rather than have a future thrust upon them due to disadvantage.

It is my view, the Labor view and certainly the view of this government, that regardless of the circumstances of your birth, whether you are born from the wealthiest of families or the most disadvantaged, you get the same opportunities through education and in life. That is why this government has invested in education at historic levels.

Since coming to government we have made historic investments in school infrastructure to build modern and innovative schools, such as the Ngunnawal school, the Amaroo School, Kingsford Smith School, the Neville Bonner Primary School, the Franklin Early Childhood School, just to name a few. We have also upgraded existing schools, such as Calwell primary, Red Hill primary and Torrens primary. This infrastructure is providing schools for the 21st century, ensuring that kids get the best classrooms and the best teachers to gain the knowledge and skills that they need in a modern world.

An equally important change underway is designing a school funding model based on need. I am very pleased to work with my commonwealth colleagues, who share our views, on the ambitious project to reshape education for the 21st century. We are committed to deliver on needs based funding for schools, whatever the outcome of the national reforms. That is an important element of the parliamentary agreement. We are committed and we show the leadership that is necessary to bring these education reforms to the territory and to ensure that education reaches every corner of our society and transforms people's lives for the better.

We have already led the nation in instituting the Australian curriculum. We have already provided very generous funding for teacher and principal pay increases and additional support for beginning teachers. We have made commitments for teacher training and improved teacher performance management. We have established the Teacher Quality Institute. We have also shown that we understand that an investment in education is an investment in our future and an investment in our children. We have shown that education changes people's lives for the better and we will continue to invest in these endeavours and enterprises that can only enhance our community.

In closing, I would again like to thank Dr Bourke for this motion that notes the success and the overwhelming civic pride for which our community has celebrated the Canberra centenary. We need to ensure that we continue to build on these

achievements of the last 100 years through strong leadership, forward-looking policies and delivery of projects, that there is a growing recognition in our community and in our business sector and in our region that the future of Canberra's prosperity will require strong leadership to drive linkages, partnerships, relationships, to continue to build a strong, sustainable and diverse ACT economy. I think other ministers have spoken around their portfolio areas on that. Certainly, the Chief Minister is taking the lead in respect of the connection in our region between Canberra and the broader area. That is very important for us.

Dr Bourke's motion also recognises the need to continue to set strong policies on municipal services. As I have said, in the top 100 reasons why people like Canberra is the response that they like our high standard of living and quality of life. Dr Bourke's motion also recognises the policy work that we have invested in economic development, in tax reform, in tertiary education, in school education and in our continued drive to make sure that every child, regardless of what school they attend or their background of advantage or disadvantage, has access to a quality education.

Dr Bourke's motion recognises Canberra as a regional service centre. It recognises the importance of transport, to pay attention to climate change and have good, solid, strong public infrastructure. Proudly, we have a good track record of providing all the support we can to make sure that our IR laws and all our workers in the ACT have a safe work environment, because everyone deserves the right to get home safely. (*Time expired.*)

**MR RATTENBURY** (Molonglo) (11.22): The motion that Dr Bourke has brought on today is certainly a catch-all motion that basically seeks to outline the government's agenda over the next four years. As such I do not especially have a problem with it, inasmuch as it is broadly worded and it is generally in the right direction. Certainly many of the items outlined in Dr Bourke's motion reflect matters addressed in the parliamentary agreement and the shared program that the Labor Party and the Greens have agreed to work on together.

**Mr Hanson:** Are they progressive enough?

**MR RATTENBURY:** Mr Hanson has already interjected, and I am 33 seconds into it. I did, of course, draw out Mr Hanson's stump speech, the stump speech that we are clearly going to hear for most of this parliamentary term, about his dislike of progressives. I think many of us in this chamber are going to get fairly—

*Mr Hanson interjecting—*

**MADAM ACTING SPEAKER:** Mr Hanson!

**MR RATTENBURY:** bored with that speech because Mr Hanson, of course, as he has just interjected again, has decided to give his own definition of that and align it with extremism somehow. That is very interesting in light of quotes that have been made about the new leader in the Northern Territory, Adam Giles, who has been described as many things. He is certainly a leader who has taken the leadership in the most extraordinary political circumstances. To knife your boss while they are

overseas reflects a lot on a person's character. But former Country Liberals leader Jodeen Carney, talking enthusiastically about the new Chief Minister, said, "Adam Giles is, in my view, a natural leader, a progressive, thoughtful, sensible, smart, energetic communicator." She said, "He is a progressive."

**MADAM ACTING SPEAKER:** Mr Rattenbury, could you resume your seat? Stop the clock, please. Mr Hanson?

**Mr Hanson:** I have a point of order on relevance to the debate. I know that it is a wide-ranging debate, Madam Acting Speaker, but I think that a dissertation on the current leadership changes in the Northern Territory is drawing a pretty long bow.

**MR RATTENBURY:** On the point of order, Madam Acting Speaker, Mr Hanson brought the issue of "progressive" into the debate. I am talking about what a progressive means and the way it is being used in the Australian political context.

**MADAM ACTING SPEAKER:** Yes, Mr Rattenbury—

**MR RATTENBURY:** I do not intend to continue on the Northern Territory.

*Mr Hanson interjecting—*

**MADAM ACTING SPEAKER:** Mr Hanson, I do not need your commentary. Mr Rattenbury, thank you very much; could you return to the matter of the motion?

**MR RATTENBURY:** I do not intend to speak for long about the Northern Territory. In fact, I have more or less finished the point. It is simply that the new Northern Territory leader has been described as a progressive, so I wonder what sort of greeting he will get from Mr Hanson when they next meet up at some Liberal Party function.

In terms of the specifics of Dr Bourke's motion, obviously, as a Greens MLA, I would certainly consider that there are other items that we might want to include in such a broad list of examples that Dr Bourke has given. For example, it does not touch on policies to protect our natural environment at all.

**Ms Burch:** Move an amendment, Mr Rattenbury.

**MR RATTENBURY:** Move an amendment? I am getting to that, Minister Burch. But it does not touch on issues of the natural environment at all, which is a shame, as I suspect there will be some considerable work on that agenda over the next four years, including the culmination of a long process to rewrite the Nature Conservation Act. Clearly we will need to do a lot of work to protect our nature parks and also there is the agenda to clean up our lakes for better community use.

That said, there is also one clause in there that does not sit so comfortably with me, and that is the one that identifies the new Majura Parkway as a critical piece of major infrastructure. As everyone in this place knows, and I may as well be up-front about it, the Greens were not supportive of the gold-plated version of the Majura Parkway

project that we have ended up with. I am sure the irony is not lost on anyone in this place that, as the new minister in charge of Roads ACT, I am the person now responsible for overseeing it.

That said, I am not going to move an amendment today to remove it—firstly, because it is unlikely I would get any support for such an amendment, given the enthusiasm of the bulk of the chamber for this freeway, and, secondly, because the Greens did acknowledge, and still do acknowledge, that there were good reasons to upgrade Majura Road and that the road itself is important infrastructure.

The point of difference that I have and the Greens had in the previous term was more about the scale of the upgrade that was visualised. Instead of the four-lane freeway version we have ended up with, the Greens imagined a version that was more contained and in keeping with the character of the Majura valley, while addressing the safety issues that have arisen. This included upgrading the intersections where accidents were frequently occurring, ensuring safe access to Majura Road for residents, a short section of dual lane and improved lighting at night. These are the sorts of things that would make the road safer without necessarily having the scale of investment or intrusion into the valley that the design envisages.

There were other reasons for not supporting such a large amount of public infrastructure spending on just 11 kilometres of road. That included the lost opportunity cost of putting that money towards other forms of transport that would especially serve the people of Gungahlin more effectively.

In the context of this discussion it has been a great achievement to ensure that the government are now committed to delivering light rail for north Canberra in the imminent future, so that we can do the long-term work to alleviate the congestion pressures that residents of Gungahlin in particular experience. Increasingly there is a flow-on effect through areas of inner north Canberra, arising from congestion caused by the very considerable population growth in the Gungahlin region.

Some may say that, because I and my party were not supportive of the parkway, there is some concern about my being given the job of overseeing its delivery. Let me take this opportunity to assure members that I take my ministerial responsibilities very seriously and there need not be any concern. Now that the project is committed to and the contracts have been signed, I will be ensuring, as much as I can within my ministerial responsibilities, that the project is built to the highest possible standard, that it is built to comply with its expectations and that it is done on time and within budget.

Having made those comments on that specific element, in terms of the rest of the motion, I certainly welcome Dr Bourke's reference to municipal services. As the Minister for Territory and Municipal Services, I think that this is a very important issue for our community. Certainly the level of correspondence that I receive on these matters reflects how much the community does have an interest in these issues.

I am certainly working with the Territory and Municipal Services Directorate to constantly improve delivery of services in this city. I know that the staff of the

directorates are very passionate about this city. They work very hard to deliver the services they can within the resources that are available. I know that so many of the staff across TAMS take a real pride in this city and are out there doing their best every day to ensure that it looks as good as it can and that it is a pleasant place to live.

Frankly, I think anybody who has travelled anywhere else in the world will have a great appreciation of just what a great lifestyle we have here in Canberra and the level of amenity that this city has. Of course, there are always things that are open for improvement. I think that with the age of our city and the age of the investment in a lot of the infrastructure, we are reaching a point where a lot of it does need reinvestment as things begin to age. That will be a challenge for us over the coming years. Certainly the delivery of those good municipal services is something that I am very focused on.

We are being very responsive to community requests as well. We do get a vast number. We are not able to meet all of them perhaps in the time frame that people would hope for, but I can assure the community that the directorate is working very hard to get to the issues that they are raising with us. We certainly get a lot of positive feedback through Canberra Connect about the service that people receive when they call that government number.

With respect to some of the other areas in Dr Bourke's motion, we have had considerable discussion about tax reform. I think this comes back to some of the discussion we were having yesterday around infrastructure, and there is the reference in Dr Bourke's motion to leadership. It does take leadership to do tax reform. It is important that we do not just take the simple, short-term option of running an easy slogan election campaign, but that we actually get on with some of these policies that academics and experts have been identifying to government for years and saying that these sort of reforms need to be made. It is a credit to the Treasurer that he moved forward with this in the last term. That is why the Greens are willing to support it—because it is the sort of long-term tax reform that Australia needs generally. Certainly I think it is a good thing that the territory is moving forward to do this, to set ourselves up with a sustainable revenue base for an extended period of time and move away from the sort of taxes that have been described by things like the Henry tax review as inefficient and unfair.

When it comes to transport for Canberra, referred to in paragraph (g), members will know this is an area I am particularly passionate about, and we will no doubt talk about it many times in this chamber in the coming years. I have already touched on the implementation of the light rail project. That is the sort of thing that this city really needs and it will make a real difference for the people of Gungahlin in terms of beginning to alleviate the problems of congestion that I spoke of earlier and that we are starting to see.

Paragraph (h) refers to climate change and energy issues. Again, I spoke about this in the discussion on infrastructure yesterday. By moving the ACT towards a greater supply of electricity coming from renewable energy it will really set up our energy security future, particularly from a pricing point of view. With the way that prices for solar energy are coming down and the fact that there are no ongoing costs—once the

system is in place there are no fuel costs—those renewable energy systems will be highly cost competitive. I think that people will thank this current generation of leaders in the ACT for ensuring that we put those sorts of energy supplies in place that will provide this city with stable energy prices into the medium to long term.

There are a number of other matters in this motion. Each of them is in fact an entire debate and discussion in its own right. There has been some commentary from a range of members this morning. I simply note that many of the issues, such as disability services and the implementation of a needs-based approach to education funding, are the sort of matters I and the Greens have a great interest in. Certainly, as I said, many of them have been touched on in broad terms in the parliamentary agreement. On that basis I think that the matters Dr Bourke has raised today are important ones and I will be supporting the motion as it is presented today.

**MS BERRY** (Ginninderra) (11.33): I rise today to support Dr Bourke's motion on the need to ensure that we continue to build on the achievements of the last 100 years through strong leadership and forward-looking policies. I wish to highlight this government's strong track record in making Canberra a safe and desirable place to work.

Even though the powers of this Assembly are limited by our federal cousins in relation to workplace laws, I believe that we have a proud record of reform that makes the most of our capacity to make sure that working people in the ACT are able to work in a creative, productive, fulfilling and safe environment. There have been considerable achievements by this and previous governments to enhance our workplaces, but I only have time to touch on a few major achievements.

Workplace safety is the backbone of any progressive set of workplace laws. For more than 10 years now the ACT government has been committed to providing the best possible safety and workers compensation laws.

I know that since Labor came to office in 2001 we have strived to improve OHS laws and regulations in the territory. I believe in 2001 that the Chief Minister had carriage of the occupational health and safety laws and now, with national harmonisation of OHS and work health laws coming online, I know that the ACT has had a constructive role to play in making sure that these new national laws are of the highest standard.

Ensuring the safety of our workplaces also means making sure that Canberra's working people are not exposed to dangerous substances such as asbestos and hazardous chemicals. In 2002 the then Stanhope government undertook a review of the Dangerous Goods Act and found that substantial work was needed to bring our laws up to scratch to offer the best protections we could to workers who might be exposed to dangerous substances. In 2004 the government introduced a completely rewritten Dangerous Substances Act. The act implemented nationally agreed standards on both dangerous goods and hazardous substances and had a specific focus on improving the handling and removing of dangerous substances like asbestos which had then only recently been banned nationally.



In more recent years the ACT has undertaken a review of the Dangerous Substances Act to ensure its consistency with the harmonised work health and safety legislation. The act will introduce further harmonised regulations relating to asbestos, hazardous chemicals and major hazard facilities.

Even though, as I mentioned, the ACT is limited by federal legislation about what we can do to protect our working people, we have a good record on standing up to the federal government when the laws they enact are unfair and take away the rights that we believe workers deserve.

We all remember Work Choices—the Howard government’s disastrous workplace relations changes that tried to take us back to the industrial revolution where the idea of collective bargaining and holiday and sick pay were a figment of a worker’s imagination. Of course workers in the ACT felt the brunt of those changes as the federal government used our public service departments as laboratories for his extremist experiment. He even took away the ACT’s union picnic day. What a scrooge!

Among the many displays of opposition that we showed to Work Choices, one simple action that I think many members on this side of the chamber are proud of is the enactment of Family and Community Day. I know that those opposite may say this is nothing more than tokenism or symbolism, but their thoughts are purely superficial. We believe that the roles of public holidays are not just to recognise important events from our history or to recognise important contributions from some of the sectors of our community; we believe that public holidays allow Canberrans time throughout the year to rest and spend time with their loved ones. A quality life is not one that is spent predominantly at work.

If there is one achievement that stands out in the ACT that substantially improves the lives of working people here it is our proud record on portability of long service leave. Portable long service leave schemes protect the basic entitlement of workers to take long service leave. The ACT has introduced these schemes in industries where workers typically move frequently between employers while staying in the same industry for many years.

The ACT was the first jurisdiction to introduce a scheme for cleaning workers. We have since been followed by New South Wales and Queensland. We remain the only jurisdiction to have a scheme for community sector workers. I can proudly say that we now have portable long service leave schemes for building and construction, cleaning, security, and community sectors. Industries with portable long service leave are recognised for their importance to the economy and the community. These industries are more able to attract and retain workers as the employees have an incentive to stay within that sector.

The people whom I represent in west Belconnen, the hardworking people who make up the workforce for many low-paid industries, are the main beneficiaries of these schemes. Not all Canberrans are secure in their work, but if we can make sure that they are secure in their entitlements then we are giving them a good foundation to be able to work when they can.

In 2012 the ACT became the first jurisdiction to offer a portable long service leave scheme in the security industry. The ACT government is proud that this group of workers, who assist in keeping the community safe, are able to access their entitlements while pursuing career options within the industry. The ACT government has made a commitment to extend the benefits of portable long service leave to the aged-care and contract waste removal industries. The government is proud to be innovative and lead the way on this important issue of fairness for workers in industries with high levels of mobility between employers.

We are forging ahead in our mission to ensure that Canberra's workers are able to participate in creative, safe and fulfilling work in our territory. We have committed to implementing the recommendations of the *Getting home safely* report, which will ensure that our construction workers can go home safely.

We are expanding trades traineeships and apprenticeships in the ACT public service because we know that a properly educated workforce will not only make substantially better contributions in their respective workplaces but that they are more aware of what they should be expecting in terms of fairness, safety and representation at work.

The care and oversight that government has provided to workers in Canberra has evolved tremendously in the past 100 years. I think we must remember that making safe and constructive workplaces is a forever evolving project and that the nature of work will evolve just as dramatically over the next 100 years as it has over the past century.

**MR SMYTH** (Brindabella) (11.41): What a wonderful morning we have had. The Labor Party have been visited by the transformational fairy. She has sprinkled transformation all over their speeches. The word "progressive" is not anywhere to be seen. Suddenly we have been transported to Canberratron, the Canberra equivalent of Cybertron, because the Transformers are in town. I am not sure whether the Chief Minister is Optimus Prime or whether she is Megatron—I suspect more like Megatron.

**Ms Gallagher:** Bumblebee.

**MR SMYTH:** Bumblebee? The Chief Minister sees herself as a classy sports car. There we go; Bumblebee is in charge of the ACT. There is your confirmation. If you doubted it, the Transformers have arrived in the ACT Assembly. We are going to be twisting. You can see it now. They will be twisting and turning and changing over the next 3½ years because they are not happy with who they are and who they are in bed with.

Mr Rattenbury, you have got a lot to be blamed for. This is the classic raw nerve overreach response motion. Mr Hanson has hit the raw nerve with the progressives over there. Suddenly there is only one progressive left, and that is Mr Rattenbury. He will wear that with pride. The rest of the progressive Green-Labor government have turned into transformers. It is transformational! I gave up counting the number of times that "transformation" was used. Ms Burch was a bit slow. She started talking

about transformation. She could not bring herself to say transformation—“transformational”—until about seven minutes into her speech, but we got there in the end.

We have had the whole lot. The whole cacophony has spoken today. And what have we got from this motion? Absolutely nothing. We have been going for almost two hours now. We get this sort of recitation of where we are, where we have been and all these things that we have done, but very few of those opposite have spoken about the ordinary Canberra and whether or not they feel any better off. The reason they do not speak about that is that they cannot point to where people feel better off under this government.

You only have to go to health. The health system that used to have the shortest waiting lists in the country has now got some of the longest waiting lists in the country. I am sure that if Mr Hanson had his chance to say some more he could go through that litany of failure in the delivery of health services that is characterised by the scandal last year with doctoring the data in the emergency department.

**Mr Hanson:** That was a transformation.

**MR SMYTH:** That was a transformation.

**Mr Hanson:** Transforming bad results into good results.

**MR SMYTH:** They transformed the data from bad data into good data, and it blew up in their faces. Talk about transformation!

And there is Mr Gentleman. Somebody has written him a speech which he reads. He talks about how good it is that they have done master plans for Tuggeranong. For years we asked for a master plan for Erindale, and it did not happen. We asked for a master plan for Tuggeranong; Mr Corbell said, “Well, it is not old enough yet, and the mistakes have not been embedded so far yet. We do not need a master plan to make it up.” Mrs Jones will tell you: in August 2010, when we doorknocked Kambah, as a result of going and talking to the people of Kambah, we know that they said, “Give us a master plan, because the Kambah shops do not work.”

I am very pleased, and in this case I congratulate Mr Barr, because he saw the value of master planning. Mr Corbell did not; Mr Barr did. We had a bit of a transformation. Now we have twisted all the way back. Maybe we have gone from Bumblebee back to Cliffjumper, although I suspect Airachnid and Breakdown would be more appropriate for the two gentlemen on the other side of this chamber.

Today’s policy seems to be: “If we say ‘transformational’ enough, everybody will think that we are transformers. And if we say ‘transformational’ enough, then people might stop talking about being green and progressive.” You cannot escape it, and you cannot shrug it off, no matter how many visits the transformational fairy makes to the caucus room and the speechwriters over there. You can come up with as many words as you want, but Mr Hanson has hit the nail on the head. This progressive Greens

government, the most radical government in Australia, is long on words, long on speeches—we had the whole cacophony speak to us this morning—but it does not deliver.

You have only got to go back to the Auditor-General's reports on the delivery of infrastructure to know that that is the truth. And you have only got to go to yesterday's MPI on the delivery of infrastructure. We have got the GDE, the Cotter Dam, the prison, Tharwa bridge and emergency services headquarters at the airport. You do not deliver. We see a quarter of a billion dollars—a quarter of a billion dollars—being pushed back out of this year's budget because you cannot deliver. Use as many words as you want, transform yourselves as often as you want, twist and change as many times as you want—it does not work away from the truth, and the truth is that this is a government that does not deliver.

Let me just focus on something that Mr Barr said. Mr Barr said, "We are here; we are a government supporting business investment." When you invest in something, you normally reach for the prospectus. If you reach for the ACT business investment prospectus, you would go back to a document that was written in 2010. There was no prospectus done in 2012-13. There was no prospectus for 2011-12. They did one in 2010-11. They did not do a prospectus in 2009-10. They did one back in 2008-09, but of course prospectuses change. And if you are an investor, the information changes, and the detail and the conditions change. If you are coming to the ACT government and you want a copy of their prospectus on investing in the ACT, you will find that it is three years old. And that is a man who says he is proud about their encouraging investment in the ACT!

Then we talked about density. They said, "We have got all these policies. We are increasing density. We have spoken to people. Not only have we moved to increase density; we thought that was such a good idea we put a tax on it." Yes, the lease variation tax that attacks density—that works against density. Mr Barr got it right when he said that every tax has a drag, has an effect. In relation to the lease variation tax, you can see that, in the last six quarters of the existence of this tax, not once has it reached its objective. The government in this financial year is now writing down the amount it expects to get from the lease variation tax, because it is just not delivering.

The problem here is that they can transform as often as they want, and sprinkle their speeches with words to make themselves feel good, but they are just glib words. There is no inspiration in these words. The reality of it is that a nerve has been hit. We have got the standard raw nerve response motion, because this is a crowd that does not deliver.

Let us go to another piece of the motion. Let us go to economic development. For years I have been asking that the government work to diversify the ACT economy. I now see that the words "diverse" and "diversification" actually appear in their motion. They have finally discovered economic diversification.

**Mr Hanson:** They have been transformed.

**MR SMYTH:** They have been transformed. But are we seeing the economy being transformed? I think not. You can see that, after 11 years of Labor in office, the 60 per

cent of employment in the ACT that used to be in the private sector has reduced to 50 per cent. Yes, they have transformed employment in the ACT: they have taken it backwards.

They are very happy to go to the events, to launch the businesses, to say, “We are innovative,” but the business community is doing it in spite of this government. It took them three years, from 2001 to 2004, to come up with their first economic white paper. And give Ted Quinlan his due: even though, as he said, it was a statement of the bleeding obvious, which it was, at least it had some themes, it had some directions, and it actually had some actions. The 2008 version, from August 2008, dropped without a trace. I suspect that last year’s version will do the same.

Mr Barr talks about market reform. He says, “You can’t have industry policy any longer because industry policy is old hat.” Yet the largest component of the current economic paper that the government has is an industry package. It is a package to support NICTA. That is a fabulous thing. The largest volume of money, of funds fed into that, is going to NICTA. Sounds like, looks like, probably is an industry package. That is fine; you can have a mix of both if you want. But you stand up and say that you are some sort of reformer: “We are hands-off; we are going to make this work.” When you say, “We laugh at all those who talk about industry policies,” when your biggest single item to support business in the ACT is in fact an industry policy, you look a bit ridiculous.

Paragraph 2(b) says:

... economic development—continue to support the diversification of our private sector and create new jobs through accelerating business innovation, support business investment and foster the right business environment ...

We had annual reports hearings a week or two ago. I asked them why they were not meeting their objectives. The staff in business said, “We are not aware of those numbers.” They could not even remember the midyear update, the progress report on business activity in the ACT, where they were not meeting their targets. They said, “We are falling behind because AusIndustry is throwing us so many leads that we cannot do the other work. We are working out how to deliver the other work, but we have not done it yet.”

Perhaps there will be a transformational approach taken to business in the ACT, but I do not think it bodes very well for having the transformation that they speak of when the minister says that they are getting investment-ready but they do not have an investment prospectus that is up to date and highlights what is going on in the ACT. (*Time expired*).

**DR BOURKE** (Ginninderra) (11.51), in reply: I thank the Leader of the Opposition for his compliments on my speech this morning and I note his agreement on many of its points. But I must take issue with his comments about support for business. The Liberal Party, of which Mr Hanson is a member, was founded by Robert Menzies to be the voice of a forgotten people: shopkeepers, small businesses. Clearly Mr Hanson is so disengaged with his original constituency that he simply does not understand that

changes to commercial rates do not affect many small businesses because they rent their premises. They are tenants. They must be the disaffected rump that we have heard so much about in the papers lately.

*Mr Smyth interjecting—*

**MR ASSISTANT SPEAKER** (Mr Doszpot): Dr Bourke, could you sit down for a minute. Mr Smyth, you were listened to in silence. Could you please let Dr Bourke have some quiet.

**DR BOURKE**: Thank you, Mr Assistant Speaker. The forgotten people, small business in this town, have been strongly supported by the initiatives of this government.

When we talk about lowering payroll tax, is the Liberal Party going to increase it? When we talk about removing land tax, \$230 million, is the Liberal Party going to reinstate it? Where are their policies? It is a policy-free zone and we heard that from both Mr Smyth and Mr Hanson. This government is making strong steps, providing progressive leadership, to develop business in the ACT.

We have heard about GlobalConnect, supporting local businesses to export. We have heard about local small and medium-enterprise procurement policies for the ACT government. There is a red tape reduction panel, Indigenous enterprise development, Canberra BusinessPoint providing mentoring and advice for small business and, of course, the Lighthouse Business Innovation Centre. We have heard this morning from the government about the progressive leadership and transformational projects that are creating the Canberra of the future.

In closing, I want to focus on an exciting example of this, which will enlighten Mr Smyth, who has gone off to ring someone up, probably. East Belconnen, around the suburb of Bruce, is transforming under this government. We are building a major centre of the knowledge capital, tying together a great, diverse hub of learning, training, health and high tech institutions. At either end of this zone is the University of Canberra and the Australian Institute of Sport. In between are the high tech CIT Bruce campus and the Calvary hospital, all in my electorate.

The University of Canberra public hospital is a major commitment by this government to enhance the partnership between the tertiary sector and the health system. The University of Canberra public hospital demonstrates the strong collaborative approach between the government and the university in its planning, design and function. This hospital will be a centre of excellence for rehabilitation and aged care and will include a clinical training and research base.

Planning so far has focused strongly on the ways in which students of the university—students in nursing, occupational therapy and pharmacy, amongst others—will be able to experience clinical training in greater numbers and for extended periods, simply because of the co-location of the hospital within the university. In addition, it is important to recognise the opportunities for joint research that will be maximised because of the co-location. That co-location builds on the strong research relationship

that already exists. The university will have research areas within the hospital and some of their staff will be based there, meaning that ACT Health employees have easy access to contribute to that research but also to learn about the results of the research and to apply that learning to the care they provide on a day-to-day basis.

I am sure that members will already have realised that this project makes the ACT an even more attractive place for excellent healthcare providers to work, a centre of excellence providing quality clinical care, strongly supported by at-hand, clinical research, and affiliated with a university of note. This means that staff will want to remain working in the ACT and that healthcare providers from elsewhere will want to join us. It is an addition to Canberra, and Belconnen in particular, that will create local employment and more educational opportunities.

In building the University of Canberra public hospital, this government will have created a purpose-built facility to provide excellent care for patients with subacute health needs, for people who are in the recovery rather than the acute phase of their illness. What this means is that beds will be freed at Calvary Public Hospital, as well as Canberra Hospital, beds that are needed for patients with acute healthcare needs and that are currently occupied by those in the recovery phase.

The government has already undertaken enhancement work at the Calvary hospital, expanding the number of beds for coronary care, intensive care and patients with high-dependency needs. Together with the Australian government, we have also funded the expansion of the emergency department at Calvary hospital, adding additional treatment spaces and consultation rooms. We are currently working with Calvary hospital around their future car parking needs, a key element in getting the future needs of public health care positioned to meet demand. And this government has also funded works to reclaim wards that had become office spaces and restore them to beds for patients.

This government's commitment to continuing to work with Calvary Public Hospital to build bed capacity for Canberrans is strong and will see additional beds added over coming years. Both Canberra and Calvary public hospitals will refer patients in the recovery or rehabilitation phase of their illness to the University of Canberra public hospital. Patients of the University of Canberra public hospital who need care in an acute hospital will be transferred to either Calvary or Canberra, depending on their care needs.

Another exciting innovation is the new University of Canberra sports hub. It will be home to elite sporting organisations and will work closely with professional and non-professional teams, while providing opportunities for UC student internships with sporting bodies. It will also benefit the nearby AIS, the premier elite sports facility in Australia with a rich history of world Olympic champions and gold medallists. This facility combines the best in sport science, medicine and technology to give Australian athletes the edge in international competition. Having the AIS based in Canberra means that local athletes can utilise these international standard facilities, like the aquatic centre and the athletics facility.

Other government investments at the UC, such as the INSPIRE Centre, bring the digital future into the classroom, transforming the lives of our students. Through the INSPIRE Centre, the ACT Education and Training Directorate is also working in partnership with the University of Canberra to improve professional learning and training opportunities for student teachers, teachers and school leaders. Programs at the INSPIRE Centre highlight the innovative use of information and communication technology in contemporary teaching practices. INSPIRE is a hub for training for teachers as mentors aligned with the Teacher Quality Institute.

I mention the other great educational institution in this hub, the heavy lifter in education in Canberra, the CIT and its largest campus at Bruce. And speaking of forgotten people, this was the institution that the Canberra Liberals forgot about in their last election. They forgot about the CIT entirely. Bruce campus provides training in specialist program areas that involve innovative and high technology applications across several industry sectors—for example, building information modelling using the latest software that is used for architectural design, building construction and development and environmental site modelling, and the surveying and spatial information science programs delivering training in a range of qualifications that focus on surveying and spatial information sciences information applications. Students in these programs gain experience also in the use of local navigation system technology, laser measuring devices, satellite imagery and spatial mapping software to compile digital maps, analyse problems and model scenarios. In addition, the CIT Bruce campus showcases the latest in purpose-built facilities for hands-on skill training in emerging sustainable technologies for both residential and commercial construction sectors.

The east Belconnen learning, health and high tech hub is a perfect example of the progressive leadership and transformational projects that are creating the Canberra of the future and I am proud it is in my electorate.

Question put:

That **Dr Bourke's** motion be agreed to.

The Assembly voted—

Ayes 8		Noes 6	
Mr Barr	Ms Gallagher	Mr Doszpot	Mr Smyth
Dr Bourke	Mr Gentleman	Mr Hanson	Mr Wall
Ms Burch	Ms Porter	Mrs Jones	
Mr Corbell	Mr Rattenbury	Mr Seselja	

Question so resolved in the affirmative.

Motion agreed to.



## Justice—administration

MR SESELJA (Brindabella) (12.05): I move:

That this Assembly:

(1) notes:

- (a) that the ACT Bar Association took the extraordinary step of making a formal complaint in regard to an ACT Supreme Court Judge in December 2012, due to extensive delays in reserved judgements;
- (b) that the ACT Law Society is seeking “urgent remedial action” in regard to these delays;
- (c) that the backlog in cases is causing criminal matters to be listed for mid-2014 and some reserved judgements are more than four years old; and
- (d) that the Attorney-General has failed to listen to the numerous informal complaints made about the delays; and

(2) calls on the Government to immediately appoint a fifth Supreme Court Judge to assist with the timely administration of justice.

This morning I am moving this motion calling for a fifth judge, and I will go through the reasons for that in some detail. The delays in the ACT court system are well known. The delays continue to get longer year after year. The Attorney-General is only prepared to take short-term measures that take off some of the pressure for a few months, and then the delays continue. Currently we have some reserve judgements that are more than four years old and criminal matters are being listed for mid-2014. This situation is unacceptable.

The *Canberra Times* reported in December:

Justice Dyson Heydon was moved to extraordinarily florid language for a High Court judge: “A party which has a duty to assist the court in achieving certain objectives fails to do so. A court which has a duty to achieve those objectives does not achieve them. The torpid languor of one hand washes the drowsy procrastination of the other.”

Unfortunately for the people of the ACT, this cannot be treated as a joke. These are real people, real lives and real implications we are talking about. It is a well-known legal maxim but an applicable one in this case that justice delayed is justice denied. The delays do not serve to benefit anyone. Many Canberrans have had their lives turned upside down by court cases, and the continued delays in addressing them have meant that their suffering is exacerbated. Businesses caught up in long litigation put at risk their livelihoods and cause untold stress.

The accused awaiting trial are often detained on remand at the AMC only to be released soon after trial as they are deemed to have served their sentence. Their

classification in the prison of being held on remand rather than sentenced means they often cannot participate in rehabilitation programs. Of course, that is to say nothing of people falsely accused who have to wait years in some cases to have their trials resolved. This is a situation which no citizen should see as acceptable, and the Canberra Liberals do not see it as acceptable.

The pressure continues to mount on the judges themselves. Judges need time to pay due diligence to the case at hand. We do not want them to feel rushed to deliver a decision unduly and in doing so not properly consider all of the arguments. Additionally, a number of cases have been run in the past year citing these very court delays as a reason to challenge refusal of bail or to seek dismissal of cases, thereby adding further to the judicial workload.

The extraordinary delays in our system have led to the ACT Bar Association making a formal complaint in regard to an ACT Supreme Court judge in December 2012 due to extensive delays in reserved judgements. The unprecedented move against a judge demonstrates how dire the crisis in the ACT Supreme Court has become despite the Attorney-General's recent blitz on the court lists.

The ACT Law Society supports the calls for delays to be resolved, stating that it is seeking urgent remedial action about the state of reserved judgments generally. Further to this, I received yesterday a letter from the ACT Law Society supporting our call for a fifth judge. I understand this letter from the Law Society has been sent not just to me but also to Shane Rattenbury, Simon Corbell and the Chief Justice:

... the council remains concerned that there are again serious delays in obtaining hearing dates and that the status of reserved judgements has not yet substantially improved.

It continues:

But the urgent need is in the ACT Supreme Court. The Society takes the view that the appointment of a fifth judge is appropriate at this time. We note that in the usual course judges retire and decisions as to the number of judges can be reviewed.

For these reasons, the Society fully supports the urgent appointment of a fifth Justice of the Supreme Court.

The decision to appoint a fifth judge is not one that is taken lightly. There are financial implications to doing so; however, the costs of further delaying justice greatly outweigh these considerations.

The ACT has the lowest number of judges per capita in the country. According to the latest report on government services, we have 3.4 judges per 100,000 people. In the comparable jurisdictions, the Northern Territory has 11 and Tasmania has 4.1. We are well below the national average of 4.8.

A New South Wales parliamentary research paper on court delays published in 2002 states:

The operation of an efficient and effective court system is crucial to the administration of justice and delays are a significant obstacle to achieving these goals.

There is no legal right under common law or legislation to have court proceedings conducted within a reasonable amount of time in any Australian jurisdiction. However, the problems caused by delays and the importance of reducing delays have long been recognised. The only response the Attorney-General has had to all of these problems and complaints is a wait-and-see over the introduction of a docket system. We believe it is well beyond time for a wait-and-see and it is time an extra judge was appointed.

The government and others will no doubt say that this is not the entire solution and it will not fix all the problems, and that is correct; a fifth judge will not fix all of the problems in our court system. But it is an important step in dealing with some of these issues. There has been criticism of certain judges. I am not going to get into going after particular judges here, but we know there are concerns about the length of time some judges have taken. We believe in judicial appointments, and the Canberra Liberals have put forward solutions when it comes to judicial appointments. In the end, if the judicial appointments were wrong, it is this government that needs to take the blame; it is this government that did not do the proper consultation.

In the past I have put forward the Courts (Judicial Appointments) Amendment Bill, which would have provided a forum through an Assembly committee—like we do with other statutory appointments—where we could hear from the Law Society, where we could hear from other people affected by judges and have their consideration of these appointments. We believe that would lead to better appointments. So better appointments are part of it, and we put forward solutions in relation to that.

There is no doubt we agree with the Law Society. We believe their claim is not unreasonable. We believe when you look at the statistics from around the country that we simply do not have enough judicial officers to do the job. An extra judge is needed. It will not solve all of the problems. We should be looking at how we appoint judges; we should be looking at other areas around the administration of justice, but this government need to take the blame. They have been in government for 11 years. They have made a number of these appointments. In some cases, the appointments have been done with minimal consultation, if any, with relevant affected parties. All these factors together have led to unacceptable delays.

In closing, let us not forget that these are not esoteric arguments; these are real issues for real people—be it someone accused who deserves to have their case properly and promptly heard, be it someone falsely accused who may serve time on remand when they are not guilty or be it victims of crime who want to see these cases resolved and must go through the heartache, through testimony and other processes. Delays add to the pain of victims of crime. They stretch out that pain because there is no resolution in some cases for many years. There are real costs to business of civil cases that are delayed for years and years. There is a very strong case for an extra judge. This government have not got it done. We believe the time is now, and I commend my motion to the Assembly.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for Workplace Safety and Industrial Relations and Minister for the Environment and Sustainable Development) (12.15): I can assure the Assembly today that the government takes the issue of delay in the Supreme Court very seriously and continues to work with the court on this issue. I am also aware, of course, of calls for a fifth resident judge to be appointed to address the concerns relating to backlog in the court.

The government does not agree that the appointment of a fifth judge is the answer. The appointment of a fifth judge would involve significant ongoing expense to the ACT community, and the fact is that there are other factors that need to be addressed to ensure that we do not see delay in our Supreme Court.

Mr Seselja has referred to the High Court's judgement in the case of *Aon Risk Services Australia Ltd v Australian National University*. I will read from this judgement again, because it highlights, in the view of the High Court, how litigation should not be conducted or dealt with. The court said:

The proceedings reveal a strange alliance. A party which has a duty to assist the court in achieving certain objectives fails to do so. A court which has a duty to achieve those objectives does not achieve them. The torpid languor of one hand washes the drowsy procrastination of the other. Are these phenomena indications of something chronic in the modern state of litigation? Or are they merely acute and atypical breakdowns in an otherwise functional system? Are they signs of a trend, or do they reveal only an anomaly? One hopes for one set of answers. One fears that, in reality, there must be another.

This observation from the court is not an observation on lack of resources or an observation on a failure to adequately manage a case; it reflects on case management practices, not on a lack of resources. Since that decision by the High Court and that scathing critique, the government has implemented a range of short and long-term measures appropriate to securing improved access to justice and to reduce delay.

Mr Seselja in his motion refers to the making of a complaint by the ACT Bar Association in regard to one of the justices of the court. I received that complaint under the Judicial Commissions Act in December last year. The complaint related to delay in delivering reserved judgements. After considering the complaint, I declined to act on it. The delay in the delivery of the judgements by that judge is egregious. It is not, however, clear that there are any continuing issues that warrant the removal of the judge from office.

The Chief Justice has given the judicial officer time out of court in order to finalise all reserved judgements. While court management is the responsibility of the Chief Justice and I cannot, of course, interfere in private litigation, the government continues to progress a series of initiatives with our courts to help with the issue of delay.

In relation to the workload of the court, Mr Seselja refers in his press release to the latest report on government services, showing that the ACT has the lowest number of

judges per capita in Australia and is below the Australian average, as some sort of evidence supporting the need for a fifth judge. In actual fact, comparisons in relation to the number of judicial officers per capita are not a relevant consideration.

Evidence that is relevant is the comparative workload of our courts in comparison to civil and criminal lodgements in the superior courts of other Australian jurisdictions. In relation to the overall criminal and civil workload per judicial officer, magistrates and judges included, the ACT has, in fact, the lowest workload per judicial officer of any jurisdiction in the country. It is worth observing that the same report on government services that Mr Seselja refers to also demonstrates that the ACT has one of the lowest, if not the lowest, rate of lodgements for criminal and civil matters of any jurisdiction in the country. So the workload of our judges is lower and the number of matters being lodged in both civil and criminal jurisdictions is lower than most, if not all, jurisdictions in the country.

In order to improve access to justice and reduce delays in the courts, the government undertook significant reforms during its last term of government. These reforms included increasing the jurisdiction of the Magistrates Court in both the civil and criminal areas, bail and judge-alone trial reforms, the establishment of a single registry for the courts, a case management and listing review and support to the Supreme Court for the introduction of its docket case management system. Work continues on a range of other important reforms. Upcoming initiatives include reforming arrangements for handling judicial complaints and creating an industrial magistrates court.

Reform of judicial complaints arrangements is an ACT government election commitment. While the ACT has legislative mechanisms for the establishment of a judicial commission to examine serious complaints, there is currently no legislative framework for dealing with less serious ones. That is why in December last year I released a public discussion paper on this matter. The paper examines options for reform in the ACT, with a focus on the New South Wales and commonwealth models.

The paper also examines commonwealth legislation providing express powers to heads of jurisdiction to manage the workload of judicial officers and ensure appropriate access to health assessments, counselling and judicial education as required. Introducing similar provisions in the ACT would complement an enhanced judicial complaints mechanism. That paper is still open for comment, with submitters asked to make their submissions by the end of March.

An example of cooperation between the court and the government is the government's support of the Supreme Court's new docket system. Following the listing review, the Supreme Court announced its intention to implement a docket case management system, a familiar and regular feature of all other supreme courts around the country. Under this system, matters requiring listing for trial and certain other matters are assigned to a docket judge shortly after being lodged. These matters are then managed by that judge until finalisation.

The case management and listing review looked at practices in other jurisdictions, looked at what works and what does not, and looked at how things could be done here

in the ACT. When the Supreme Court decided to adopt the docket system, it was an evidence-based decision. It was not a knee-jerk reaction. The adoption of the case management system will assist the court to take control of cases to make the best use of the time and resources of the court.

In addition, in 2012, the government provided over \$1 million worth of funding for a successful blitz of civil and criminal matters during two six-week periods in 2012. In addition to funding two acting judges, additional support was provided to the DPP, Legal Aid, Corrective Services and the courts administration. The blitz was highly successful in bringing forward and disposing of a large proportion of civil and criminal matters.

Let me elaborate. The civil cases listed to take place during the blitz had previously been listed to take 396 court days. That is more than a year of court sitting. Instead, they took just 86 court days. In other words, more than 300 court days were saved. That is 300 days the court now has free to use for other cases. The story is the same for criminal matters. The estimated court days for the cases listed before the blitz commenced were 303. But in fact only 51 days were used. What does this tell us? Not that we need a new judge but that we need better management of the lists to recognise the reality that most cases will settle before they are heard. The taxpayer should not be asked to pay for another judge when courts sit empty.

It is important at this point to recognise the commitment of the Chief Justice to implementing change in the court to address delay. Regrettably, the Assembly has not always been as supportive. The Chief Justice asked the government to consider allowing sentence reduction for offenders who facilitated the administration of justice by cooperating to ensure that the trial is focused as effectively as possible on the real issues in dispute.

The government moved an amendment to give effect to the Chief Justice's very sensible proposal. Sadly, the previous Assembly was not as keen to listen to and support such sensible measures for reform. It defeated the change. Sentence reduction is an important initiative to reduce court delay, and it is disappointing that it was not supported. If the opposition are as sincere as they seek to proclaim they are about the need to address delay, I will consider reintroducing this measure and ask again for the Assembly's support.

Additional resources have also been made available to the court to help with case management. This has included \$9½ million in the most recent budget for developing a new courts and tribunals ICT case management system to facilitate the efficient operation of the courts. The system will help the courts to manage cases, court orders, hearing times and associated financial payments and reporting.

The most recent budget also allocated over \$2 million over four years to introduce an ACT sentencing database. This will allow sentencing information to be more easily used by the judiciary and facilitate greater transparency and consistency in sentencing.

So you can see very clearly that the government is not reluctant to make investments where they are needed. I have just outlined investments worth over \$10 million to

improve the operation of the court. But each measure must be considered and it must be demonstrably needed, and that is the issue that we are debating today.

On 4 February this year, I announced the appointment of John Nield as an acting judge of the ACT Supreme Court to assist the court whilst outstanding reserved judgements are being finalised. This appointment will also ensure that hearings and other court matters are not unnecessarily delayed.

On that score, there is no reason to think that cases in the Supreme Court have blown out. A criticism that has been levelled at the government is that matters are being listed for 2014. There are many reasons why a particular matter may have been listed for 2014, including, at least in some instances, that parties have requested it. Listing matters for 2014 does not indicate a blowout of the list in and of itself. Under the docket system, cases are only set down when they are ready to be dealt with. A case where injuries are yet to stabilise may not be capable of being set down for hearing for many years. In relation to those cases which are presently ready to be set down, there are certainly gaps in the lists for this year, meaning that there are still time slots available for the hearing of matters this year.

It is true that some matters remain in the list for 2014 as a legacy from the pre-docket allocation system, that is, they were listed before the introduction of the docket. As docketing progresses, these matters may well be bought forward. That will be contingent on a number of factors, including the readiness of the parties. With case management by the judges through the new docket system, some matters listed in 2013 and 2014 may resolve early or the length of trials may be shortened, which will clear the list for new matters to be listed.

As you can see, the government has put forward a comprehensive program to assist the court with the issue of delay. We take the issue of delay in the court very seriously, and we will continue to work with the court on these issues.

Mr Assistant Speaker, I now move the amendment I have circulated in my name.

**Mr Seselja:** Does he need leave?

**MR CORBELL:** Not for an amendment.

**MR ASSISTANT SPEAKER (Mr Doszpot):** The amendment has been circulated. Mr Seselja, do you have any further point to make on that?

**Mr Seselja:** Sorry, it is just that Mr Corbell had finished his speech. The ordinary practice is that someone needs leave if they move an amendment post speaking.

**MR CORBELL:** I did it before I sat down.

**MR ASSISTANT SPEAKER:** Mr Corbell was still standing when he said, "Mr Assistant Speaker." So I will accept it on that basis.

**MR CORBELL:** I move:

Omit paragraphs (1) and (2), substitute:

“(1) notes:

- (a) the significant reforms completed by the ACT Government to secure improved access to justice and reduce delays in the ACT courts, including:
  - (i) increased Magistrates Court civil and criminal jurisdiction;
  - (ii) bail and judge-alone trial reforms;
  - (iii) the implementation of a single registry;
  - (iv) a case management and listing review; and
  - (v) support for the Supreme Court’s introduction of a docket case management system;
- (b) the success of last year’s ‘blitz’ on criminal and civil proceedings in bringing forward and disposing of a large proportion of civil and criminal matters and enabling other matters to be listed sooner;
- (c) the further resources being made available to the court, including \$9.5 million in the 2012-2013 Budget to develop a new case management system to facilitate the efficient operation of the courts and \$2.2 million, allocated over four years to introduce an ACT sentencing database;
- (d) that further upcoming initiatives include reforming arrangements for handling judicial complaints and establishing an industrial magistrates court; and
- (e) that the ACT Government will continue to work with the courts to facilitate the timely delivery of justice and report back to the Assembly on this issue in 12 months.”.

**Sitting suspended from 12.30 to 2.30 pm.**

### **Questions without notice**

#### **ACTEW Corporation Ltd—managing director**

**MR HANSON:** My question is to the Treasurer. Treasurer, what process does the ACTEW Corporation board follow to assess and approve the remuneration package for the managing director, and does the managing director exclude himself from that process, including the approval process?

**MR BARR:** In terms of the second part of the question, yes, the managing director does exclude himself from such a process. The ACTEW board has a remuneration committee. That committee seeks guidance in terms of salary setting, both in terms of



benchmarking against other similar organisations and also, I understand, in recent times, in terms of having commissioned a consultant to undertake some further work in relation to benchmarking that position.

**MADAM ACTING SPEAKER:** A supplementary, Mr Hanson.

**MR HANSON:** Treasurer, what is the government's policy in relation to the remuneration paid to executives in government-owned monopolies and how does your government justify an \$850,000 package?

*Ms Gallagher interjecting—*

*Mr Hanson interjecting—*

**MADAM ACTING SPEAKER:** Mr Hanson and Ms Gallagher, let the Treasurer answer the question.

*Members interjecting—*

**MADAM ACTING SPEAKER:** Let the Treasurer answer the question, members.

**MR BARR:** The board sets the salary of the managing director. There is a process that they undertake and they go through that process. Obviously they have to bear in mind market conditions in relation to similar public utilities, although it is fair to observe that ACTEW, given the complexity of its arrangements in a joint venture, the spread of its activities across water and electricity and sewerage, is more complex than some other straight public utilities that might simply provide water or might provide electricity separately.

On the question of Mr Sullivan's salary, when benchmarked in 2010-11, what was published and advised to the shareholders at that time was at the upper end but within the range of similar positions in similar organisations around the country. The more recent position and advice to government in relation to the managing director's salary is, I believe, above those benchmarks from 2010-11, and so is the subject of some concern from the shareholders.

**MADAM ACTING SPEAKER:** Supplementary, Mr Smyth.

**MR SMYTH:** Treasurer, does the managing director's remuneration package include any element of a performance bonus? If yes, how much bonus was paid in 2010-11, who approved it and what performance indicator outcomes supported the assessment of the bonus amount?

**MR BARR:** Yes, I understand that the total package for the managing director includes a salary component, a bonus component and a superannuation component. The determination around performance bonuses sits with the board. The exact figures for the 2010-11 financial year are subject to some further clarification, as what was published in the annual report and then what was corrected yesterday shows there is a discrepancy between the two, and I am seeking further information in relation to

whether the additional amount that was declared yesterday was performance bonus, short or long-term performance bonus, or salary. That is not yet clear, and that is why I indicated yesterday that I would be providing the Assembly with further information.

But I am certainly aware that the managing director's package involves components of base salary, superannuation and long and short-term benefits that include performance bonuses. The board make determinations of those performance bonuses against the criteria that they set.

**MADAM ACTING SPEAKER:** Supplementary question, Mr Smyth.

**MR SMYTH:** Treasurer, what external benchmarking does the ACTEW Corporation board consider in assessing and approving the managing director's remuneration package?

**MR BARR:** As I indicated in my response to an earlier question, they undertook a benchmarking exercise against other utilities and also against other similarly sized companies around Australia. I understand also that they looked at the context of similar executive level positions within this marketplace here in the ACT. That work was presented to the board's remuneration committee before entering into an arrangement with the managing director.

#### **ACTEW Corporation Ltd—managing director**

**MR SMYTH:** My question is to the Treasurer. Treasurer, did ACTEW's chairman and managing director sign a transmittal letter dated 21 September 2011 addressed to you and accompanying the corporation's 2010-11 annual report for government, and did they state in that letter:

To the best of our knowledge and belief, the Annual Report is an honest and accurate account of the operations of the company for the period 1 July 2010 to 30 June 2011 and that all material information has been included.

**MR BARR:** That sounds very much like the letter that they would have written to me. I will dig out the records just to check that it has been accurately quoted by the shadow treasurer, but that does sound to be the standard text that would be sent as part of a transmission of an annual report to a minister. I will double check the letter from that particular time, but that would appear to be what they would have signed off to me.

**MADAM ACTING SPEAKER:** Supplementary, Mr Smyth.

**MR SMYTH:** Treasurer, what assessment have you made as to how the corporation could make a fundamental error in the annual report in which the managing director's remuneration was understated by almost one-third of the total cost?

**MR BARR:** The shareholders, the Chief Minister and I, have met with the chair of the board to discuss those particular matters and seek explanations in relation to what occurred. The chairman of the board has provided some information back to

government and has certainly provided information in the public arena in relation to an error between the human resource area of the corporation and those responsible for entering data into the annual report. We are still seeking further information as to how that error occurred. The advice I have to date is that it was a human error. We are working with the corporation and seeking further advice from the corporation in terms of their systems and processes, firstly to ensure that such an error cannot occur again and how this error did occur and how both the chair and the managing director signed off on something that was not correct.

**MADAM ACTING SPEAKER:** A supplementary, Dr Bourke.

**DR BOURKE:** Treasurer, could you tell us more about how this benchmarking process is conducted and does it take account of the complexity of this particular position?

**MR BARR:** Yes, I understand that the process that the ACTEW board undertook involved engaging a consultant to undertake some job sizing work, assessing against the Canberra executive marketplace, looking at senior public sector positions around this territory, and also looking at similar positions in similar organisations in other states and territories in Australia. As I have indicated in response to an earlier question, the benchmarking I have seen from 2010-11 showed that the salary that was originally published in the 2010-11 financial report was at the upper end but certainly within the range of what managing directors of equivalent public utilities are paid. The \$855,000 salary package would appear to be above that.

**MADAM ACTING SPEAKER:** Supplementary, Mr Hanson.

**MR HANSON:** Treasurer, when was the error discovered, and is it the case that it took from 21 September 2011 to 19 March 2013, a period of almost 1½ years, for it to be disclosed?

**MR BARR:** No. I understand that the error was identified by ACTEW during the caretaker period last year. I received written advice from the chairman of the board on 8 March, and yesterday, being the first sitting day, tabled that advice in the Assembly.

### **ACTEW Corporation Ltd—managing director**

**MR SESELJA:** My question is to the Chief Minister. On 27 February, in response to a report of the ICRC, you said that you had full confidence in the management of ACTEW Corporation. Yesterday, 18 months after receiving the 2010-11 annual report transmittal certificate from the chairman and managing director of ACTEW, the Treasurer tabled a corrigendum revealing that a disclosure error of almost a quarter of a million dollars had been made in a line item in the report disclosing the managing director's remuneration package. Chief Minister, do you still have full confidence in the management of ACTEW Corporation? If yes, on what basis do you make that assessment?

**MS GALLAGHER:** I can certainly say that the shareholders have concerns with the management of this issue within ACTEW. I think they are separate issues—the issues

around the ICRC—and the government is formulating our response to that, noting that the ICRC has made in their draft determination some recommendations around governance that we are looking at very closely. I think that our response to that report will show you how seriously we are looking at the issues of governance, and have been for a little while now.

In relation to this issue, the shareholders are extremely concerned. I would say that is a polite way of describing it. When we were informed—I think on 8 March the Treasurer was informed of this discrepancy. The Treasurer's office informed me a couple of days later—I think the first working day after he was notified. We have taken the matter very seriously since and we are working through those issues with ACTEW.

**MADAM ACTING SPEAKER:** Supplementary, Mr Seselja.

**MR SESELJA:** Chief Minister, you said previously, in relation to a salary of around \$600,000, that it was reasonable. Is a salary of \$850,000 reasonable?

**MS GALLAGHER:** I do not know where you are quoting from in relation to the \$600,000. When this issue—let us just remind members where the transparency around salaries for TOCs came from—

*Mr Smyth interjecting—*

**MS GALLAGHER:** Let us just remember that I brought forward amendments to this place, which were debated, in order to improve transparency around particular aspects of TOCs, which were unanimously endorsed. I certainly supported those. I have not resisted it, thank you, Mr Smyth. We brought forward the amendments, and the amendments have put in place a process. I was Treasurer—

**Mr Seselja:** Point of order, Madam Acting Speaker, on the issue of relevance, direct relevance.

**MADAM ACTING SPEAKER:** Resume your seat, Chief Minister. Could you stop the clock, please. Mr Seselja, a point of order on the issue of relevance.

**Mr Seselja:** The question was very specific. It asked the Chief Minister whether a salary of \$850,000 is reasonable. She is about halfway through her answer and I would ask her to be directly relevant to that very specific question.

*Mr Hanson interjecting—*

**MADAM ACTING SPEAKER:** Mr Hanson, I do not need you to add to the discussion at this juncture. The Chief Minister, as you said, is halfway through her answer so she will come to the subject of the question now.

**MS GALLAGHER:** So we brought forward a process which allows for the disclosure of salary. When the first salary was outlined, I think in the 2009-10 annual report, and it outlined a salary in the order of over \$600,000, I asked for further advice

around that and the appropriateness of that salary. It did seem to me to be at the upper end, but we had not previously known the salary before that time. That advice came back to me that the salary, as the Treasurer said, was in line with industry standards. In relation to the \$855,000, which I have known as the salary now for about a week, I was surprised when I saw that being the salary. The shareholders do not set the salary; the board sets the salary. We are seeking further advice on the appropriateness of that salary.

**MADAM ACTING SPEAKER:** A supplementary question, Mr Hanson.

**MR HANSON:** Chief Minister, you said across the chamber before that it was not reasonable. Do you have an on-the-record response and an off-the-record response that is different in regards to whether the salary of \$850,000 is reasonable or not?

**MS GALLAGHER:** I think the point I am making is that I as an everyday person am surprised at the salary, but I am not an expert in benchmarking of salaries for work that the corporation does. I am not an expert; we are taking further advice. I find it surprising that that is the salary, but I am not an expert, and I expect that the board would take expert advice on an appropriate salary for their managing director, and that is what we are seeking further information on.

**MADAM ACTING SPEAKER:** A supplementary, Ms Berry.

**MS BERRY:** Minister, why does the government believe it is important to pursue transparency of executive salaries?

**MS GALLAGHER:** As I have indicated to the Assembly, I, as Treasurer, brought in the amendments that were debated and that allowed for transparency in executive remuneration within territory-owned corporations. We already have a very high level of transparency around executive remuneration within the ACT public service. I think it goes to issues of trust and confidence for the community to understand what executive salaries are being paid. I think that is why it is important—in terms of openness, in terms of transparency and in terms of accountability.

When we have had a discrepancy of the order which we have had—I think it goes to the heart of why the shareholders have raised concerns with ACTEW—it questions that trust, it questions that confidence and it certainly questions the transparency. That is why the Treasurer has appropriately informed the Assembly at the first opportunity that we could of what the error was and has also indicated that, when we get further information back from the chair of the corporation, we will be updating the Assembly fully on a range of matters relating to this incident.

**Mr Hanson:** Madam Acting Speaker, I seek leave to table a document that may add some clarity to the question that was asked. It is entitled “ACTEW head’s salary reasonable”. It is a press release from 8 October 2010, in relation to the \$650,000 amount, where the Chief Minister said that that was not unreasonable.

**MADAM ACTING SPEAKER:** Is leave granted?

**Mr Barr:** It is a press release?

**Mr Hanson:** Yes. It is a statement basically by the Chief Minister saying—

**MADAM ACTING SPEAKER:** Mr Hanson—

**Mr Barr:** Is it a news story or a press release?

**Mr Hanson:** It is a news story.

**MADAM ACTING SPEAKER:** Mr Hanson, leave has not been granted yet. I am still asking the question and I have not had an answer yet. Has leave been granted?

**Mr Barr:** I just wanted clarification of what you were tabling.

**Mr Hanson:** It is a news story. My apologies, Treasurer; it is a news story where the Chief Minister said that the amount of \$650,000 was not unreasonable. It is entitled “ACTEW head’s salary reasonable”.

**MADAM ACTING SPEAKER:** Is leave granted? Thank you; leave is granted.

**Mr Hanson:** I table the following document:

“ACTEW head’s salary reasonable”—Copy of article from ABC News website, posted 8 October 2010.

*Members interjecting—*

### **Community sector—reforms**

**DR BOURKE:** My question is to the Minister for Community Services. Can the Minister for Community Services please inform the Assembly about progress on community sector reform?

**MR BARR:** The government and the community sector are working together in a period of transformation and change. This includes working towards a significant boost in wages for the community sector, the establishment of a new national regulator and groundbreaking reform to support people with a disability. And we see this as a great opportunity and a great challenge. We are working closely with the sector to make it more resilient and to allow it to deliver essential services to the Canberra community in an even more efficient and improved way. We have worked closely with the sector to implement the equal pay case.

**Mr Smyth:** I don’t think he’s a bumblebee; he’s more like an arachnid rather than a bumblebee.

**MR BARR:** The shadow treasurer is showing far too much knowledge of Aidee’s cartoons, I think.

**MADAM ACTING SPEAKER:** Just ignore the interjection, Mr Barr. Mr Smyth, you are not being very helpful. Mr Barr, just ignore the interjection from Mr Smyth. It is entirely unhelpful.

**MR BARR:** Thank you, Madam Acting Speaker, I will resist the temptation to respond to the deceptacons. We have worked closely—

*Mr Smyth interjecting—*

**MADAM ACTING SPEAKER:** Mr Smyth!

**Dr Bourke:** Madam Acting Speaker, on a point of order.

**MADAM ACTING SPEAKER:** Stop the clocks, if you would not mind.

*Mr Hanson interjecting—*

**MADAM ACTING SPEAKER:** Mr Hanson, would you mind letting Dr Bourke make it?

**Dr Bourke:** Mr Smyth has been using unparliamentary language. He has described the Treasurer as deceitful, and I ask that he withdraw it.

**MADAM ACTING SPEAKER:** Mr Smyth, if you called Mr Barr deceitful, you would need to withdraw that.

**Mr Smyth:** I said, “This is the deception now.” If you apportion that to the Treasurer being deceitful, I will withdraw.

**Mr Corbell:** So graceful!

**Mr Smyth:** I didn’t say Andrew Barr was deceitful.

*Members interjecting—*

**Mr Smyth:** Rather than upset them, I will withdraw. They’re saying I said that Andrew Barr is deceitful. I did not use the words “Andrew Barr is deceitful”. So I will withdraw that and perhaps they should withdraw impugning their own member.

**MADAM ACTING SPEAKER:** Minister.

**MR BARR:** Thank you, Madam Acting Speaker. As I was saying, we have worked closely with the community sector to implement the equal pay case, which will boost wages in the community sector by \$33 million over the next eight years, affecting nearly 4,000 ACT workers. Already 35 community organisations in the territory have received additional funding to meet this increase in wages for their employees.

We are a launch site for the national disability insurance scheme, and Minister Burch updated the Assembly on that particular matter just last month. We are also working with the sector to manage the transition to a new national regulator, the Australian Charities and Not-for-profits Commission. Last week I announced that the government will protect local community organisations from dual reporting requirements that will be the result of the establishment of the ACNC. There will be more changes that will come in this area, changes that will benefit the sector and make it easier for them to do their important work.

We are also supporting the community sector through a comprehensive reform program, to which the sector is making an active contribution. We are particularly pleased to be working with the sector on removing red tape, freeing them up to deliver even more services and spend more time with their client bases. I have spoken to many community sector organisations over the past few months, and I am pleased to advise the Assembly that they are all supportive of the reform direction, particularly the announcement I made at the community sector red tape reduction forum which over 60 sector representatives attended last month. I announced the government would no longer require six-monthly reporting.

So all reporting will be annual now for all contracts held with the Community Services Directorate. I have raised this matter with colleagues who hold other portfolio responsibilities where community sector organisations will have contracts, and we are looking to make this a government-wide initiative.

**MADAM ACTING SPEAKER:** A supplementary question, Dr Bourke.

**DR BOURKE:** Can the minister also further advise the Assembly how the ACT government is working with the community sector to advance reform?

**MR BARR:** We have the ACT community sector reform advisory group. This involves representatives from various ACT government agencies and the community sector. The work of this group has focused on a number of areas, the most recent effort being around red tape reduction. And there was, of course, a robust and open conversation around ways to improve the reporting requirements from community sector organisations to government.

I can say there is a very strong willingness to work together to ensure that the right information is being provided to government that guides good public policy decisions and provides a robust accountability framework while at the same time ensures that community sector organisations are able to focus primarily on the delivery of services to the people they are funded to provide services to, that we are able to streamline our reporting and operating requirements in line with the national reform through the ACNC, and that as we progress to a new stage of reform in the community sector we are doing so in partnership and in ways that enhance service delivery.

**MADAM ACTING SPEAKER:** Supplementary question, Ms Berry.

**MS BERRY:** Can the minister also advise the Assembly of any additional reforms that bridge gaps in the community sector policy development and service delivery?



**MR BARR:** I thank Ms Berry for the question. There are a number of further reforms in the community sector that we are working on. There are two in particular that I would like to update the Assembly on this afternoon. Last week I announced that the ACT government had appointed members to the inaugural Lesbian, Gay, Bisexual, Transgender and Intersex Community Advisory Council. This council will be chaired by Heidi Yates, a respected and talented Canberran.

The council will have its first meeting early next month. I look forward to working with Heidi, with Peter Hyndal, who is the deputy chair, and the other 10 members of the council. It will be an important advisory body for government on the range of issues affecting the LGBTI community in the ACT.

I am also looking forward this Saturday to attending, along with I hope many colleagues from the Assembly, the opening of Diversity ACT Community Services. Last year the government announced financial and in-kind support to establish Diversity ACT. It has been very pleasing to see a committed group of people pull together to show that you can turn a vision into a reality that delivers for the community.

The government has a stated policy intention to make the ACT the most LGBTI friendly community in Australia and for Canberra to take its role as the national capital and the leading inclusive city in this country as far as lesbian, gay, transgender, bisexual and intersex people are concerned. I think this is a very good opportunity to work in partnership with the community to deliver on an important, inclusive and, dare I say it, progressive outcome for this city.

**MADAM ACTING SPEAKER:** A supplementary question, Mr Gentleman.

**MR GENTLEMAN:** Minister, how will the community sector be assisting in the celebration of Harmony Day?

**MR BARR:** I thank Mr Gentleman for the question. There are significant opportunities for community involvement in Harmony Day. I am very pleased that multicultural communities are organising a sports day, for example. There are a number of ways that the community sector are getting involved, and it is terrific to see that there is such a strong level of engagement in what is an important day for the city. We certainly look forward to the opportunity to engage with a number of different communities, all pulling together to ensure that this is a progressive and inclusive city.

### **Education—NAPLAN testing**

**MR DOSZPOT:** Madam Acting Speaker, my question is to the minister for education. Minister, you were quoted widely last week applauding the success of Canberra schools in the latest NAPLAN results. However, in all areas tested and in each year level, there are many schools at or below the national average. Minister, a third of all ACT schools are below the national average in reading at year 7. In numeracy as many as 47 per cent, and in spelling 58 per cent, of all schools in year 7 are below the national average. Minister, why is this is so?

**MS BURCH:** It would only be Mr Doszpot that comes in and tries to pull the rug from under the success of our schools and students here in the ACT. In any testing, in any rating, there will be those that are above an average and there will be those that—

*Members interjecting—*

**MS BURCH:** Some would be below. It is indeed the hallmark of this government that we invest in schools of need, and we do continue to invest in schools of need to make sure that those schools that need the additional support—

*Members interjecting—*

**MADAM ACTING SPEAKER:** Could you resume your seat, please, Ms Burch. Can you stop the clock. I am really sorry but I actually cannot hear what Ms Burch is saying, and I am sure that other members cannot. I do presume you want an answer to your question, Mr Doszpot.

**Mr Doszpot:** If she stuck to her point it would be useful.

**MADAM ACTING SPEAKER:** Mr Doszpot, do you want an answer to your question? I presume so. Ms Burch will now resume, and you will remain silent. Thank you.

**MS BURCH:** As I was saying, this government has a record of investing in schools, and schools that need that additional support. We have the numeracy and literacy officers that work with those schools of need to make a difference. It is about that targeted response to schools that need it. NAPLAN is a measure. It is not the only measure that we apply as government and through the education directorate about where we apply our resources, but it certainly is a measure.

Over the years—and I think it has been in existence for about five years now, some of the early NAPLAN, certainly through my schools since 2008—it does start to show a broader and longer picture. It is a useful tool. What it does show is that, for many of those schools where we have applied a targeted response, you can see some gains and benefits. Where a school was needing assistance because it could have been, to use your terms, under a national average, we applied an additional resource, and we hope to see, when you test at year 5 or year 7 and year 9, the difference or the greater gain in those schools.

That is what we are seeing in some schools. It does not mean to say that there is no more work to do; there is more work to do, and we will get on and do it.

**MADAM ACTING SPEAKER:** Mr Doszpot, a supplementary.

**MR DOSZPOT:** Minister, given the high number of schools that are below the national average, how can the government be certain the school literacy and numeracy field officer program is successful?

**MS BURCH:** I get out and about and visit a number of schools. I was visiting a school that is not performing well, according to NAPLAN results—Charnwood school. But when you go out there and talk with the parents and with the school community, they recognise the benefit that the numeracy and literacy officer brings to the school. They are seeing results in those students, they are seeing improvements in the classroom, and it is having a very positive effect.

As I have said, Mr Doszpot, NAPLAN is a measure. It is not the only measure. But I will certainly listen to the feedback from the school leadership, the principals and the teachers in schools to see what these investments make. If you talk to the teachers, they recognise the benefits of these field officers, and that is why we will continue to invest in them.

**MADAM ACTING SPEAKER:** A supplementary question, Mr Smyth.

**MR SMYTH:** Minister, this problem was to be addressed with the \$12 million allocated for literacy and numeracy field officers. Where and when will this money be spent?

**MS BURCH:** There are field officers in play across the school education system. As I have indicated, they are in schools that have been identified as additional need. I do not have the list in front of me. The additional investment will go through the budget process. As we go through the budget process we will work with the Education and Training Directorate to identify those schools and apply the investment where the most need is and where we hope to get the greatest gain.

**MADAM ACTING SPEAKER:** A supplementary, Mr Smyth.

**MR SMYTH:** Minister, how much of the \$12 million has been spent to date?

**MS BURCH:** Of the election commitment or our earlier investment in literacy and numeracy officers?

**Mr Smyth:** Both.

**MS BURCH:** With the election commitment, Mr Smyth, that is a process that we are undertaking now. You will start to see us delivering on our election commitments as we go through the budget process.

### **Canberra Airport**

**MS BERRY:** My question is to the Chief Minister. Chief Minister, what does the opening of Virgin's new lounge at the Canberra Airport mean for our economy and opportunities for the growth of not only Canberra but our region?

**MS GALLAGHER:** I thank Ms Berry for the question. Yes, it is fantastic to have the new Virgin lounge open at the Canberra Airport as a part of stage 2 of the new terminal within Canberra Airport. The Treasurer and I attended the opening ceremony

with Anthony Albanese and, of course, with representatives of the airport and Virgin Australia to celebrate what has been a remarkable change to what was—certainly when I was growing up—a very, very small airport.

I commented on the day that I remember when the airport was a relatively small shack that you used to walk out the front doors of to go and collect your parents off the plane when they came back from Sydney. When you walk through what has been achieved at the Canberra Airport now, it really is hard to go back to that time and imagine what it was like then. It is fantastic with the amount of business travel, the very, very busy routes between Sydney and Canberra and Canberra and Melbourne to have Virgin showing confidence in the Canberra economy and in the Canberra Airport by committing to this new business lounge.

I note—I think it was Ms Berry who drew my attention to it—that the WNBL have managed to strike a deal with Virgin to allow the WNBL players to have access to the business lounge when they are travelling for sport, which is very significant progress for sportswomen who are travelling for their codes.

The confidence that Virgin has shown in Canberra is really important. There were certainly some very positive statements made on the day about future business planning and future thinking from Virgin in relation to what can be done here in Canberra. I think all of that is working very well.

In terms of where we would like to focus, of course it is in the area of international flights and looking at the opportunities there. The Treasurer is leading that work along with the Canberra Airport Group. I am hopeful we will be able to reach a positive conclusion on that and look at starting international flights and then increasing the opportunities they will bring both to the domestic and international tourism markets.

**MADAM ACTING SPEAKER:** Ms Berry, a supplementary.

**MS BERRY:** Chief Minister, can you detail the level of investment that the airport has undertaken and the contribution of this investment to our economy?

**MS GALLAGHER:** I thank Ms Berry for the supplementary. Any member of this place would acknowledge the contribution that the Snow family have made to this city, with the confidence that they have shown. Stephen Byron mentioned on the day when they opened stage 2 of the new terminal that that development was one of the first big projects cancelled at the height of the global financial crisis. But it was also one of the first ones recommenced when they were able to negotiate capital with all of the major banks in Australia, and that was after the commonwealth government had provided a guarantee to the banks. The change—I think the airport are calling it the “AirVolution”—which is part of their \$420 million redevelopment of the new terminal—

**Mr Hanson:** Not “transformation”?

**MS GALLAGHER:** No, it is another new word for you to get your mind around today, Mr Hanson—the AirVolution. Yes, it is, dare I say it, a transforming project for

the city. I would hope that all members would be supportive of what has managed to have been pulled off there. We have worked very closely with the airport to make sure that, where we can and where we should, we have been able to assist with supporting the redevelopment. It is good for Canberra and it is good for the region. I think a lot of credit has to go to the Snow family for their preparedness to invest in very difficult financial circumstances and pull off such a wonderful outcome that no doubt will benefit them, as the owners of the airport, but will no doubt benefit the people of the ACT.

**MADAM ACTING SPEAKER:** Supplementary, Mr Smyth.

**MR SMYTH:** That is very kind, Madam Acting Speaker. Chief Minister, when will we see regular international flights arriving at the new terminal?

**MS GALLAGHER:** I thank Mr Smyth for the question. As an election commitment, the government committed some additional resourcing to be able to attract and market new international flights. Certainly, in the discussions I have had with the airport they have been very pleased with the lead that the Treasurer has taken on this matter. I certainly mentioned it to the Virgin boss, John Borghetti, on the day of the opening—about how much we would like to see Virgin take the leap and deliver the first international flights to Canberra. He was not in a position to disclose his business plan thinking in front of a range of television cameras that day, but he certainly did not rule it out.

There is nothing to announce today, but everything that we can do is being done to work with the airport, through the major airlines, to convince them of the need to look at international flights to Canberra. I have no doubt that they will happen in time, but those announcements cannot be made by the Chief Minister, and will not be made by the Chief Minister, I imagine; they will be made when the airlines make those decisions.

**MADAM ACTING SPEAKER:** Supplementary question, Mr Gentleman.

**MR GENTLEMAN:** Chief Minister, what plans does the government have to ensure that the airport continues to contribute to the growth of our economy?

**MS GALLAGHER:** I thank Mr Gentleman for the question. Clearly, one of the key areas there is the delivery of international services and international flights through the airport. That is why we have made an election commitment around attracting and marketing new international air services. That is why the Treasurer has been leading those discussions. That is why the Economic Development Directorate and Australian Capital Tourism have been working with the Canberra Airport Group.

But also I note the work that we have done around the Majura Parkway ensuring that we are opening up, essentially, a new freeway near the airport to support its growth as a regional freight hub. We are very supportive of that and the airport is very supportive of the Majura Parkway. So we continue to work with the airport to make sure that—

*Mr Smyth interjecting—*

**MS GALLAGHER:** the decisions that we take—

**MADAM ACTING SPEAKER:** Mr Smyth!

**MS GALLAGHER:** in land around the airport, in the roads and transport systems around the airport, are supporting economic growth and the potential of what the airport can deliver.

### **Roads—Barry Drive**

**MRS JONES:** My question is to the Minister for Territory and Municipal Services—my favourite minister at the moment—and relates to the newly opened Barry Drive transitway. Minister, according to the 2010-11 budget, this project was supposed to be completed by June 2012. The project was delayed and the 2012-13 budget states that “delays are due to longer than expected negotiations with stakeholders regarding delivery aspects of the project”. Minister, what delivery aspects were being referred to and why did the negotiations with stakeholders take longer than expected?

**MR RATTENBURY:** Could I ask Mrs Jones to repeat the start of the question? I actually do not know what project you are talking about as I could not hear it.

**Mrs Jones:** Minister Rattenbury was very interested in the fact that he is currently my favourite minister. My question is to the Minister for Territory and Municipal Services and relates to the newly opened Barry Drive transitway.

**MR RATTENBURY:** Thank you, Mrs Jones. Now that I have stopped blushing, I will come to the question at hand. The Barry Drive transitway which you are referring to was just opened this weekend. It came into effect on Saturday morning. The lights and the various functions related to it were turned on at 6 am on Saturday. I think it was a good strategy on the part of Territory and Municipal Services to go for that sort of soft opening, just to allow drivers to get used to it in perhaps some less busy times over the weekend. So that is the good news part of the story.

In terms of your question about the delays, I do not recall the original time frame on that project. It was not something that I was particularly involved in, so I am not able to give you any details of the cause of those delays at this point in time.

**MADAM ACTING SPEAKER:** A supplementary question, Mrs Jones.

**MRS JONES:** Minister, did the longer than expected negotiations increase the cost of the project and, if so, by how much? If you are not across the detail, can we perhaps have it on notice?

**MR RATTENBURY:** I am not aware of any increase in the costs of that project, but I will take it on notice and provide you with the details.

**MADAM ACTING SPEAKER:** A supplementary question, Mr Wall.

**MR WALL:** Minister, are similar transitways planned for other roads and, if so, which roads?

**MR RATTENBURY:** There are no specific projects at this point in time for other roads across Canberra. That said, I think we are going to see people potentially lobbying us for more of them. The Belconnen to city transitway is set to cut off 2½ minutes of travel time for public transport users down that very busy corridor. This is the fourth busiest commuter corridor in the ACT, and what we see is that around one-quarter of the people travelling down that corridor are coming on the buses.

My anticipation is that this transitway will improve the experience of both bus users and car users. By adding the additional lane we have taken the buses out of the lanes for cars. This will mean both that bus travellers get a cleaner run through to the city and that the people who need to come to town by car will not have the buses in the lanes and also will not have the buses seeking to cross the lanes in the section along the edge of ANU just near Sullivans Creek to turn right down Marcus Clarke Street.

So I expect that to be a very effective thing that will improve the transport experience for people travelling between the city and Belconnen. I think when Canberra citizens see that taking place, they may well be saying, “Actually, we’d like to see a bit of that action in our part of town.” So I would not be surprised if we look at further options in the future.

**MR WALL:** A supplementary, Madam Acting Speaker.

**MADAM ACTING SPEAKER:** Yes, Mr Wall.

**MR WALL:** Minister, how will you conduct negotiations on future development projects to avoid delays?

**MR RATTENBURY:** I expect that Territory and Municipal Services will work very closely with the stakeholders to ensure that there are not delays in future projects.

### **Municipal services—Fadden**

**MR WALL:** My question is to the Minister for Territory and Municipal Services. Minister, I wrote to you recently and asked you to consider restricting access to the easement bound by Bugden Avenue, Free Place and Appel Crescent in Fadden in order to prevent ongoing antisocial behaviour and vandalism from disrupting residents who live in the area. In your response to me, you say:

The Territory and Municipal Services ... Directorate receives a large number of requests for additional maintenance, equipment and infrastructure each year which are considered within available funding and are prioritised according to need. Your constituents request for log barriers has been included for consideration in the 2013-14 program.

Minister, given that residents were initially promised that log barriers or bollards would be installed three years ago, why are they yet to see this work occur?

**MR RATTENBURY:** Yes, I do recall that letter, Mr Wall, and I did have a look at it at the time. I think that is an interesting site where, because of the intersection between private land and territory land, there is a complexity to the project where the simple fix requires the involvement of the tennis club, if I am thinking of the correct site.

**Mr Wall:** Wrong site, minister.

**MR RATTENBURY:** Wrong site? That was the other one you wrote to me about.

**Mr Wall:** It was.

**MR RATTENBURY:** In that case, I will have to refresh my memory, Mr Wall. But as you very correctly quoted from my letter, we do receive a large number of requests and it is a matter of simply trying to fit them all in the available budget. Some projects take longer to get on than others. There is a prioritisation process, and some projects make it each year and others do not.

**MADAM ACTING SPEAKER:** Supplementary question, Mr Wall.

**MR WALL:** What guarantee can you provide to the residents of Fadden that this work will not be postponed yet again?

**MR RATTENBURY:** We are currently considering a large number of possible projects in light of budget considerations.

**MADAM ACTING SPEAKER:** A supplementary, Dr Bourke.

**DR BOURKE:** Minister, how many requests are received on an annual basis?

**MR RATTENBURY:** Thank you for the supplementary question, Dr Bourke. Certainly Canberra Connect receives 700,000 phone calls a year. Some of those requests are for day-to-day maintenance. Some of them are for much more extensive works, like Mr Wall was describing. We would not have a record of the exact number of those types of requests without, I think, an unreasonable amount of research to actually identify it.

**MADAM ACTING SPEAKER:** Mr Smyth, a supplementary.

**MR SMYTH:** Minister, how many other projects like this one have been postponed year after year, and what is the total cost of these projects?

**MR RATTENBURY:** Mr Smyth, that is not information I believe we have. As I said, a very large number of requests come in.

**Mr Smyth:** Will you take it on notice?



**MR RATTENBURY:** No, I am not going to take it on notice because I do not think it is a reasonable amount of information to extract from the files. We have many, many requests and not all of them get looked at.

**Mr Smyth:** You do not have a database?

**MR RATTENBURY:** There is not a database list of how many requests we get each year, and I am not prepared to do a manual search to seek out that information.

**MADAM ACTING SPEAKER:** Mr Smyth.

**MR SMYTH:** My question is to the Minister for Territory and Municipal Services and it relates to the centenary loop bus.

**MADAM ACTING SPEAKER:** Mr Smyth, you have had a question already.

**MR SMYTH:** Minister, what is the cost of providing this service? I got the call for a question. There is no limit on the questions that can be asked.

**MADAM ACTING SPEAKER:** I thought you were raising a point of order, Mr Smyth.

**Mr Seselja:** You gave him the call.

**Mr Smyth:** No, I did not take a point of order.

**Mr Gentleman:** I have a substantive question, Madam Acting Speaker.

**MADAM ACTING SPEAKER:** Mr Gentleman.

**MR GENTLEMAN:** My question is to the Minister for Environment and Sustainable Development.

**Mr Smyth:** Sorry, point of order, Madam Acting Speaker.

**MADAM ACTING SPEAKER:** I was about to say, Mr Smyth, that you have already had a question, and go to Mr Gentleman.

**Mr Smyth:** What standing order precludes me from having a second question? There have in the past been opportunities where members have had the opportunity—

**MADAM ACTING SPEAKER:** Resume your seat, Mr Smyth.

**Mr Smyth:** to get second questions.

**MADAM ACTING SPEAKER:** Resume your seat! Mr Corbell.

**Mr Corbell:** Standing orders require that each member be entitled to ask a question and a supplementary before further questions may be invited. That is my understanding of the standing orders, Madam Acting Speaker.

**Mr Smyth:** That is not true and you cannot mislead.

**Mr Corbell:** In any event—

**Mr Smyth:** It is not true and you cannot mislead.

**Mr Corbell:** I ask Mr Smyth to withdraw. If he wants to make that allegation about me misleading, he needs to move a substantive motion.

**Mr Smyth:** Under what standing order?

**MADAM ACTING SPEAKER:** Before you proceed, Mr Corbell; Mr Smyth, withdraw that.

**Mr Smyth:** Just to the direction to withdraw, the minister just said that you cannot ask a second question until all members have asked their first question. The standing orders do not say that—

**MADAM ACTING SPEAKER:** I ask you to withdraw the comment that—

**Mr Smyth:** I am happy to withdraw if he withdraws the misleading statement that he just made to the Assembly.

**MADAM ACTING SPEAKER:** Just withdraw the comment.

**Mr Smyth:** I am happy to withdraw. Would you now ask him to withdraw the misleading statement that he made to the Assembly—

**MADAM ACTING SPEAKER:** Just withdraw.

**Mr Smyth:** and withdraw it.

**MADAM ACTING SPEAKER:** Mr Smyth, I can seek advice on the standing orders, but I just ask you to withdraw the comment.

**Mr Smyth:** And I have withdrawn it and I am now taking a point of order—

**MADAM ACTING SPEAKER:** Thank you. Sit down.

**Mr Smyth:** saying: would you ask him to withdraw—

**MADAM ACTING SPEAKER:** No, sit down!

**Mr Smyth:** the misleading statement?

**MADAM ACTING SPEAKER:** Sit down!

**Mr Smyth:** He does not know his standing orders.

**MADAM ACTING SPEAKER:** Sit down! Mr Corbell.

**Mr Corbell:** Thank you, Madam Acting Speaker. In any event—

**Mr Smyth:** No, no; not in any event. You should withdraw.

**MADAM ACTING SPEAKER:** Mr Smyth!

**Mr Corbell:** For what?

**Mr Smyth:** For what? He asks for what. He says that you cannot ask a second question—

**Mr Corbell:** Madam Acting Speaker—

**MADAM ACTING SPEAKER:** Both of you sit down, please.

**Mr Smyth:** until all members have asked their first, and that is not true.

**MADAM ACTING SPEAKER:** When you got to your feet, I thought you had a point of order. I was then going to go to Mr Gentleman but then this discussion erupted. So I am withdrawing the call. I am giving the call to Mr Gentleman.

**Mr Seselja:** On a point of order, Madam Acting Speaker, on what basis are you withdrawing?

**Mr Corbell:** The chair has discretion.

**Mr Seselja:** It is not up to you to say. I am raising the point of order. If I could raise the point of order, Madam Acting Speaker—

**MADAM ACTING SPEAKER:** You can raise the point of order and—

**Mr Seselja:** On what basis are you withdrawing it? No-one else stood up; it was very clear that no-one else stood up. Mr Smyth got to his feet, you recognised him, he asked a question. The standing orders say, in 113A:

Questions without notice shall not be concluded until all non-Executive Members rising have asked at least one question.

There is nothing precluding Mr Smyth from asking an additional one. Mr Gentleman would still have the opportunity, should he wish to, after that question has been asked and answered. But there is no basis in the standing orders for a question that has been

asked validly not to be now answered. You are withdrawing that authority for Mr Smyth, despite the fact that no-one else stood up and he took the opportunity afforded to him in our standing orders.

**MADAM ACTING SPEAKER:** Thank you, Mr Seselja.

**Mr Corbell:** On the point of order.

**MADAM ACTING SPEAKER:** Mr Corbell.

**Mr Hanson:** Are you going to mislead us about the standing orders again?

**MADAM ACTING SPEAKER:** Mr Hanson!

**Mr Corbell:** I ask him to withdraw that, Madam Acting Speaker.

**MADAM ACTING SPEAKER:** Withdraw that statement, Mr Hanson, please. Withdraw.

**Mr Hanson:** I withdraw.

**MADAM ACTING SPEAKER:** Thank you. Mr Corbell.

**Mr Corbell:** Madam Acting Speaker, there are two issues that are relevant to your consideration of Mr Seselja's point of order. The first is that the convention in this place is very clear and longstanding. Each member asks a question and a supplementary and then, once each member has done so, there is technically the opportunity for further questions, although equally there is the opportunity for the Chief Minister to ask that further questions be taken on notice. So the convention is very clear. In any event, Madam Acting Speaker, you have complete discretion in these matters and you have quite—

*Mr Smyth interjecting—*

**MADAM ACTING SPEAKER:** Stop interrupting, Mr Smyth.

**Mr Corbell:** There is nothing to say that the Speaker, if she misunderstands the point of the member rising, cannot give the call to somebody else.

**MADAM ACTING SPEAKER:** Thank you, Mr Corbell. That is exactly what I am doing. Mr Gentleman.

**Mr Smyth:** On a point of order, Madam Acting Speaker, there are two points of order here. If I may start by saying that normally when I rise to my feet I say "point of order" if I am raising a point of order. On this occasion I did not, and I received the call in the absence of movement from anyone else in the chamber. I would like to know under what standing order you can withdraw the permission to ask a question. The second point of order is that Mr Corbell stood and told the chamber that members

can only attempt to ask a second question if all members have asked their first question. I would like to know which standing order that is, because it does not exist as a standing order and I would ask you to ask him to withdraw that misleading statement.

**MADAM ACTING SPEAKER:** Mr Smyth, I have ruled on the matter. Mr Gentleman, you have the call.

### **Energy—efficiency**

**MR GENTLEMAN:** My question is to the Minister for the Environment and Sustainable Development. Minister, the energy efficiency improvement scheme commenced on 1 January this year. Can you explain how this scheme works and what it will achieve?

**MR CORBELL:** I thank Mr Gentleman for the question. The ACT continues to enjoy some of the lowest electricity prices in the country but we are also some of Australia's biggest energy users in per capita terms. Energy prices are going to increase substantially over the coming decades, driven by a range of external factors. The need to address energy efficiency in the ACT arises for a number of reasons. Many studies have shown that despite—

*Opposition members interjecting—*

**MR CORBELL:** Clearly those opposite are not interested in measures that actually help Canberrans to save money and reduce their energy use. As soon as the hypocrisy—

*Opposition members interjecting—*

**MADAM ACTING SPEAKER:** Resume your seat, Mr Corbell. That is it. You will remain silent, otherwise Mr Corbell will not be able to answer the question. There is absolutely no point in his trying to answer the question with you continuing on like a playgroup over here. I do not like using the “mother voice”, as Madam Speaker calls it, but unfortunately you have deteriorated into a playgroup on this side of the house.

**Mr Hanson:** Just on your—

**MADAM ACTING SPEAKER:** I am on my feet, Mr Hanson. So I suggest to you that you do not rise to yours. Mr Corbell.

**Mr Hanson:** On your ruling, Madam Acting Speaker, could I ask you to apply those rules consistently? In accordance with standing order 42, the minister should have been addressing his comments through you. Clearly he was not. He was raising his voice at members opposite, pointing his finger at us, criticising us. That is not in accordance with the standing orders. So if you are going to be applying standing orders in this place, I would ask that it be done consistently. It is understandable, I think, that there will be a level of interjection from this side if the minister is not adhering to standing orders and is basically yelling and pointing his finger at the opposition.

**MADAM ACTING SPEAKER:** Mr Hanson, if the interjections were not coming in the first place, Mr Corbell would not have attempted to do that. Mr Corbell will not address his comments across the chamber. He will address them to me and he will answer the question.

**MR CORBELL:** Thank you, Madam Acting Speaker. While the ACT continues to enjoy some of the lowest electricity prices in the country, we are also, on a per capita basis, big energy users. For these reasons, we need to address issues of energy efficiency in Canberra households.

Many studies have shown that, despite ongoing improvements in energy efficiency, there is great potential for additional energy savings across all sectors of the economy. Studies have also shown that energy efficiency is the most effective way to abate greenhouse gas emissions. For this reason, the government passed the Energy Efficiency (Cost of Living) Improvement Act last year, which establishes the legal framework for energy savings across the ACT delivered by electricity retailers. I am pleased to say that here in the ACT we have seen the commencement of this scheme.

ActewAGL have launched a free energy efficiency program to assist ACT residents with energy saving products. They have established an energy efficiency team of authorised installers who are making free energy saving calls to households in the ACT to help them install free products that will help them save energy. These products include standby power controllers, energy efficient light bulbs and draught stoppers.

Under the EEIS, we anticipate around 70,000 Canberra households will access significant energy savings, which is calculated to be, on average, around \$390 per household over the three-year lifetime of this very important scheme.

**MADAM ACTING SPEAKER:** A supplementary question, Mr Gentleman.

**MR GENTLEMAN:** Minister, how will Canberrans benefit from this scheme?

**MR CORBELL:** I thank Mr Gentleman for the question. Again, and as I just highlighted, clearly the savings are first and foremost in terms of household electricity bills. This is a piece of legislation introduced by the Labor government that saves households money. I would have thought that all members in this place would be supportive of such legislation. Of course, we know those opposite opposed this law. They opposed a law that saves Canberrans money on their electricity bills, putting a lie to their claim that they are concerned about the cost of living for Canberra households.

Of course, we also know that we are seeing significant uptake already from households in response to this new legislative scheme. ActewAGL reports it has undertaken activities already in over 900 Canberra households, of which 29 per cent were the priority households—that is, the low income households, the households least likely to be able to afford measures to reduce their electricity bills. It estimates that installers have replaced approximately 7,000 light bulbs, installed 1,850 stand-by power controllers and 850 door seals.

This highlights that this is legislation that works, that helps households save money on their electricity bills, that helps households use energy more efficiently and that helps our city achieve its greenhouse gas abatement. For all of these reasons, this legislation should be supported by all sides of this house, and it remains to the eternal shame of those opposite that they failed to do so.

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

## **Justice—administration**

Debate resumed.

**MR SMYTH** (Brindabella) (3.32): This is an excellent motion from Mr Seselja and I congratulate him on putting it on today. Having heard the attorney's response, one can only assume that every fair-minded person in this place will now vote for the amendment. It seems to be that the backlog in our courts is everybody else's fault and that although there is not a problem, the attorney has done all these things to fix the problem that he somehow says does not exist. He explains away the words of Justice Dyson Heydon by saying, "Well, this is about the parties involved." But he then went on to explain all the things he had done to fix the backlog. You cannot have it both ways—you cannot say there is not a problem here and that it is just a timing problem.

What the minister seeks to do when he says that this proposal will be expensive is to transfer the expense to all those parties who are waiting for an outcome. If you are on remand and you are innocent, that is an enormous expense. If it is a compensation case and you are awaiting compensation to get on with your life, it comes at an enormous expense. But that is not an expense this minister thinks is worth considering.

What is the expense to those individuals affected by a court system that does not deliver? What is a reasonable time in which to get these judgements delivered? As Mr Seselja pointed out, we have criminal cases being listed for 2014—2014!—and the old saying, justice delayed is justice denied, is very apt in this place.

What is a reasonable time in which to deliver judgements? It is a pretty serious situation for the ACT Bar Association to make a complaint to the attorney regarding 20 cases that have had judgements waiting more than 18 months, and one for nearly four years. Again, justice delayed.

What is wrong with the system and how do we fix it? Quite clearly, what is wrong with the system is that we do not have enough judges. As Mr Seselja pointed out, when you look at the national averages, we are way below the average in this country, and it is time that we at least had judges to match the need in the territory. According to the report, as Mr Seselja said, we have 3.4 judges per 100,000 people. The Northern Territory has 11. I am not suggesting we should go there, but Tasmania, which is a nearer-size jurisdiction, has 4.1. The national average is 4.8. You have to ask yourself the question: why do we have such a low average per 100,000 persons in the ACT and why do we have such long waits for decisions? The case is clear: we deserve an extra judge in the ACT.

It is worth going back to the quote from Justice Heydon. Three years ago the High Court criticised the ACT Supreme Court for delays and unnecessary procedural shuffling in the case of Aon and the ANU. Justice Heydon commented:

A party which has a duty to assist the court in achieving certain objectives fails to do so. A court which has a duty to achieve those objectives does not achieve them. The torpid languor of one hand washes the drowsy procrastination of the other.

Kind of a description of this government in so many ways on so many issues as well. Following this, Crispin Hull, in an opinion piece published on 22 December 2012, labelled our legal system as a national legal joke. This is the system presided over by Attorney-General Simon Corbell.

So how bad has it got? It got so bad that the ACT Bar Association lodged a formal complaint. The complaint was lodged under the Judicial Commissions Act and left Mr Corbell with one of two options: dismiss the complaint or convene a three-judge commission. On 18 January this year Mr Corbell dismissed the Bar Association's complaint. Instead of acting, he gave the judge a reprieve from court work until his reserved judgements are delivered. Clearly there was a problem that the judge had to be taken offline to clear the backlog of his judgements, so one would question Mr Corbell's decision-making process in not actioning the complaint.

In the meantime, to assist the workload, Mr Corbell appointed an acting judge. So we have got the judge not delivering offline doing his work, and to cover it we have to have another judge. Sounds to me like, if you add up all the numbers, the requirement for an extra judge is quite clear.

We had another incident involving a different judge. Another judge took two years to deliver judgement in a personal injury case following a police shooting. Even after two years there was only a decision on the issue of liability and not on the decision of the damages to be awarded. In two years the judge worked out the liability but could not work out the damages. And out of frustration, the parties involved ended up resolving the issue of the damages themselves so that everyone could get on with their lives while our moribund judicial system, under the leadership of the Attorney-General, could not come to the decision that it should have. Having taken so long to reach a judgement, the Court of Appeal then thought the judge had got it wrong and overturned the decision anyway.

There is another case of a litigant battling cancer. He was a public servant in a commonwealth superannuation claim receiving cancer treatment and anxious about his court case. He became so desperate for his judgement day that he had the case relisted twice. Why is it that people who are suffering medical problems are also being delayed in this way? I think it goes to the running of the system. The minister detailed all these things he is doing to fix the system, but, if the capacity is not there and we have got to take judges offline so they can catch up on their work, clearly there are not enough judges.



What is the community saying? Greg Stretton SC, President of the ACT Bar Association, said there was “certainly a good case” for at least one more judge. It was “certainly not” acceptable for a judgement to be reserved for more than four years. Noor Blumer, the President of the ACT Law Society, said the Law Society remains seriously concerned with the number of reserved judgements in the ACT Supreme Court. David Biles, criminologist, said two new judges were required to give the current bench the breathing space to work through reserved judgements. That is not to mention the fact that Chief Justice Terrence Higgins has consistently asked for a fifth judge, and he reiterated his case on 14 December 2012 in a speech to newly admitted lawyers. So there is a lot of opinion in the community that says the system needs an additional judge.

What is the attorney’s response? To date his response to the request for the fifth judge has been unequivocal. In fact, he has been quoted on the record as responding that a fifth judge is “unwarranted and too costly”. Instead, he came up with a docket system. But the effectiveness of such a system is dependent on individual judicial officers and practitioners. It was viewed with scepticism and dismissal by some in the legal community, not to mention the fact that meaningful evaluation will take years.

Then there was his idea for the virtual district court, which was roundly rejected by this Assembly, as Mr Seselja would clearly remember. Then, of course, we had the most tangible action from the Attorney-General—remember, the minister said the system is working okay and we do not need an extra judge—was his blitz, a blitz on the court lists with the aid of interstate judges. The interesting thing is that, yes, they got through some cases. Cases finally got into court and got heard. But guess what? Did we get decisions? Did we get judgements? Not necessarily so. The blitz was kind of half-cocked, because it did not guarantee that reserved judgements would be made. Yes, you got your day in court, but without the decisions and without the consequences of the decisions becoming available, the blitz has failed.

What can be learned from this is that an additional judge cleared up the bulk of the outstanding cases. With the aid of the interstate judges we had more judges on deck and cases started to get cleared up. Clearly, the need for the extra judge is made. About a fifth of criminal trials and a large proportion of the civil workload was done. However, now that the blitz has concluded we are seeing that the jury trials for some judges are being listed for mid-2014. Defence lawyers continue to invoke the Human Rights Act, arguing that unreasonable delays are in breach of their clients’ rights.

So what other lessons can be learned here? In the case involving the complaint against the judge, an acting judge was hired to give the judge under discussion a reprieve from court work to clear his reserved judgements. In the case of the blitz, the 12 weeks of churning through cases was only possible with the aid of additional judges. It is quite apparent from both of these cases that, in order to permanently fix this matter, we need at least a fifth judge.

The Attorney-General has run out of excuses. No more docket systems, no more blitzes—we need a permanent fix. The government owe it to Canberrans. They have a fiduciary responsibility to ensure that the waiting times for judgements and court

hearings are not unnecessarily delayed. They must stop transferring the expense of justice to those victims who wait and wait and wait because this attorney cannot manage the system properly. (*Time expired*).

**MR GENTLEMAN** (Brindabella) (3.42): Delays in the Supreme Court are serious. I have not heard anyone suggest that they are not. The important question that has to be asked and answered here today is: would the appointment of a fifth judge address the delays in the Supreme Court? The government does not think the appointment of a fifth judge is the way to address delays.

A good way of assessing the comparative workload of our Supreme Court is to compare it to the civil and criminal lodgements in the superior courts of other Australian jurisdictions. This analysis is possible because of the comparative data provided with the report on government services prepared annually by all jurisdictions. Unfortunately, it would be simplistic to simply compare the ACT Supreme Court with other supreme courts.

The ACT Supreme Court hears many matters that would go to a district court in other jurisdictions. Like Tasmania and the Northern Territory, the ACT does not have a district court. Accordingly, in order to properly compare the ACT to New South Wales, Victoria, South Australia, Queensland and Western Australia, it is necessary to consider the lodgements and the full-time judicial equivalent resources—FTE, of course—for both district courts and supreme courts in those places. This ensures that we are able to accurately compare the workload across jurisdictions.

For the ACT, the report on government services data does not include our visiting Federal Court judges, who each year provide additional resources to the ACT Supreme Court. On the other hand, they include our acting judges, resources that would not normally be available to the Supreme Court. The best measure of the workload of the ACT Supreme Court is to take the report on government services data, include the visiting Federal Court judges and exclude the impact of acting judges. In this way we assess the normal resources of our Supreme Court.

So without acting judges, how do we compare to the other jurisdictions? In the financial year 2011-12 the number of civil and criminal lodgements per FTE in the ACT was 178.37—that is, we have one full-time judicial officer per 178.37 cases lodged with the court. If the ACT was seriously understaffed, we would expect to find every other Australian jurisdiction having a lodgement rate well below 178.37. Do we find that? In a word, no. Instead, we find that in a number of jurisdictions the lodgement rate per full-time judicial officer is higher than the ACT rate of 178.37.

So let us have a look at the figures. In New South Wales for every full-time judicial officer there are 227.58 cases lodged with the New South Wales courts—that is, in New South Wales judicial officers have 49.21 more cases lodged per judicial officer than in the ACT. In Queensland, for every full-time judicial officer there are 298.5 cases lodged in the courts—that is, in Queensland judicial officers have 120.13 more cases lodged per judicial officer than in the ACT.

In Tasmania, for every full-time judicial officer there are 236.71 cases lodged in the Tasmanian courts—that is, in Tasmania judicial officers have 58.34 more cases lodged per judicial officer than in the ACT. In South Australia, for every full-time judicial officer there are 180.71 cases lodged in the South Australian courts—that is, in SA judicial officers have 2.34 more cases lodged per officer than in the ACT.

Does this suggest that the ACT courts are receiving so much additional work that we must run out tomorrow and start engaging new judges? It seems pretty conclusive to me that the answer is to the contrary. It suggests that the ACT Supreme Court has less workload than the four jurisdictions mentioned above.

For balance, I will mention Victoria, Western Australia and the Northern Territory as well. Victoria has 169.94 lodgements per judicial officer—that is 8.43 less than the ACT. Western Australia has 169.44 lodgements per officer—that is 8.93 less than the ACT. Only in the Northern Territory do we see a significant difference from these figures. In the Northern Territory there are 100.96 lodgements per judicial officer—that is, 77.41 less than the ACT.

When the comparative analysis is undertaken, it shows that the ACT Supreme Court's criminal and civil workload per officer compared to supreme and district courts in other jurisdictions is considerably less than Queensland, New South Wales and Tasmania. It is slightly less than South Australia. It is slightly more than Victoria and Western Australia and is clearly more than the Northern Territory.

So what does this mean? Is the workload of the ACT Supreme Court, with four full-time judges and one master, so great that it exceeds all the other Australian jurisdictions? Well, the answer is no. The figures suggest that the ACT workload is less than or similar to most of the jurisdictions, including a comparable small jurisdiction, Tasmania, in case anyone wants to run an argument about the economies of scale and overheads.

There is no reason to start recruiting additional judges—the work just is not there. In fact, compared to last year the number of civil and criminal lodgements per judicial officer in the ACT Supreme Court has decreased from 226 in 2010-11 compared with 178 in 2011-12—that is, the number of lodgements per officer in the ACT Supreme Court is decreasing. Why, if lodgements and therefore workload are decreasing, should we go off and employ more judges?

Employing additional judges is not the answer to the issues facing the court. And what are those issues? In the past, too many minor applications were made to the Supreme Court. An example here are bail appeals and small civil claims. The appointment of a fifth judge would not have solved these issues; it would have fanned the flames; it would have been like pouring petrol onto the fire. The government did not appoint a fifth judge. It dealt with the bail issue; it dealt with the small civil claims issue. Those matters are now being dealt with in the Magistrates Court.

Was the appointment of a fifth judge the silver bullet to this issue? No. Instead of appointing a fifth judge, the government brought sensible propositions to the

parliament and we have seen in these cases good sense prevail and the pressure of minor nuisance applications being lifted from the Supreme Court. Government has worked with the court to assist it to develop new and innovative ways to meet the demand of its broad civil and criminal jurisdiction, and government continues to work with the courts to ensure that the issues do not re-emerge.

The ACT government does not defend lengthy reservation of decisions. But government cannot simply step in and remedy those types of issues. The government is constrained by the separation of powers. Within the bounds permitted by the separation of powers, the ACT government has given the court such support as might be thought necessary for it to attend to reserved decisions. The issue of reserved judgements is not going to disappear today or next week, but it is being dealt with.

Would the appointment of a fifth judge address the issue of delayed reserved judgements? Again, the answer is no. Would you really have us believe that a fifth judge could simply step in, rehear the cases concerned and issue the judgements without consideration of an additional cost to all concerned? And how would this have solved the problem? The government will not impose on the community by simply throwing money at a problem that will not be solved by throwing money at it in this way.

The appointment of a fifth judge is the answer to a problem that does not exist in the ACT. We simply do not have the type of work that such a highly paid office should attend to. One day we might. One day we may have the population which might have us agree that the time is right. One day the report on government services might show that the workload in the ACT is far greater than all other Australian jurisdictions, but not today and not tomorrow. Today and tomorrow the government and this Assembly have to remain vigilant that we do not add unnecessary and trivial burdens to the work of the Supreme Court. It is our job to ensure that the laws of this place are cast in a way that does not invite legal disputation.

Again, I assure the Assembly that the ACT government takes the issue of delays in the Supreme Court very seriously and continues to work with the court on this issue. However, simplistic solutions, such as simply appointing more judges at considerable cost to the community, are not the answer.

**MR RATTENBURY** (Molonglo) (3.52): I thank Mr Seselja for bringing this motion on today. He brings to the Assembly a topic that is of significant concern to the community. Whilst I do not necessarily share the same view on the solution at this point in time, I think it is valuable for the Assembly to spend time reflecting on this matter today.

The delays in our court system are well documented and they are of quite significant concern for many in the community. In my role in the previous Assembly as the Greens spokesperson on Attorney-General matters, and continuing through to this term, I have spoken to various stakeholders about this issue. I have spent quite a lot of time talking about it, because it is an issue that I have really sought to think through and give some consideration to as to how we fix it. I am of the view that justice must be delivered in a timely manner. Mr Smyth earlier quoted the old saying that justice delayed is justice denied, and I think it is a fair point.

What is interesting in having those extensive consultations that I have had with a range of stakeholders over time is that there are a range of different views on why the delays exist in the ACT's court system and therefore an equally diverse range of what the possible solutions are. Nobody sees that there is a silver bullet in this issue. As I said, there is a range of theories, some around cultural practices in various parts of the legal system here in the ACT, some about capacity. There are different views.

We do know—Mr Corbell has picked this up in his amendment—that in recent times there have been a range of initiatives for reforms to the justice system in the ACT. The Greens supported those reforms through the course of the last Assembly. With the change in the jurisdiction of the Magistrates Court, sending significantly more matters there, we see a much speedier resolution of issues and a capacity to deal with those issues in a timely manner. The anecdotal discussions I have had with people recently suggest that that change is now just starting to really come through. We are seeing many more cases go to the Magistrates Court that previously would have gone to the Supreme Court. That, in my mind, is an example of one area where the reforms that have been made are now starting to have effect.

In the last Assembly we made amendments to the bail process where we provided the capacity for people who were seeking bail and had been denied it in the first instance to come back to the Magistrates Court to seek bail again. Often at the first instance people do not have the necessary information to make their case, but perhaps a few days later, once they have got better organised and have sought out their legal representation, they may make a better case as to why they should be granted bail. That is instead of people having to go back to the Supreme Court for their second attempt at bail. Again, that was a sensible reform that keeps matters that really should not be in the Supreme Court out of the Supreme Court.

There are a number of other matters that Mr Corbell has listed in his amendment, but I think each of those has potential. To my mind there are some parallels here with the corrections portfolio. As the corrections minister, since I have come into the portfolio, I have heard from various supporters, including in this chamber, calls for reforms and immediate changes in the prison. However, the context in the ACT is that over the last 18 months there have been a series of reviews, recommendations and reforms at the AMC as well as a new regime of senior staff who have taken up roles in Corrective Services. In the case of corrections, I am of the view that we need to keep moving forward with those various reforms, but also that we need a bit of time for them to come into full effect so that we can assess whether we made progress against those previous criticisms and then where there may be areas where we need to make further improvement.

I think we have a similar situation with the justice system in the ACT. A number of important reforms have now been made that I think will help redistribute the workload in the court system and better utilise the Magistrates Court, particularly: matters that should not end up in the Supreme Court now will go to the Magistrates Court, where they will get dealt with in a more timely manner.

However, having said that, this is not a static situation. There clearly are still concerns there. Various people today have cited various figures which speak to those concerns. I would like to put on record today that, whilst I will not be supporting Mr Seselja's call for the immediate appointment of a fifth judge today, my mind is far from closed on this matter. I think it is important that we continue to monitor the situation, and that we observe very closely whether the reforms have the desired effect and whether progress is made.

From a personal view, I spoke earlier about talking with a range of stakeholders on this matter. There is not a unanimous view out there that a fifth court judge is the answer. Some people clearly hold that view. Mr Smyth was able to cite a couple of letters that made that case and some academics—academics whose views I respect; I have, equally, had conversations with people who say that it is not the right answer—that these other reforms will make a significant difference.

At this point in time, I am not prepared to support the call for the immediate appointment of a fifth judge. I think it is a matter that all members of this Assembly should keep an open mind on. We should continue to monitor progress in the justice system. It is essential that we make progress in reducing the delays. I am pleased—and it is one of the reasons I will be supporting his amendment—that Mr Corbell has indicated that the government will both continue to work with the courts to facilitate timely delivery of justice and implement these various reforms and other ideas that are coming forward and report back on the issue in 12 months time. That is an appropriate time frame. We are looking at substantial changes in personnel in the court this year, particularly in the Supreme Court, through members of the current bench reaching retirement age. We will have a new court in place next year, and I think that in 12 months time we will have a very clear picture of whether we are making progress or not.

On that basis, I will be supporting the amendment that Mr Corbell has put forward today.

**MR SESELJA** (Brindabella) (3.58): The decision of Labor and the Greens member to oppose this will be very disappointing for many people who would like to see action on this now. It is interesting to compare the attitude of the Labor Party, in particular, to the issue of adequate resourcing of our Supreme Court versus their attitude to the size of the Assembly. They are desperate to see more members, more ministers, more resources for the Assembly, and that is a legitimate debate to have, but they seem to believe that somehow a 25 per cent increase in resources for the Supreme Court would not have a positive impact.

All of the arguments that have been put are saying that there are all sorts of other things that need to be done. None of those are arguments against an extra Supreme Court judge; they are arguments to go and do some of those things.

I highlighted in my earlier speech the fact that this government have not been very good when it comes to appointments. They have not followed good process. Perhaps we are seeing the results of some of that now, with some of the time that is taken by certain judges to deliver judgements. That is not a reason not to be appointing an extra

Supreme Court judge. In fact, that is just further damning evidence of the fact that they are getting it wrong in another area. They should be seeking to fix the way they do appointments. I refer them to a bill that we put forward several years ago that would at least invite the community in, and at least allow for proper feedback and consultation, so that we get the absolute best appointments for our judiciary.

The fact that the government has not done some of those other things, the fact that the government has not followed good process when it comes to appointments and the fact that it has not had the right settings in place are not an argument against an extra Supreme Court judge. Any reasonable person looking at this would ask, “Will it fix everything?” No, it will not. But will it make a significant contribution? Yes, it will. We should be making other necessary reforms, but also increasing capacity.

Likewise, I am sure that, when they were making a case for a larger Assembly, many would say, “Maybe the ministers just aren’t able to get it done. Maybe some of those ministers just need to be a little more efficient in their time rather than seeking to have extra ministers and extra members in the Assembly.”

There is no doubt that this is needed, that this is a missed opportunity for the Assembly to require the government to do this, to send a very clear message to the government that we do need an extra judge. And as people wait—as they wait years, as victims of crime wait to get justice, as people accused of crimes wait too long to have their day in court, as people accessing our court system wait on important civil judgements—and as we see the uncertainty that exists for victims of crime, accused, business people and others accessing our courts, I think they will regret the fact that the Assembly has chosen to not do the right thing, that the Assembly has chosen not to put the proper resources into our court system.

There are always costs with these things, and it is not an insignificant cost, but let us look at the costs that are associated with delays in justice. The economic costs are massive, not to mention the intangible costs of people’s lives being put on hold as they wait for judgements from our courts.

The people of the ACT deserve better than what they are getting at the moment. This is one way of significantly improving the situation. We will not be supporting the amendment from Mr Corbell, but I commend the motion to the Assembly.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 8

Noes 6

Mr Barr	Ms Gallagher	Mr Doszpot	Mr Smyth
Dr Bourke	Mr Gentleman	Mr Hanson	Mr Wall
Ms Burch	Ms Porter	Mrs Jones	
Mr Corbell	Mr Rattenbury	Mr Seselja	

Question so resolved in the affirmative.

Amendment agreed to.

Question put:

That **Mr Seselja's** motion, as amended, be agreed to.

The Assembly voted—

Ayes 8		Noes 6	
Mr Barr	Ms Gallagher	Mr Doszpot	Mr Smyth
Dr Bourke	Mr Gentleman	Mr Hanson	Mr Wall
Ms Burch	Ms Porter	Mrs Jones	
Mr Corbell	Mr Rattenbury	Mr Seselja	

Question so resolved in the affirmative.

Motion, as amended, agreed to.

## **Environment—conservation**

**MR SMYTH** (Brindabella) (4.08): I move:

That this Assembly:

(1) notes:

- (a) the Canberra Liberals' 2012 election policy to bring all nature conservation functions into a single directorate;
- (b) clause 3.12 of the 2012 ACT Labor-Greens agreement to merge all existing ACT conservation services into a single agency; and
- (c) the present administrative structure within the ACT Government, where conservation functions are split between the Environment and Sustainability Directorate and Territory and Municipal Services Directorate; and

(2) directs the Government to establish a nature conservation agency within the Territory and Municipal Services Directorate by 1 July 2013.

After 11 years of ACT Labor, our local environment is neglected and run down with uncut grass, badly maintained fire trails and overgrown weeds, at the cost of human access and safety as well as environmental values. This neglect became so bad that park care groups in 2011 feared the government had plans to de-list and sell reserve land to fund their uncontrolled spending.

This motion is about delivering an administrative structure that can deliver enhanced resources to protect and manage our environment. The success of this motion will allow for better resourcing, service delivery, coordination of policy, coordination of



legal requirements, transparency, alignment of monitoring and reporting, and the delivery to the environment of a better outcome. There is a need to integrate conservation policies, strategy, legislation and on-ground management implementation. For example, conservation rangers do not have influence to ensure operational knowledge is incorporated into policy and research activities. Opportunity is lost in formulating policy within the greater context.

I actually do not expect too much opposition to this motion, given that all seem to be in favour of it. But the present structure sees conservation functions split between the Environment and Sustainable Development Directorate and the Territory and Municipal Services Directorate. ESP, for instance, has control of conservation, planning and research, support to the Conservator of Flora and Fauna, natural resource management programs and the secretariat for the flora and fauna committee.

TAMS has land management and stewardship, boards of management for Namadgi, which I understand is not meeting, Tidbinbilla, Capital Woodland and Wetlands Conservation Trust, Mulligan Flat Woodland Sanctuary and Jerrabomberra wetlands. It looks after rural lands and law enforcement in relation to the nature conservation estate. It has the Parks and Conservation Service, including the fire management unit and natural resource protection unit. It looks after the Pest Plants and Animals Act 2005, the Tree Protection Act 2005 and the Domestic Animals Act 2005.

Some examples of the detrimental outcome of the present structure are a thinly spread field staff and, I believe, reduced corporate knowledge for operations. It affects the lack of integration between the policy and the implementation initiatives and leads to poor environment planning foresight of projects, which we have seen in cases like Throsby, the urban edge, lower Molonglo corridor, Mulligans Flat Road and the Majura valley where, of course, the government has blamed the commonwealth for these delays. But one can ask the question: would it have been avoided if we had had an integrated natural resource management section?

In the lead-up to the last election, the Canberra Liberals were aware of these concerns within the community and, indeed, of public servants within both departments. One only has to remember Mr Corbell's abortive attempts to destroy the bushfire management unit, which was working perfectly well. It had complete support from across the spectrum, from firefighters through to the conservation groups. But, of course, we had to have the reform. We were able to stop that because what the minister would have done is destroy a valuable unit and gone to this same model—splitting it apart, tearing it apart, to enhance one department over the other.

In the lead-up to the last election, the Canberra Liberals made a commitment to consolidate nature conservation functions under one directorate. I refer to the media release where the leader, Zed Seselja, said, "We will also hire an extra five nature conservation rangers, review the Nature Conservation Act 1980 and bring all nature conservation functions into one directorate."

It is also worth noting that in clause 3.1(2) of the ACT Labor-Greens agreement for the Eighth Assembly, there is agreement to—lo and behold, it is almost exactly the same words:

Merge the ACT's existing conservation services into a single Conservation Agency to achieve better integration of biodiversity policy, planning, research and management;

On the face of things, this matter is perhaps the one issue that has triparty support in the Assembly. I look forward to everybody voting for my motion. But I see that Mr Corbell, of course, will move the spoiling amendment. You only have to look at other areas like the Hawke review. The Hawke review itself I think makes the case to have the integrated unit. I think if you talk to people out there in the community—for instance, the conservation council—they have been asking for this to happen and asking for it to happen very quickly. The Hawke review supported a unified agency, noting:

The operations of PCL—

parks, conservation and land—

which cover urban and non-urban parks, are not readily unraveled and have been the subject of a recent and significant internal review. In this context, the Review does not recommend structural separation.

I think it is important to get them back together and I think it is important that we do it quickly. It is some five months since the election. Both the Labor Party and the Greens have signed the agreement. Yet we do not, on the face of things, see a great deal of movement towards it. You have to ask the question: what is the commitment and what is taking the time?

What this motion simply says is that by 30 June, the end of the financial year, some three months and 11 days away, the government will actually implement this part of their agreement. It does have triparty support. It should be relatively simple to do. I wonder whether there is just some sort of fence post marking by ministers as they mark out their turf to see which minister is really in charge and which minister is more green than the other.

If that is happening, it is coming at the expense of the environment and putting undue pressure on the staff. That is unfortunate. If this cannot be achieved by 30 June I will be very surprised. I simply bring the motion to the attention of members. I ask that they consider that here is an opportunity for all of us to show our commitment to the environment, to support the rangers and all the staff in the great work that they do, to make sure that we get better environmental outcomes, and that it happens as quickly as possible.

The fact is that we have already had five months since the election. If it did not happen before 30 June, which is another three months away, I do not think there is any reasonable case to say that it takes eight months to change these arrangements when, for instance, we had the outcome of the Hawke review. We saw how the government was able to implement some changes very quickly and muddy the waters in the lead-up to the budget, annual reports and other things.

This is a reasonable motion. It gives a reasonable time frame. I would simply look for members' support to make it happen.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for Workplace Safety and Industrial Relations and Minister for the Environment and Sustainable Development) (4.15): I move the amendment circulated in my name:

Omit all words after “That this Assembly”, substitute:

“(1) notes:

- (a) the ACT Labor-Greens Parliamentary Agreement commits the ACT Government to establishing a single conservation agency to achieve better integration of biodiversity policy, planning, research and management; and
- (b) implementation of the proposal is currently under consideration by government.”.

The motion before the Assembly today directs the government to establish a nature conservation agency within the Territory and Municipal Services Directorate by 1 July this year. The parliamentary agreement for the Eighth Legislative Assembly commits the government to merge the ACT's existing conservation services into a single conservation agency to achieve better integration of biodiversity planning, policy, research and management.

The government acknowledges this commitment and is currently working on its implementation. The timing for administrative changes is, of course, at the discretion of the Chief Minister. It is not a matter for the legislature to interfere in a prerogative of the executive. It would be irresponsible to rush the establishment of a nature conservation agency by setting an arbitrary time frame of 1 July 2013. Therefore, I do not support the motion as presented today and I am proposing the amendment that I have just moved.

At this time the government is giving close consideration to the functions to be included in the nature conservation agency and the directorate in which the agency is best to be located. Core conservation functions are currently undertaken cooperatively by the Environment and Sustainable Development Directorate and the Territory and Municipal Services Directorate. The Conservator of Flora and Fauna, conservator support, environmental policy, research, conservation planning and natural resource management programs are undertaken within the Environment and Sustainable Development Directorate.

An important point to make is that the work of this directorate addresses issues across all tenures—rural leases, urban environments, and parks and reserves. Other functions relating to nature conservation undertaken within the Environment and Sustainable Development Directorate include water policy and catchment management, environment protection, climate change—in particular climate change adaptation—and planning.

The Parks and Conservation Service in the Territory and Municipal Services Directorate, of course, has core conservation functions through its responsibilities for operational planning and management of parks and reserves. TAMS also undertakes environment licensing and regulation and is the primary law enforcement area for the Nature Conservation Act 1980 and for biosecurity matters.

Merging existing conservation services, however, is not as easy as Mr Smyth makes it sound. Many in this Assembly will recall that conservation matters have been subject to various organisational structures in the past, including environment ACT, TAMS, the department of the environment, climate change, energy and water, and the current structure implemented following the Hawke review into the ACT government.

In 2011 the structural changes adopted by the government included transferring the conservation planning and research unit, heritage unit and transport policy from the Territory and Municipal Services Directorate to the newly established Environment and Sustainable Development Directorate. A key consideration in adopting these structural changes was the significant roles of the Conservator of Flora and Fauna under both the Nature Conservation Act and the Planning and Development Act.

The conservation, planning and research unit provides the conservator with independent scientific advice that enables the conservator to make decisions and recommendations on a range of planning issues. This has proven to be effective in ensuring that biodiversity knowledge and expertise is incorporated early into the planning process.

Submissions to the Hawke review recommended that the function of managing non-urban parks and reserves should also be transferred out of the Territory and Municipal Services Directorate, as it is not a municipal function. The Hawke review did not recommend the transfer of parks and reserves at that time, but instead suggested that the government may wish to return to consideration of this issue at a later date. It is worth noting, of course, that Mr Rattenbury, prior to his current role, also suggested in June 2011 that park rangers, biodiversity policy officers and conservator support staff should be brought together under the Environment and Sustainable Development Directorate.

It is the case that these options need to be carefully considered. The Conservation Council ACT Region wrote to the government twice on this matter at the end of last year and put forward not one but four options. The first was to relocate the Parks and Conservation Service from TAMS to ESDD. The second was to relocate the conservator and nature conservation policy branch from ESDD to TAMS. The third was to create a new separate administrative unit—parks and conservation service nature conservation policy branch—reporting to the minister for TAMS. And option 4 was option 3, together with the environment protection, Conservator of Flora and Fauna and Heritage Unit.

The benefits of co-locating conservation policy, planning, research and programs with water policy, climate change, planning, environment protection and heritage need to be weighed up against the operational gains in co-locating the Parks and Conservation

Service with city services. It is important that these long-term strategic decisions regarding nature conservation are not distorted by what is easiest administratively in the short term.

Turning to the issue of the effectiveness of the current arrangements, the current ESDD and TAMS structure has proven to be quite effective due to a clear understanding of roles and responsibilities and management through joint arrangements where appropriate. For example, both the Environment and Sustainable Development Directorate and TAMS have a joint research and monitoring program on aspects of fire and the environment. ESDD work closely together on species management with ESDD funding staff at the Tidbinbilla nature reserve, who manage bettongs and corroboree frog programs. The draft nature conservation strategy has recently been subject to public consultation and will, when finalised, be jointly implemented by both directorates.

The plan of management for the Canberra nature park was developed with the ESDD in the lead, and operational plans for each reserve were led by work from Territory and Municipal Services Directorate. ESDD and TAMS's view is that the current arrangements demonstrate how a one-government model can work effectively and that further structural change should be guided by a clear justification and tangible benefit. The government will be giving further detailed consideration to these issues.

In any event, both directorates are committed to strengthening policy alignment whereby conservation planning and research guides and informs parks management and strategically builds on the experience of the parks service. They are committed to improving community partnerships through facilitators, coordinators and rangers and on delivering an integrated natural resource management activity across all land tenures.

Clearly, the establishment of a single conservation agency requires detailed consideration of the range of issues. The government is undertaking this work. The government is committed to the outcome agreed to in the parliamentary agreement and the government will move to do the work that needs to be done to allow this agreement item to be put into good effect and an effect which has a lasting benefit for the management of the environment here in the ACT.

**MR RATTENBURY** (Molonglo) (4.24): I am pleased again to be discussing this topic today, and I appreciate that Mr Smyth brought the motion forward. I am particularly pleased to see tripartisan support in the Assembly for a single, integrated conservation agency. I think it is not necessary for me at this stage to go over the benefits of this approach. It is certainly something that I have spoken about before in this place. As Mr Corbell has just highlighted, I wrote to, I believe, both chief ministers of last term in very similar terms—Mr Stanhope and subsequently Ms Gallagher—putting the view that I felt a single, integrated agency was a good idea.

Certainly that was why it was part of our election policy, which was released just about four weeks before the ACT election, in which we said that we will ensure that the ACT's existing conservation services are merged into a single biodiversity unit so that policy, planning and research and management of biodiversity are better

integrated. Those are the words, or words very similar, that subsequently appeared in the parliamentary agreement. Mr Smyth then observed that those words in the parliamentary agreement were similar to those in the Canberra Liberals' policy. We could probably get into some sort of contest about who released the words first. I suspect I would probably win it, but that is okay. So long as the idea is shared, that is a good thing.

I think that Mr Corbell has made some interesting points. Certainly the government is working on this, and there have been various discussions about the best way to make this happen. I think there are some questions of detail that are important. If we are going to do this, we need to get it right. I do note that Mr Smyth's position in today's motion is that he specifically suggests that it go to Territory and Municipal Services. That is certainly one approach that could work. I do note, however, that the Canberra Liberals' policy that was put forward during the ACT election suggested that, in fact, the transfer be to the Environment and Sustainable Development Directorate. So a few months ago we had one position and we now have another position.

There are merits to both arguments, and I think this highlights the fact that it does take a little sifting through. So Mr Smyth's suggestion that it should have been done by now is, I think, unwarranted and not, in fact, the case. Certainly, I am seeking advice from TAMS about the best way to approach this. I know that Mr Corbell has started to have similar discussions with the Environment and Sustainable Development Directorate, and those two agencies have talked to each other to some extent at least informally. So this is certainly being carried forward. There is not a specific time frame on it. It is about getting it right rather than just getting it done, as Mr Smyth has suggested we should take that approach.

I certainly agree with the intent or Mr Smyth's motion. I said as much on radio this morning. I think that this is the right idea. It is simply a matter of the logistics of getting it done. So rather than putting in an artificial date by which it must be completed, I will be supporting Mr Corbell's approach, which simply notes that it is being done. I think that it is great to see that there is across-the-Assembly support for this approach. And I look forward to an announcement in the near future about how this is going to be most appropriately delivered.

**MR HANSON** (Molonglo—Leader of the Opposition) (4.27): I thank Mr Smyth for bringing forward this very good, common-sense motion that will have the dual effect of improving conservation park management within the ACT and also making for its more effective and efficient governance. I welcome the, I guess, philosophical support from the government, but it is disappointing that they will not be actually implementing this within a specified time frame. I think that we would probably have accepted it if the government had come back and specified a new time frame and said, "It is not going to be June; it will be August," or something like that.

But what we have learned from our experience in this place is that if specific time frames and details are not set then what happens is the government will drift. So what we have here is that everybody agrees this is a good idea. But if we do not actually set some parameters and say, "The government has got to get this done by a certain date," then it is very likely that in months, if not years, we will still be procrastinating and waiting for this to occur. So it is good sense in a motion to set some dates.

I am sure Mr Smyth would be amenable if you said, “Let’s negotiate around those dates.” But just simply writing the dates out of it weakens the effect of what Mr Smyth is trying to achieve, and I think that is very disappointing. This is about trying to make more effective governance. And when you look at things like the Hawke review—and as its intent it said that it wanted to have streamlined government, it wanted to make sure that processes were aligned and communication was then improved—I would have thought that would have been in accordance with the government’s intent from its own Hawke review.

When you look at nature conservation, I think that it is pretty clear that we could do that better. And I know that Mr Smyth is regularly talking about some of his experiences out there as a volunteer firefighter when he comes back and talks about the condition of various parks. It is not just the opposition saying this. I will quote the Conservation Council ACT Region, who recently noted:

Many decisions seem to be made in silos, with poor interdepartmental communication and coordination or, at times, even poor intradepartmental communication.

That is simply not good enough, and what we need to do is improve that and get it done. It seems remarkable that in this place, where we have all three parties agreeing and having been in accord for some time—indeed, two of the parties have taken it as election policy—we have a situation where this is still stalled in the Assembly and the government are refusing to say by what date they will actually be able to get this done. Again, what we are seeing is some rhetoric from the government, the right noises, but a failure in actually translating Mr Smyth’s good ideas into effect on the ground.

So I welcome Mr Smyth’s motion. I think it is a good, common-sense motion, and I reiterate the opposition’s disappointment that the government is being so weak in this instance to say, “Yes, it’s a good idea, we will get it done at some time in the future,” without actually putting a commitment there and saying, “Yes, you’re right, let’s get this done.” And it should not be so hard, as Mr Smyth said, to get this done within a few short months.

**MR SMYTH** (Brindabella) (4.31): Indolence must be very pleasing. The minister sits there. He did not have a great deal to say. He really did not make a good case as to why it should not happen. He sits there looking very smug. And I think it is a shame, because what it shows is that the government do not have the wherewithal to make this happen. “By 30 June” means they would have had about eight months in which to make this happen. And that is not an unreasonable time frame in which to get an administrative arrangement in place.

Listen to Mr Corbell—and people should read that speech again, because that is a workshop on muddying the waters on a pretty straightforward issue—“On one hand, we are doing this; on the other hand, we are doing that.” Considering he was so short in his time, he did not actually have a great deal to say. In fact, none of us who has spoken has reached the time limit for our speeches, which I think must be somewhat of a miracle for a motion in this Assembly. And I think that shows the clarity of why this motion should be supported today and that the amendment should go down.

I am quite disappointed with Mr Rattenbury. Mr Rattenbury can have ownership of this. If he thinks this is his idea then good luck to him. Why will he not vote for it today? And the answer is that the government has not done the work. It is in the agreement. We just heard that both ministers have started to seek advice and are starting to have discussions on a very straightforward and very simple reform.

Minister Corbell can complicate it or attempt to complicate it as much as he wants, but I think in some of what he said he actually makes the case. "Here is ESD coming up with policies. Here is TAMS coming up with implementation." Why can that not be brought together to maximise the benefit for all that are involved?

Mr Rattenbury said that having a time frame was unwarranted. Mr Rattenbury came down this morning and on Dr Bourke's motion said, "Gee, isn't it interesting that the environment is not in the motion?" Maybe we know why now, because apparently none of them care. It was overlooked by the government. "Here are all the good things that we are doing," except for the environment. And Mr Rattenbury, the old eco-warrior, has come down. But he has settled very comfortably now into the ministerial office. He cannot rock those boats. He cannot actually go for the outcome here.

This is a very simple motion. Yes, I appreciate that sometimes shifting functions out of one department into the other can have its difficulties, but here are three parties all saying that they would like this to happen, except the government is saying, "Not just yet, not now; we have to discuss it." And it really does strike of ministers marking their fence posts: "This is my turf. You cannot have my turf. I am not going to give this up easily." I think that is unfortunate.

I received an email from the conservation council this morning, as did the Chief Minister and Mr Corbell and Mr Rattenbury, and it might be worth reading it. I am assuming this is public; my apologies if it is not. It is from the executive director and it goes:

The Conservation Council welcomes the motion put forward by Shadow Minister for the Environment, Brendan Smyth regarding establishment of an integrated conservation agency.

We are particularly pleased the motion clearly indicates there is tri-partisan support for such an agency. We also share the sentiment expressed within the motion on the need for a timetable by which the change in administrative arrangements for this agency are put in place and this really needs to happen sooner rather than later.

As indicated in our briefing papers on this matter we have not expressed a viewpoint on where such an agency could or should be located, rather we have developed a set of principles on which such a decision should be based.

Given the tri-partisan support for the agency we hope the motion passes the Assembly. Or alternatively that any changes to the motion are agreeable to all parties and include recognition of the common support for the single conservation agency and the need for a timetable for implementation in the near future.



Mr Corbell's amendment, of course, flies in the face of all of that, particularly because there is no timetable. If you look at point (b) in Mr Corbell's motion, it says:

... implementation of the proposal is currently under consideration by government.

It does not say the government is committed to making this happen. It does not say the Labor Party wants to see this happen. It does not say the minister wants to see this happening, because of course it will be eating into his turf. And I think the environment in this case will be the victim of a turf war between two ministers, between two parties, and that is a shame. It would appear that the Greens minister is going to squib and walk away from this and be happy with ongoing consultation rather than a little action on behalf of the environment. That perhaps reveals the true commitment that certainly the Greens and the Labor Party have to the environment in this Assembly.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 8

Noes 6

Mr Barr	Ms Gallagher	Mr Doszpot	Mr Smyth
Dr Bourke	Mr Gentleman	Mr Hanson	Mr Wall
Ms Burch	Ms Porter	Mrs Jones	
Mr Corbell	Mr Rattenbury	Mr Seselja	

Question so resolved in the affirmative.

Amendment agreed to.

Motion, as amended, agreed to.

## Canberra—centenary

**MR GENTLEMAN** (Brindabella) (4.40): I move:

That this Assembly:

(1) notes:

- (a) the success to date of the celebration of Canberra's Centenary;
- (b) the celebration of Canberra's 100th birthday on Monday, 11 March 2013 that demonstrated the community's pride in our city; and
- (c) the formal commemoration ceremony of the naming of Canberra on Tuesday, 12 March 2013 at the Foundation Stones, which:

- (i) marked our history and maturity as the national capital over the past 100 years; and
  - (ii) reflected the renewed interest and national focus in Canberra as Australia's capital city;
- (2) recognises the importance of the community's contribution over Canberra's 100 years; and
  - (3) commends the efforts of all those involved in delivering an exciting Centenary celebration.

What a year it has been—and we are not even three months into this centenary celebration. The year kicked off in January and set a cracking pace.

**Mr Hanson:** The year kicked off in January? Controversial, Mr Gentleman!

**MR GENTLEMAN:** Well, it does, Mr Hanson. You might be new to the place, but we have kicked it off in January each year. We have seen a phenomenal program of events to date. The centenary of Canberra program features a smorgasbord—a feast of events, festivals, exhibitions, concerts, lectures, launches, theatre, films and some amazing sport.

One of the first big events for the centenary of Canberra program took us back to where it all officially began—the fascinating stories leading up to the foundation stone and the naming ceremonies on 12 March 1913. The exhibition *But Once in a History* at the Australian Parliament House delves into these stories. I had the opportunity to go to the launch of that exhibition, *But Once in a History*, at the federal Parliament House, with my federal colleagues Gai Brodtmann and Senator Kate Lundy.

What a fantastic launch it was. There were stories about the original foundation stone and how the centenary exhibition had been put together, including artefacts from the original naming of Canberra. Many of us have heard how the actual naming occurred. Lady Denman was provided with the envelope with the name of the new capital of Australia. At the time, the people organising the naming ceremony were not sure how to actually pronounce Canberra, whether it should be “Canberra” or “Can-berra”. They left it up to how Lady Denman would pronounce the name. As she opened the envelope, she pronounced it “Canberra”. It was a fantastic way to learn how the name was pronounced, and the naming of the capital went ahead.

There are a number of other exhibitions right now that recognise important aspects of Canberra's history, including *Design 29: Creating a Capital* at the National Archives of Australia, *The Dream of a Century: the Griffins in Australia's Capital* at the National Library of Australia, and *CAPITheticAL* at the Gallery of Australian Design.

Another early event on the centenary of Canberra calendar was the opening of the *Past, Present, Future* exhibition at Scope Mount Stromlo, which captures our darkest hour—the fires in January 2003. This exhibition has been visited by so many locals that the organisers extended the exhibition running time to Easter.

It will be by a country mile the biggest season ever seen at the Canberra theatre this year, with performances being brought in from all the states and the Northern Territory for *Collected Works: Australia 2013*.

The 1900s shearers ball, the 1910s Edwardian ragtime dance and the 1920s roaring twenties dance also sold out. The next event, celebrating the swing dancing of the 1930s, will be held next month.

The patron of the centenary of Canberra, Sir William Deane, along with Aunty Agnes Shea and Minister Shane Rattenbury, launched an impressive Indigenous cultural program in early February—just after January, for Mr Hanson. One of the highlights of the Indigenous cultural program was the Indigenous showcase at the National Multicultural Festival last month. The Indigenous showcase featured internationally celebrated artist Gurrumul, and the Stiff Gins and the Last Kinection, all supported by the centenary of Canberra.

The multicultural festival itself was another triumph—massive crowds, a great community spirit, a true demonstration that Canberra leads the way in multiculturalism and inclusiveness. I would like to congratulate all involved. I know, Madam Acting Speaker, that you were there at the festival. So was I—and many of our colleagues as well. It was a fantastic opportunity.

In sport, Canberra hosted its first ever one-day international match, featuring the Australian cricket team when they played the West Indies at Manuka Oval on 6 February to a sell-out crowd and a national television audience of 1.5 million. I had the opportunity to attend a fundraising event at that particular match with the CFMEU. They were supporting Bosom Buddies, which is a support group for women with cancer, and it was a great sell-out for their tent. They raised about \$7,000, from memory, from the one event. It was a great way of seeing how much the CFMEU, and of course the tradies club, support local charities.

The ISPS Handa women's Australian open golfing tournament was held at Royal Canberra Golf Club in mid-February. Five of the world's top 10 female golfers came to Canberra to compete at that tournament. Attendance at the event was up 30 per cent on the 2012 golf open at Royal Melbourne; nearly 900,000 Australians tuned into ABC to catch the action, and the pictures of beautiful Royal Canberra were beamed to millions of homes across the globe.

On the Canberra Day long weekend, Canberra was a flurry of activity. On the Friday there was Enlighten in the parliamentary precinct and the popular short movie competition *Lights! Canberra! Action!* The GWS Giants played Essendon at Manuka under lights, and the NAB Cup and the Famous Spiegel Garden were in full swing here, for the first time, in our 100th birthday celebrations.

Saturday featured more great sport. The Brumbies played a special centenary branded match against arch-rivals the Waratahs at Canberra Stadium. And what a great win, in front of 20,000 fans!

The iconic balloon spectacular lit up the skies in the heart of the city and great weather produced massive weekend crowds.

Sunday was a day of racing, with the Kamberra Wine Company Black Opal Stakes and ACTTAB Canberra Centenary Cup at Thoroughbred Park. The biggest crowd in years, more than 11,000, flocked to the track.

There was a huge display to celebrate the 50th anniversary of the ACT Veteran and Vintage Car Club.

The Senate rose gardens were bursting at the seams when the National Film and Sound Archive presented the premiere screening of the newly restored footage of the naming of the foundation stone ceremonies from 12 March 1913.

It was all so popular that, regrettably, some people were turned away.

On the Canberra Day public holiday, Monday, 11 March, the most significant event of the weekend was held for the whole community—and visitors, of course—by the shores of Lake Burley Griffin. The event certainly lived up to its title, “one very big day”. And what a day it was—in brilliant Canberra autumn sunshine.

Multiple stages were positioned all around the lake, providing a mix of great music, from folk, jazz and contemporary pop and rock performances through to the best local and Indigenous performers. Local acts performed throughout the day and were joined by some of the great national performers, many with a strong connection to Canberra. I remember attending the event at Regatta Point in the late evening and seeing some of our older Canberra bands there, including the Falling Joys. It was fantastic to have those memories back in the ACT.

Some of the performers were on boats circling the lake to entertain the crowds on the lake edge, a new form of roving entertainment. Entertainer Paul McDermott studied in Canberra and got his start here. He was emcee at the centenary, and brought back popular musicians with a strong Canberra connection—as I said, like the Falling Joys, The Church and the Gadflies.

On the lake edge, at the bottom of Anzac Parade, 20 local multicultural groups decorated the word “home” to reflect their own culture and their own language, a reflection on the importance of diversity in our community, not just now but for 100 years.

For kids, there were human-size ants, eccentric hairdressing, storytelling, interactive sports, kite making and kite flying, and a home-grown kids orchestra.

That evening the crowds heard and saw, either on stage or on screens around the event site, the world premier of the magnificent Andrew Schultz centenary symphony, commissioned especially for the occasion. The huge crowd was then treated to a tremendous and unique display of fireworks, which fired along the original Burley

Griffin axis. The celebrations did not stop there. Bands played at the Regatta Point stage well into the night, and those hugely popular bubbly bars kept the party atmosphere going.

That day Canberrans came to the shores of Lake Burley Griffin in droves. An estimated 150,000 or more gathered to celebrate the city's 100th birthday. The event demonstrated the pride our community holds in our city, and those 100th birthday celebrations captured the excitement and energy of our young city on the eve of its second century.

I want to go to some of the other events that I have recently attended in the centenary year. This week is Seniors Week. Madam Acting Speaker, I know you were there at the breakfast for seniors at the beginning of the week. It was very well attended, I thought. We had a very interesting speaker from the CSIRO talking about crops and how modification to crops can help in human life and perhaps get us to a point where we will not need as much medicine provided by other means.

On Friday afternoon I went to York Park for a celebration of the planting of the oaks by the Duke of York in York Park right up near Parliament House. It was interesting to see the way those oaks have grown since 1927 compared to other trees planted in this city; it is quite a dry area there at York Park. We had a fantastic audio rendition of how the trees were planted in the first place—and of course there was the laying of the stone for Parliament House.

We have talked about the community contribution over the last 100 years. I want to reflect again on my visit to Morling Lodge on behalf of the Chief Minister—for those people celebrating the 100 years of the ACT, but also for their 50-year contribution and their recognition by receiving the Chief Minister's gold award. It was wonderful to see the faces there at Morling Lodge when we congratulated them for the effort they have put into the community over their time in the ACT.

On Tuesday, 12 March, Canberra's actual birthday, a special event recognising the unique origins of our great city was held at the foundation stone in front of Parliament House. At the location 100 years earlier stood a gathering of distinguished guests; the Governor-General and his wife, Lord and Lady Denman; the Prime Minister, the Hon Andrew Fisher; the Minister for Home Affairs, the legendary King O'Malley; and the Premier of New South Wales, the Hon James McGowan. In those days they stood on a dusty limestone plain of what was to be declared that day the new nation's capital city, Canberra. We recalled those magnificent images of the 1913 ceremonies, with Mount Ainslie in the background—and no Lake Burley Griffin, of course.

Last week, the roles of these key historic figures of 1913 were represented by their contemporary counterparts. The Governor-General stated at the foundation stone ceremony:

The city of 2013 would surely meet and perhaps surpass the hopes and expectations of Lord Denman and all those present at its foundation ceremony 100 years ago ... We delight in its magnificent landscape and natural beauty, its social and cultural vibrancy, its gravitas, the national institutions that have grown up here.

This event was a celebration of the city we call home and an acknowledgement of how far we have come since that day. Our Chief Minister led the toast to the spirit of Canberra and all who have contributed to our wonderful city.

The foundation stone ceremony brought about renewed interest in and national focus on Canberra as Australia's capital city. The event received extensive coverage in metropolitan and regional media channels across Australia. The ceremony was broadcast live across the country on Sky News and ABC News 24.

Canberra may have a significant and symbolic role as the nation's capital. For those of us who live here, it is simply home. The community of this great city is what makes it. As the formal foundation stone ceremony was being held on Capital Hill last Tuesday, all around Canberra the community was simultaneously toasting our city. Thousands in workplaces, schools, community groups and homes were toasting Canberra—its past, present and future.

The largest of these events was the big barbecue in City Walk, hosted by the centenary of Canberra's principal partner, ActewAGL. Around 1,000 people were served at the barbecue. A giant centenary birthday cake was shared amongst the crowd. Lauren Jackson and members of the Canberra Cavalry attended. The audience watched live coverage of the foundation stone ceremony on a large television screen.

A number of parties were also held at this time at local shops throughout Canberra. Parties at the shops continued throughout the day.

And there is more to come throughout the year.

Today I ask that this Assembly recognises the importance of the community's contribution to Canberra over the years. If the centenary of Canberra events, activities and initiatives we have seen to date are any indication of what is in store for the rest of the year, our national capital will look back at the end of 2013 and reflect on what has been a truly incredible year.

The phenomenal Robyn Archer and her team have been working very hard to deliver this fantastic and hugely ambitious 12-month program. And we should thank the hundreds of volunteers, and people like the Scouts and Rotary, who are driving the centenary of Canberra charity, Dollars for Dili.

I ask that this Assembly commends the efforts of all those involved in delivering an exciting centenary celebration, and look forward to seeing what is in store for the rest of the year.

**MR SMYTH** (Brindabella) (4.56): Yes, the Canberra Liberals will be agreeing with the motion. I note this is the second motion on this subject. We had one in February from you, Madam Acting Speaker, acknowledging the work of all those involved, and here we are again in March. Perhaps we will have one every month for the rest of the year.

But to speak to the motion, paragraph (a) talks about the success of the celebrations of the centenary. Yes, we certainly have had a full calendar in this first quarter of the year. I think the attendance at the events certainly shows there is a lot of local community pride in what is happening here. I look forward to the assessment when the year is finished to see the outcome in terms of increased national pride and visitation. It was always going to be something that we would be proud of, but when you look at paragraph (c)(ii), where Mr Gentlemen says that the recent celebration reflected the renewed interest and national focus in Canberra, I would be interested in any data the government has that actually shows that. Yes, certainly it was well televised around the country and, yes, certainly the Prime Minister and other ministers attended the commemoration service on the 12th. I see the Chief Minister smirks. I am sure she will stand up and tell us what data they have already collected that shows this renewed interest.

I think there is a bit of a disconnect. The Chief Minister herself said on the Monday at the Spiegeltent that a lot of us like Canberra to be the world's best-kept secret but then we get upset when people attack the place where we live. Perhaps that is part of the problem—in keeping it a well-kept secret people do not understand when we speak its praises and say, “You know, look, it is a fabulous place,” and they go, “Well, you know, maybe we've never heard of you,” or, “We've never experienced that.” Part of our problem is that we tend to be a little bit shy about what Canberra is and what Canberra does.

Canberra really sets a standard, and it has not mattered particularly which party has been in government—we have all been very proud of what happens in Canberra. But I think it is time for that shyness to go. Tim Schildberger wrote an interesting article in the *Sunday Canberra Times* on 10 March. Tim Schildberger grew up here as a kid, lived here and worked here. He is now a writer and TV producer and “proud former Canberran resident” living in Los Angeles. It is his last paragraph that I found quite intriguing:

And yet here we sit—the centenary of the national capital. So while I say congratulations, may I also urge the rest of the country, and even current residents, to understand Canberra for what it is. The birth certificate may read “old”, but the metropolis is remarkably young. Expecting a brand new city, one built during horrible architectural phases—

and I think he means the 1950s and 1960s—

to develop the “character” so many accuse Canberra of lacking is unfair and premature. Happy birthday, Canberra. You are a wonderful, beautiful, flawed place, and you are the absolute epitome of the idea of being 100 years young.

I think there is a challenge inherent in what Tim Schildberger says there—it really is about us developing our own character and being proud enough about it to get out and sell the message: “Canberra is a great place. It's your nation's capital. It's our home. Come down and we'll share it with you. Because, you know, you've paid for it as the taxpayers of Australia. It protects your story, it protects your history, it protects your artefacts, it protects your art, it protects the memory.” I think we need to make more of that.

So I hope the Chief Minister has some data that shows there is renewed interest and national focus in Canberra. It is certainly not coming from the federal government. All power to the local government—they put their money up, and through Robyn Archer put together a great program. I do not think anybody doubted that Robyn Archer, the dynamo that she is, would not have delivered, and they have delivered in spades. Many groups have done their part, like Cricket Australia and Cricket ACT who managed to get the teams here. The rugby union is coming and we have a number of other events. Well done to the communities and their bodies that have helped to contribute to the events so far, and well done to all those who have got things planned for later in the year.

But I think there is a failure of the federal government in this. Turning up for one day and celebrating—well, thanks very much for that. But the ACT government has put in \$20 million and the federal government has put in \$6 million for the programs throughout the year, and that reflects the federal Labor government's view of Canberra. This is a national thing. We are celebrating the foundation of the national capital, and the federal government has left that burden up to the ACT government. I think it is unfortunate and in some ways is a slur on all of us.

It is important that we keep the momentum going. It is important to recognise the importance of the community contribution, and we certainly commend the efforts of all those involved in delivering an exciting centenary celebration and we look forward to the things that are coming. It is a great year. Centenaries only come around once every 100 years, so let us make the most of it. But perhaps it is time that we as a community should actually stand up for ourselves a bit more instead of reacting as we did when there was some comment that Canberra and the centenary has not been as good as it could have been. Let us point out constantly those things that make us great. Let us point out constantly the things we excel at. It can be done with some humility. We do not have to rub people's noses in it, but we are different from every other city in this country. We are a planned city. We are the youngest capital. We are the only city that has a diversified network of town centres. We are the home to the national attractions. We have got the country's best university. There are so many things that make Canberra so special and so important, and yet we constantly seem to be shy about it, and I think that is a shame.

Perhaps this year will cure us of this shyness and then not just the rest of Australia but the rest of the world may learn of us. For many people around the world Canberra is unknown. A lot of the Yanks think Melbourne is the capital of Australia and the Poms think Sydney is. It is about time we all did better that job of promoting the capital, backing up the community groups that are doing their bit this year and backing up all those involved in delivering the celebrations so far and for the rest of the year.

It is a great opportunity to capitalise and make sure that we get long-term and lasting benefits out of this year. Here we are, a quarter of the way. I look forward to the other three-quarters, and I look forward at the end of the year to people actually saying, "Gee, we have had to change our perception of Canberra because it is a much better place than we thought, and it's not just the politicians on the hill that we hear about every night. It's not just the tax increases from the federal government that we suffer



under. It is a great place that represents us.” The mission of the National Capital Authority is to build in the hearts of all Australians the nation’s capital. Well, we can do that as well.

I thank Mr Gentleman for the motion. Yes, it has been a success to date, and we look forward to the rest of the year. Well done to those who have been involved in making it so successful so far.

**MR RATTENBURY** (Molonglo) (5.03): I rise today in support of the motion, and I thank Mr Gentleman for bringing it forward. Certainly the centenary has been terrific so far this year. The sense in the community of what an interesting and fun time people are having is really a testament to that. That spirit was very much in observance on our one big day. Despite some of the logistics issues that may have arisen on that day, the atmosphere of the event itself was tremendous. I think that sums up the centenary quite well.

In some ways we have been celebrating the centenary for some time already. I think of some of the events that have taken place in the 18 months before the beginning of 2013 where various warm-up events and the markings of historical occasions took place. I think those events helped build that sense of anticipation for this year. Certainly there have been through the course of this year a range of tremendous events already and they have been touched on already.

The “one big day” was a tremendous success. We were incredibly lucky with the weather. I think some of the problems arose from the fact that so many people turned up. In a way that is a nice problem to have—that it was oversubscribed rather than undersubscribed.

For me one of the terrific events so far has been the parties at the shops. I had the good fortune to attend a couple of them in the northern part of Canberra. Again, the atmosphere at those events was terrific. Two of the things I really liked were, firstly, the community simply coming together, having a good time, seeing friends and making new friends and, secondly, people saying they wanted to see it happen again next year. If some of these events continue beyond centenary year, they will be a real legacy to the success of the centenary program.

There have, of course, been many other events, far too many to mention. Many of the real gems in the program have been some of the smaller events. Perhaps they have not drawn huge crowds but they have drawn crowds with a particular passion or they have opened peoples’ eyes to a new aspect of Canberra. Certainly for me as an amateur history buff I have enjoyed many of the things I have learnt about our city in the course of the last 12 or 18 months as we have come up to the centenary festivities themselves.

We, of course, had the centenary sitting here in the Assembly yesterday. It was very significant to see so many former members of the Assembly come to that occasion. I ran into Michael Moore again last night at another event and we were discussing the fact it was good to see so many of the former MLAs back to mark an important occasion and have the chance to swap notes at the morning tea afterwards. The

ceremony at the foundation stone last Tuesday was a much more formal event and not so community orientated as many of the events have been, but, again, it is an important part of this year's festivities to have those formal occasions and to have the national spotlight on Canberra for that hour and in some senses pay homage to the original events 100 years ago.

There has been a whole range of other things. One of the very successful things going on is the centenary bus loop. It is almost a shame I did not get a chance to talk about it in question time today, Mr Smyth, because I would dearly loved to have but—

**Mr Smyth:** I was hoping to ask the question.

**MR RATTENBURY:** I know. But the centenary bus loop is going from strength to strength. Anyone who follows my Twitter account will have seen that we have been putting up regular updates, and the patronage is increasing all the time. We had a new record on Saturday—we are up to around 600 to 700 people a day as the word is getting around about what a terrific service it is. The feedback has been that the bus drivers are friendly, the service is great and people really appreciate it.

I took it the other day to go up to Parliament House with Mr Barr and Dr Bourke. The three of us went by bus to the foundation stone ceremony, and it was interesting chatting to some of the tourists and local residents on the bus who were waxing lyrical about both the convenience of the service and the friendliness of the bus drivers. So, credit to the team at ACTION who have rolled that out very successfully and who are doing a great job to promote it. I am pleased to see it is going so well.

I went to a very interesting event last night. There is a festival on at the moment called You Are Here. It was actually started a couple of years as a build-up event towards the centenary as part of Robyn Archer's philosophy that we wanted to create events that both built us up to the centenary and also carried us past the centenary. There was a debate held last night held at Smiths Alternative Bookshop about whether 2014 would be a terrible slump, perhaps a hangover, or whether it would continue on after this year. It was interesting to chat with and hear some of the younger artists and community organisers putting forth the positives and the negatives of how next year might play out. There is certainly a challenge for us as a community and, to some extent, the government to see if we can build on the good things that have happened this year and carry the program and the energy forward into future years with things like parties at the shops becoming a regular feature on the calendar.

I note there has been some discussion about bringing back the birdman rally. As members would have seen in yesterday's paper, I have a personal history there. It was certainly great fun in the 1980s. Whether we could replicate it now, I do not know, but it has been a nice reminder of a little bit of Canberra's history and those fun times and the large crowds that it drew. Whether the birdman rally or some other event becomes features of Canberra's forward-going calendar, certainly the community energy around this year during the centenary is testament to the fact that Canberrans like to get out and about and do things. We need to remember that as we think about what happens in 2014 and beyond.

I will speak quickly to paragraph (3) of Mr Gentleman's motion, which commends the efforts of all of those involved in delivering the centenary celebrations. There are too many, and I am not even going to begin to attempt to name them, but it has been an enormous effort right across the community, whether it is the paid staff in the centenary team who have put in an enormous effort or whether it is the many volunteers, both the formal centenary volunteers or those who have just jumped in and helped out with an event or two. So many people in the community have been actively involved in the centenary, and I hope that continues through the rest of year. Whilst March may be the peak of the events, there is a great deal still to come, and I am certainly looking forward to the festivities for the rest of the year.

**MS GALLAGHER** (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (5.11): As Mr Gentleman pointed out, it has been a very successful start to the centenary of Canberra, and the Canberra birthday weekend was huge. I thank other members and acknowledge their support for those events. It really was fantastic so see so many Canberrans heed our call to stay in town for our big birthday long weekend, a weekend that traditionally has seen a significant exodus to the South Coast.

The centenary transformed our lake into party central, on and off the water. It was an amazing day, and we have had lots of feedback from locals that the 100th birthday celebrations reminded them of what a great city this is. I will quote some feedback we got via an email from David Purnell OAM from Florey:

Congratulations on an excellent weekend of activities. The participation level indicated how much the events appealed, and the creativity that went into the planning was great.

We heard from locals that they were proud to bring along their relatives and friends from interstate and overseas. Again, some feedback from John Rodriguez from Florey:

It has taken 100 years but we have finally seen the lake bursting to the seams with all sorts of people, families, children, seniors and a veritable rainbow of multicultural faces.

People on bikes, roller skaters, tricycles, wheelchairs, running, walking and even being dragged by their loved dogs.

And everybody seemed to be having a great time, I just hope we don't have to wait another 100 years to see people enjoying the sheer pleasure of being there.

Through the centenary of Canberra program, this year will be one that will continue to demonstrate that Canberra is home to locals that love it. Last week, as part of the centenary of Canberra, my ministerial colleague Joy Burch announced the top 100 things that the people of Canberra like about their city. That project, on its own, has been the most amazing success in terms of engagement with the community. More than 11,000 people voted in the final poll, which showed that Canberrans like

the view of the majestic Brindabellas, they like their fresh air, they like the outdoor lifestyle, they like beautiful, crisp, sunny winter days and the beautiful colours of autumn. Canberrans love Canberra simply because it is home.

The list goes on. It refers to our national attractions and our unique events like Floriade, which topped the list. Visitors to our city, via the innovative human brochure campaign, have already told us what they like about Canberra. Two hundred and fifty active social media users were brought to Canberra for a weekend late last year. Another 250 were in town last month to experience some of the best of what Canberra has to offer. These visits have been an amazing success and for weeks following the visits, the tweeting, Facebook posts and blogs continued to compliment our city.

In January, one of the biggest legacy projects of our centenary year kicked off, the opening of the National Arboretum, and I would acknowledge that the commonwealth made a significant contribution to the arboretum. It is not just the \$6 million that had been provided for programs, they did provide \$20 million for the arboretum as part of their centenary gift for Canberra. That will certainly be acknowledged through the visitors centre and, indeed, when the new pavilion and the playground open in the next couple of months.

Already we have seen, in the first month that the arboretum was open, over 42,000 visitors coming through the gates, thousands coming from overseas, international visitors—not just for the arboretum but it is certainly on the radar of international tourists. We are also seeing very good bookings, very strong bookings, for the facilities at the arboretum. I visit the arboretum frequently as a walker and with my family, and it is fantastic to see the arboretum busy with cyclists, runners, families. I was there last Thursday night. Families were unpacking their picnics at about 6 o'clock in the evening on Dairy Farmers Hill. Previously, it was not a place that the public could access. It is so great to see it being so strongly supported by the community.

The centenary loop bus, ACTION's route 100, which Mr Smyth was cheekily trying to ask a question about earlier during question time, has also been a positive program, introduced in early February. Last Saturday, for example, more than 700 people jumped on board the service. We are continuing to see patronage levels increase on that. We have only funded it till the end of the year because we wanted to see whether all the talk that a free bus service, on a regular frequency, going around the parliamentary triangle, would be well patronised and supported by tourists across the city but also by public servants in Barton. We are assessing that this year with this trial but the patronage numbers are going up.

Of course last week we had the foundation stone ceremony, and I think everyone who was there acknowledged what a fantastic event that was, to recreate an event that happened 100 years ago but also to celebrate and toast the city that we have become. For me, there are probably a couple of stand-out events, apart from the actual birthday or the big day at the lake and they have been the parties at the shops. I saw Mr Doszpot last Friday at Lyneham and I think he also went to the Yarralumla one. He spoke about that.

The awarding of centenary medals is another. It was Sir William Deane's idea that a centenary medal should be commissioned. Then the government worked with him about who should receive that medal, wanting it to be a prestigious medal and a restricted one. At one ceremony I had the honour of giving one to all of our citizens who were 100 years or over. Then spending a day going around to all the nursing homes and people's private homes to individually present the medals to those who were not able to attend the ceremony was a great honour. It was an honour to get the feedback from those citizens about how special it made them feel having their contribution acknowledged in that way by the community. In a few months probably, we will get the honour of doing that for all the babies that were born on 12 March. I actually have not seen how many were born on 12 March, but that will round out that initiative.

From my point of view, we should look at how we keep the strength of the community involvement in the centenary going. The parties at the shops are something that I definitely would like to see continue. They were not high-cost events. I would like to acknowledge the organisers of the parties at the shops. They have done an extraordinary job on a very small budget to actually roll that program out. I know they call in a lot of favours to get them done, but at Lyneham the other night there were probably around 400 people there for a good part of the evening. I know Yarralumla was very popular. I heard that Wanniasa was popular. I think they have all been popular in their own way. I heard how Downer was really good. O'Connor, I think, went off on the birthday night. So I think the more we can get some of that local activity happening, the better. I know the schools have all got really involved in the parties at the shops as well.

But to all of the organisers who are hopefully putting their feet up just for a day or two this week, congratulations on a job well done so far. There is another nine months to go. I look forward to being there to witness some of those events but also to see us continue to raise the profile of Canberra. Going on what I said around the issues of criticisms of Canberra, I think probably being 100 means we can stop being defensive of who we are. We know who we are. We can celebrate who we are and I think the message of Canberra that we are sending out to the world is a very positive one.

**MR GENTLEMAN** (Brindabella) (5.19), in reply: I would like to thank all members for their contributions. I think all of the contributions were fantastic. Mr Smyth suggested perhaps it is time for us to lose our shyness and be proud of Canberra, and I agree with Mr Smyth. I think all of us here in the Assembly are very proud of Canberra. But of course there is a national, I guess, feeling of what Canberra is, and I think the centenary celebrations are helping us get over that wave that we see from the national media.

Mr Rattenbury mentioned that the atmosphere on our celebration day was really good. And it was great to see the events oversubscribed and not undersubscribed, and I agree with him there. As I said, I think there were 150,000-odd people around the lake on the day. So that was fantastic. Also I agree it was really fantastic to see so many of our former members here for our own celebration yesterday. Mr Rattenbury raised the

birdman rally. I do remember attending it on a number of occasions when it occurred, and it is probably something we should think about for the future, depending on the cost, of course, and any insurance implications, Mr Barr.

The Chief Minister talked about lots of feedback and how great the centenary event was. Of course, in one of these feedbacks she mentioned that the writer said, “One hundred years was great to see by the lake, and it burst into activity. Let’s not wait another 100 years to see it again.”

In closing, again, congratulations to Robyn Archer and Jeremy Lasek, in particular, as well, and the centenary team, and keep up the good work.

Motion agreed to.

## **Sport—athletic facilities**

**MR DOSZPOT** (Molonglo) (5.21): I move:

That this Assembly:

(1) notes:

- (a) that during the 2012 election campaign, the Government committed \$4.5 million for a southside synthetic track;
- (b) that at the time of the announcement, it was claimed that ACT Labor would undertake a study and seek community feedback on the ideal location for this purpose built facility;
- (c) that a feasibility study to report on the conversion of an existing grass athletics track within the southside of Canberra to an International Association of Athletics Federations accredited synthetic surface for both athletics and facilities was presented to the Government in October 2012;
- (d) that this study was limited to five locations and each of the five locations had a range of disadvantages;
- (e) that the associations’ preferred option was not included in the consultant’s brief;
- (f) that consultation with potential users of the facility has been minimal and limited to discussions at association level only; and
- (g) that clubs have expressed disappointment at the lack of consultation and have strong objection to the Government’s preferred option on a number of grounds; and

(2) calls on the Government to:

- (a) delay progress on the tender until such time as genuine consultation can be had with and among the ACT athletics community as to what best suits their current and future needs;

- (b) consider alternative options, other than the five ovals in the original report, including the preferred option identified by the clubs in new growth areas of Canberra, and to include ACT athletics associations in those deliberations; and
- (c) negotiate with the Commonwealth Government on behalf of ACT athletics clubs for better access to existing quality facilities at the Australian Institute of Sport.

As we have all acknowledged many times in this Assembly, sport is a serious business for many Canberra families. We have a very high participation rate for people in both formal and informal sport, and we have that because of the many opportunities available to families to get their children involved. We know that if we get children playing sport at an early age, they not only improve their health outcomes in later life but some of them go on to be very successful in sport as a chosen career.

Probably there is no better example of opportunities for participation than the little athletics movement. In Canberra we are very lucky to have a raft of families who provide thousands and thousands of volunteer hours in a number of clubs. They provide support for a wide range of sports, from running to long jump, steeple chase, shot-put and javelin. Their needs are quite specific. We have clubs dotted throughout Canberra, clubs such as Woden, Weston Creek, Corroboree, Belconnen west, Ginninderra, Gungahlin, Calwell, Lanyon and Tuggeranong as well as several areas adjoining the territory in Yass, Queanbeyan, Braidwood, Goulburn, Cooma and elsewhere down the coast and the southern tablelands.

When these thousands of people in hundreds of families heard in July last year that the sports minister had offered a commitment of \$4.5 million for a synthetic southside track, they were delighted that at last the government had listened to them and that their sport was to get some assistance. But that was only part of the news. As with so many of this government's and this minister's announcements, they too often miss the mark. And they have once again in this instance.

I am sad to say that, because on the very basic facts as I spoke about before, it does seem to be a very good initiative. It is in the detail that it suffers and it suffers very badly. At the heart of it is this government's commitment to deliver much-needed infrastructure for our athletics community. As with all infrastructure projects and elite sports competitions, if you want to run any sort of quality competition—whether it is a regional little athletics meet through to an Olympic selection trial—there are certain requirements you have to meet.

Things such as orientation to the sun, wind exposure, drainage, existing services and public amenity all have to be considered. So it was important and appropriate that the government should consult widely, call in the experts and assess all of the options. As I have highlighted, we have a number of clubs with a varying range of facilities at their home grounds. For major events, the AIS facility has provided the necessary venue to date. But with so many members on the south side and with new suburbs on stream in Molonglo, it made sense to examine additional facilities for that part of town.

That was what the government offered. But as it turns out, it was not quite what it could have been or clubs thought it was going to be. Over the last few months the issue has gone somewhat off the rails. Today, we have a situation where most, if not all, clubs and people likely to benefit from such a development do not want what is currently on offer. If we start with the consultants' report, you will see just how narrow the focus was.

The government engaged Cardno, a professional infrastructure and environmental services company with expertise in the development and improvement of physical and social infrastructure for communities around the world. Cardno's website says that their team includes leading professionals who plan, design, manage and deliver sustainable projects and community programs. Presumably, they know what they are doing, so they cannot be blamed.

But when you look at what their brief was, this is where the problem arose. You know that they had their hands tied to deliver one outcome and one outcome only. Their brief was to look at existing southside grass athletic tracks at Woden, Kambah, Chapman, Calwell and Banks to assess their suitability as a synthetic track.

The assumption was that the proposed venue would cater for continental, regional and area cups over a maximum period of two days. That and other considerations are the minimum requirements of an IAAF-compliant facility. So to start with, the consultants' brief was very narrow. There are claims that the consultation was too brief and too one-sided. One of the prime areas that have arisen all the way through discussions with athletics over the last 10 to 15 years has been Stromlo. That did not get a look-in on this assessment.

Certainly, they did not talk to clubs. Cardno talked through the associations. They did not talk to clubs but restricted their discussions to the association level. Perhaps in hindsight they would have been wise to dig a little deeper, and perhaps members in this Assembly might have been wise to do that also. The report acknowledges that there are preferred options that have not had the opportunity to be fully tested. However, somewhat misleadingly, they mention that a greenfield site "on our experience on projects with similar level of facilities our broad estimate of probable cost would be in the order of \$25 million to \$40 million".

Nowhere is there anything that gives any detail to that statement nor to the exact site they looked at. Presumably, it alludes to Stromlo. Why that was not asked to be further examined in more detail is, I guess, the missing piece in this very intricate jigsaw puzzle. It is totally misleading to make those claims about \$25 million to \$40 million and worse for those figures to be used as a lever to clubs.

The option is: "Here we are; this will cost \$25 million to \$40 million. We don't know how. We haven't got the exact details, but that's what it will cost you." On the other hand we are told, "We can do something for you for \$4.7 million, even though it does not meet all the specifications you need." It is totally misleading to make those claims and worse for those figures to be used as a lever to clubs.



It is not comparing apples with apples. The \$4.7 million costing that the consultants came up with only covered drainage, earth works, water services, the track and long jump pits, hammer and discus cages—they are already there, anyway—and floodlighting. There is no allowance for any pavilion restoration or new building, a grandstand or amenities work, and there is no allowance for any works to existing roads or car parks.

Let me go through a number of salient points and time lines surrounding this particular issue. In July last year Minister Barr announced \$4.5 million in funding for site selection and construction funding for a synthetic track on the south side of Canberra. In August senior officials from ACT little athletics met with Cardno, the consultancy firm. That is presumably when the association learned for the first time just how narrow a focus the government had decided on. The association's own newsletter at the time states:

Cardno, a civil engineering company, have been engaged by ACT Government Sport and Recreation Services to ... look at the existing south side grass athletics tracks ... Lots of questions were asked and it was noted that the Government has a considerable backlog of capital programs for sport. Whilst the preferred position would be for the location of a new IAAF track at Stromlo—

Mr Barr, this is from the association's newsletter—

this does not appear high on the Government agenda at the moment.

I guess just to underline that, it did not appear on the government's agenda at all. In September Athletics ACT also met with Cardno, and they also learned that options such as Deakin or greenfield sites such as Stromlo were not under consideration. Both they and the ACT Little Athletics Association advised the consultants that Stromlo remained their preferred option and that Woden was and would remain unsuitable.

In October, just after the election, the government received the consultants' report. It is obvious for anyone who might have followed this that the report was going to disappoint. It had to. The government's own narrow focus was designed to deliver just one result. Even the consultant could not deliver any glowing recommendation. Their choice was the least worst option. I quote from the recommendation:

Of the nominated sites investigated within this report—that is Banks oval, Calwell District Playing Fields, Chapman Neighbourhood Oval, Kambah District Playing Fields and Woden Enclosed Oval—Woden Park is recommended for the proposed upgrade to an IAAF compliant track and field facility, despite its various disadvantages.

So six months ago the government were well aware that they had promised to deliver a new synthetic track to complement and be somewhat equivalent to the AIS athletics track.

**Mr Barr:** Not to be equivalent.

**MR DOSZPOT:** “Somewhat” is the word we used. \$4.7 million probably will not get you an AIS athletics track, Minister Barr, but the point is, if you are going to hold grand prix meetings, then it should, within that \$4.5 million—\$4.7 million, whatever the final figure that you are going to be happy with—at least be compliant with grand prix activities. This is not the case under the current plan.

Instead, they have given the athletics community a least worst option, only preferred over a range of existing local community ovals and hardly a southside alternative to the AIS. Minister Barr said that the Woden site had been chosen because it was an existing site and that all the money would go to the track, lighting and new irrigation, and it was central.

Yes, all very well, but what about the many disadvantages? Not surprisingly, parking for a start. It is a big factor. We have seen that recently at Manuka, another upgraded sports facility that remains half done. I am very familiar with Woden enclosed oval, as it is home to Woden football club, and many matches are held there. If you have just an ordinary match on there, attracting a couple of hundred spectators at a local Saturday or Sunday game, you already have a parking problem, Mr Barr—for just 200, 300 people. There is nowhere to park.

At times it is bedlam and there are very, very limited options. The area is bounded by Yamba Drive as well as Kitchener Street. There is just absolutely nothing. The closest place that people could go if they wanted to get parking would be the Canberra Hospital. If that is the plan, Mr Barr, if we want to inconvenience the people who utilise the Canberra Hospital car park, if that is the underlying plan here, I think we have got a really big issue, because there is just nothing there where people could park if you want to get a thousand to 2,000 people, where already 200 rules out anything but bedlam.

For those who might believe there other options within reasonable walking distance of parking, let me assure you there is not, unless you believe it is perfectly acceptable to jam up an already fully utilised hospital car park. What will happen when a first-class athletics event is staged there? We are talking about perhaps upwards of 500, a thousand competitors, plus their families and followers.

**Mr Barr:** 500,000?

**MR DOSZPOT:** Five hundred or 1,000 and their families and followers. Do they choke up the hospital car park across the road? Or is part of the plan, not costed and not included in the \$4.5 million budget development of a car park on current open space? Is it Eddison Park? That is certainly a very nice venue. I believe Mr Rattenbury would certainly not support that and neither would the community. But there is nothing else available—nothing else available where you could actually put a car park in this area.

**Mr Barr:** The CIT car parks.

**MR DOSZPOT:** The CIT car park is already full.

**Mr Barr:** Is already—

**MR DOSZPOT:** The CIT car park is not accessible from where this ground is located. It is quite a way away. It certainly is not utilised by the community at the moment, Mr Barr. It is not utilised.

What about change rooms? Let us just think about that. The car park is one of the main issues that you will see when you come out and have a look at just what happens there currently on a weekend. But what about change rooms, equipment storage, toilets, the existing toilet change rooms and the canteen and equipment storage. They are barely adequate now. How many election cycles would it take to get them improved? There is also doubt that the upgrade as it currently sits will actually be IAAF compliant, as the minister promised it would be.

There is concern that with the upgrade there will not be enough room for javelin and nowhere to install photo finish and other equipment required for IAAF-compliant events. In fact, it has been suggested that it may not even be suitable for a standard little athletics program. All that for \$4.5 million. If that has not already become a media nightmare for the government, there is the question of just how and when construction will start and when it will be finished.

First, some are told it will be finished by the end of 2013. Others in the athletics community are assuring members who are not happy with some, if not all, of the plans that there is still lots of planning and any decisions are at least a couple of years away. What does Woden football club, who also use the facility, do about their competition and training activities? They are told they can go to either Hawker or Kaleen and that they should be ready to move possibly from June this year. But for how long? They have not been told.

Minister Barr will no doubt get up and tell the Assembly that it is all a media beat-up, that the Woden club want the facility and have said they will make it work, and that other clubs are just jealous. All of that might be true. Certainly, it would seem that some people in positions of seniority within clubs have been put into a difficult situation. They probably feel they have to take what is on offer even though they have said publicly and privately it is not what is wanted for fear of getting nothing. I can sympathise with that sentiment.

The pity of all this is that it has divided the athletics community. The angst and anger amongst a number of key players could have all been avoided, and just who is really supporting it? The chair of ACT Little Athletics Association wrote to me in March and said, *inter alia*:

As I mentioned, we have some short-term concerns about housing our biggest and most successful centre and some long-term concerns about the viability of the proposed facility. We are writing to the ACT government directly. Our Woden centre, which has its home at that ground, will be writing separately—

*(Time expired.)*

**MR BARR** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Sport and Recreation, Minister for Tourism and Events and Minister for Community Services) (5.37): In July of last year the government committed approximately \$4½ million to build a synthetic athletics track on the south side of the city. Subsequent to this, the government commissioned the feasibility report that the shadow minister has referred to. The report was finalised in late 2012 and, as the shadow minister alluded to, involved consultation with a range of key stakeholders, notably ACT Athletics, ACT little athletics and, importantly, the ACT Veterans Athletic Club.

The feasibility report considered existing athletics venues in the southern suburbs of the city with a view to upgrading one of these facilities to become a synthetic athletics track. The sites that were considered included Woden park, part of the Calwell District Playing Fields, part of Kambah 3 district playing fields, the Chapman Neighbourhood Oval and the Banks Neighbourhood Oval.

Given that the cost of constructing a brand-new synthetic athletics facility on a greenfield site was outside the available budget, only existing athletics facilities were included in the project scope for the feasibility report. Building a track on an existing facility allows for any leftover funds to be spent on upgrading associated amenities.

The feasibility report recommended that the Woden enclosed oval was the best option for redevelopment. I note that this project is consistent with the ACT little athletics facilities plan 2010-20, which prioritises the need for a dedicated synthetic athletics track.

Subject to the available funds, the key features to be included as part of an upgraded athletics facility would include preliminary work, including earthworks, stormwater and drainage work; the building of a synthetic athletics track; new jumping pits and throwing cages; security fencing; match play quality floodlighting suitable for athletics and football; and, importantly, a new irrigation system and drought-resistant couch grass for the infield which would be suitable for premier league football.

In comparison with costs associated with upgrading an existing facility, an international competition facility at a greenfield site is in the order of \$25 million to \$40 million. There is simply no way that you can deliver a facility on a greenfield site with a \$4.5 million budget. This means that the cost associated with building a new greenfield facility of international standard is unrealistic, especially given the fact that the city already has a major competition venue at the AIS. It needs to be made very clear that there is no scope within the sports budget in the next four years—in fact, I would imagine in the next decade or beyond—for a \$40 million investment in a new athletics facility, particularly given the existence of one at the AIS.

It is important to understand the scope of the project. And, based on the scope of the project and the feasibility report, it has been determined that Woden park is the most practical and affordable solution—noting, of course, that the AIS facility is also available for use here in Canberra.

Sport and Recreation Services, who have directorate responsibility for the project, have been meeting with ACT Athletics, ACT little athletics, the Veterans Athletic Club and Capital Football, the most recent meeting being only a few weeks ago, in February, to provide feedback about the feasibility study, including the recommendation to redevelop Woden park.

Looking at the project time frame, construction of the facility would start at the conclusion of the 2013 football season, and will not disturb the use of the facility by Capital Football and the Woden Valley Soccer Club. The users of Woden enclosed oval will also benefit from an upgraded irrigation system and a new playing surface, as well as, as I have mentioned, if we can fit this within the project budget, the new lighting.

Approximately \$4½ million is available from the “where will we play” capital works appropriation to progress this project. In accordance with that particular project funding, the “where will we play” project funding, this particular project will reduce the potable water use through converting the athletics track to a synthetic surface and also reduce water use through the upgrading of the irrigation system for the football field and the transition to more drought-tolerant couch grass to reduce total water consumption on the site.

I will be meeting with representatives of ACT Athletics, little athletics and veterans athletics to further discuss this project. That meeting is scheduled for next week. These are the peak bodies for athletics in the ACT. They have a representative role to ensure they represent the views of their member clubs. I understand that little athletics had a meeting last night and determined that their president would be their spokesperson on these matters. I look forward to continuing those discussions with the peak bodies.

My office has already had considerable discussions with these stakeholders over the last year. I am confident that in the detailed design of this project we can alleviate any concerns that little athletics have raised and find a constructive way forward on the matter. To this end I have circulated an amendment to Mr Dospot’s motion. I move:

Omit all words after subparagraph (1)(a), substitute:

- “(b) the ACT Labor Government committed to undertake a study and consult with stakeholders on the ideal location for this purpose built facility;
- (c) that this study was completed and consultation was undertaken with Little Athletics, Athletics ACT and Masters Athletics;
- (d) that Woden Enclosed Oval was selected as the preferred site;
- (e) that the purpose of this facility is to provide a synthetic track outside of the AIS for all athletics user groups to utilise, not just those based in the Woden region;

- (f) that Sport and Recreation Services will work to progress this facility without any disruption to the winter football season and Capital Football, who also use this venue; and
  - (g) that the Minister for Sport and Recreation is already meeting with Little Athletics, Athletics ACT and Masters Athletics to discuss this facility further; and
- (2) calls on the Government to continue to work with Little Athletics, Athletics ACT and Master Athletics to progress this facility.”.

**MR RATTENBURY** (Molonglo) (5.44): This motion is one where there seem to be two quite different stories going on, and there are probably three or four versions. One must try and pick one’s way through in order to come to a conclusion on this.

Mr Barr has just talked extensively about the scope of the project, and I think at the end of the day it is trying to think about what we are trying to achieve with this project. We obviously already have a very high quality track at the Australian Institute of Sport. It is one that has seating capacity; it does get semi-regular use by the community. We saw the relay for life taking place there on the weekend, which was a tremendous event. It is also one that local athletes in Canberra at times have difficulty accessing, because its predominant use is for the Australian Institute of Sport. So then the question becomes: if we are to build another track, what is the purpose of that? Clearly, what we are seeking to do there is provide a facility for local Canberra athletes. I am interested that Mr Doszpot has talked about the possibility of holding grand prix meets there—various IAAF type events, those sorts of events, major competitions.

The question in my mind, having listened to the debate, is: is that really what we need to achieve given that we already have that capability at the Australian Institute of Sport? That is the question that occurred to me in listening to the debate. I am not sure that we need to replicate that facility. What we are actually trying to do is provide a facility that is an alternative for the local clubs to be able to use and to get around difficulties of accessing the Institute of Sport at times.

**Mr Doszpot:** You are actually quite right there. You are.

**MR RATTENBURY:** Yes. That is what we are trying to achieve. We are trying to achieve a local facility. What appears to be the back story here is the question of whether we should be going to, say, Stromlo or whether we should upgrade an existing facility. That is a debate that is out there to be had.

Mr Barr has made the case about the potential cost at Stromlo and whether it is the right site. For me, reflecting on it and thinking just about the geography of the city—Stromlo is not that far from the Institute of Sport. Particularly once John Gorton Drive gets completed, you will see two tracks five, eight or 10 kilometres apart. Going through the south, you start to provide a track much more on either side of the city. These are my intuitive reactions after having a think about this discussion.

What is important—and this is where I will be supporting Mr Barr’s amendment—is that we are actively engaging the stakeholders. The commitment to continue to work with little athletics, Athletics ACT and masters athletics, who are undoubtedly the key stakeholders here, is the right pathway. Mr Barr has made the case that those groups have been studied and consulted with in the course of assessing the likely site. I am sure there are pluses and minuses for each location, but in thinking about this and the best way to proceed, what Mr Barr has outlined in the context of continuing to consult with those groups does seem like a perfectly sensible way forward. That is the basis on which I will be supporting the amendment.

In some ways I feel that that is what Mr Doszpot is seeking as well—to continue the discussions. With a project like this, there remain important details to be sorted. Perhaps the difference there is that Mr Doszpot seems to want to be going back and starting the decision again. Clearly there are some people who have expressed a view to him that this is not the right location.

It becomes a question of when you actually take a decision. One consultation process has been followed; a location has been identified. Do we now go back and revamp that because some people do not agree? I am not sure that that is the right approach. I think the approach of continuing to work with the key stakeholders to get the design right, to sort out the details, is the correct approach.

It may be that in that discussion Mr Barr is heavily impressed to actually reconsider the decision. That is something he might want to consider. But I am not going to sit here and try to second-guess that decision at this point in time. I do not think that that is a useful role for the Assembly, looking at this issue in the space of 24 hours, to try and undertake.

From the informal consultations I have undertaken with those I know in the athletics community since Mr Doszpot brought this motion forward—so that has only been in the last 24 hours—I have heard no major objections. People are saying, “This is a good project; we want it to go forward.” On that basis I will be supporting the amendment put forward by Mr Barr.

**MR HANSON** (Molonglo—Leader of the Opposition) (5.49): I rise today in support of Mr Doszpot’s motion. I commend him for the work that he has done on this; I know that it has been extensive and reflects his deep involvement within our sports community within the ACT. That was something that stemmed from his role as the chair of the Olympics here in Canberra.

This motion today is about the flawed process that has been undertaken by the government. Once again, we have seen a government that promised to do one thing but did another. During the election they promised to study and to seek community feedback for the location of the proposed track. Their policy document for the \$4.5 million track states:

ACT Labor will undertake a study and seek community feedback on the ideal location for this purpose-built facility, which will be the only elite athletics track outside the Australian Institute of Sport, which provides only limited access to community groups like Athletics ACT.

But what they did was conduct a study which did not explore all of the possible options for the location of the new synthetic track. Instead, it was limited to just five locations. They conducted a study which did not include the location at Mount Stromlo, which was known as the preferred option of Athletics ACT. They conducted very little consultation on the options that were being studied, and they are now going to build a track on a site which their own consultants report noted had “various disadvantages”.

We have a situation where those who are supposed to benefit from this track do not support the proposal going forward. As a result, we have to seek to have this project delayed to ensure that all options are fully explored and that the views of those who will actually use this track are taken into account.

The lack of consultation and community feedback has been highlighted by a number of athletics groups throughout the ACT. An article published on 12 March of this year in the *Chronicle* provides an insight into the issue. The Lanyon and Ginninderra little athletics clubs say that there has not been enough consultation over which site on the south side would be best for the facility. The president of the Lanyon little athletics club, Mr Lakatos, has said that while there had been a call for a south side athletics track for many years, rushing plans for the Woden site would be a mistake.

Due to the poor process put in place by the government, we have another piece of infrastructure put into jeopardy. Why should we be surprised? This is not the first time that we have seen the government bungle on infrastructure because they did not do the proper legwork. We saw the government office building, a well-known project for Mr Barr. We saw \$4 million wasted on a report on the office block which did not properly explore all of the options for building and owning the building later. The project was scrapped. There was the Gungahlin pool, promised years ago. When we came to this place in the lead-up to the last election, the government was still talking about a 25-metre pool rather than a 50-metre pool. And now it looks as though it will be built in 2015, 11 years after it was first promised.

It does not stop there. Just in the sporting portfolio we see a number of projects that have been delayed by years. There is the restoration of sportsgrounds, with Charnwood and Isabella Plains expected to be completed in March 2012. Now funding will not cease until 2013-14. Lyneham sports precinct is another. The Gungahlin enclosed oval is another. Whether we are looking across major infrastructure programs in areas like roads or whether we are looking at programs in health or sport, we are seeing a government that is just not getting it right when it comes to delivering infrastructure.

While this motion calls for action on one particular development, what has been highlighted is the neglect that all community ovals and playing fields across the ACT



are experiencing. The president of the Lanyon little athletics club was reported in the *Chronicle* as saying, "The money would be better spent improving all of the athletics fields in the ACT, which were not up to standard." Mr Dodt, the president of the Ginninderra little athletics, said, "Let's be truthful, the money is best spent on all the facilities so 3,500 people can get the benefit of it, rather than the 400 that compete here once a week over summer." He further stated, "If we are going to improve community participation, community access, investment needs to be where you can maximise it." That is not a new revelation.

In the lead-up to the election, the Canberra Liberals held extensive consultation with local sporting clubs all over the ACT. We found that many playing fields and facilities were simply not up to standard. Feedback included that it is often difficult to get access to playing fields for training, with ovals and playing fields collectively booking 81,000 hours of usage per year. Some ovals, such as the Calwell oval, have nearly 5,000 hours of use each year, while others are simply sitting there. Ovals which were taken offline due to the drought some years ago are yet to be brought back online, and there is no indication of when, or if, they will be brought back.

Other feedback included the fact that the maintenance of grass fields is substandard and irrigation systems are old and unreliable. For example, when the Jamison oval remote watering system did not work over summer, the playing surface died. Sporting codes are offered access to fields which do not meet their needs. Change rooms are inadequate. For example, the Griffith oval does not accommodate female teams and referees. Canteens are dysfunctional and cannot be utilised by clubs for important activities such as fundraising. And there is a lack of lighting at fields such as Mawson, Calwell, Kaleen, Latham and Jamison, which shortens the time they are available for use, particularly for winter sports.

That is why, at the 2012 election, the Canberra Liberals promised to consult with local sporting clubs on a variety of upgrades that they needed in their community and promised to invest an additional \$3.5 million for those upgrades. If the government had taken the role of community consultation seriously, perhaps these issues would not exist.

What we should take from today's motion is that consultation is important. Community consultation and expert consultation can shape a project and ensure that taxpayers' dollars are used to invest in projects where the benefit can be maximised. Often, if consultation is not done properly and if all avenues are not explored, the best intentioned proposal can miss the mark. I think that is what we are seeing occur here.

The proposal as it stands did not deliver what was promised in the election. The proposal is backed by a severely limited report in both scope and information on the current and future needs of athletics in the ACT, information that could have been simply provided by the athletics community, who know better than anyone else where the optimal location for this track should be.

In conclusion, I reiterate Mr Doszpot's call for the government to delay this tender until further consultation can be completed for the benefit of all in the athletics community.

**MR DOSZPOT** (Molonglo) (5.57): I was quite heartened to hear Mr Rattenbury's comments, because his comments actually reflect what I have heard from the athletics community—that is, in short and just taking the salient point, the athletics community would like a synthetic track but they would like it in a location where it can actually grow to be a functional part of their community, where everyone can access it and they can use it for everything up to grand prix events. The best site for that, according to their own information, is at Stromlo.

I have received a number of emails. Mr Barr, I will start with one that was copied to me and that was actually sent to you. I will quote from it:

Dear Mr Barr,

I was extremely disappointed to read in yesterday's "Chronicle" \$4.7 million was being spent on upgrading the Woden Little Athletics Field to a synthetic track. I do not oppose Woden having improvement undertaken on their track, but as this track is for approximately 400 children, the rest of Canberra's children who participate on Little Athletics tracks are running on substandard tracks.

So this person is saying that they would consider the money far better spent on all of the tracks around Canberra, the 10-odd little athletics associations, and that if it was a choice of a venue that was not capable of being used to the maximum then it would be better to spend that sort of money on upgrading all of the tracks around Canberra.

Mr Barr, I guess I am disappointed but not surprised at the approach that the government has taken to this motion today. I brought this to the Assembly in a genuine effort to get consensus, not to bag you. It has not been—

**Mr Barr:** Your whole speech was bagging me, Steve.

**MR DOSZPOT:** Minister, no, it was not. It was certainly—

**Mr Barr:** It is hard to take you seriously when you read out prepared stuff from your staff that differs completely from what you actually think.

**MR DOSZPOT:** Through you, Mr Assistant Speaker, Mr Barr, the whole purpose of our motion today was to highlight the lack of planning and the lack of attention to detail. But I brought this in a genuine effort to get consensus from you, and I think Mr Rattenbury is starting to see—

*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.*

**MR DOSZPOT:** Mr Barr, I did not try to provoke division here but to get the best deal for athletics in this territory. We have a duty to keep you accountable, you as the government, that the money you spend, the taxpayers' money that you spend, you spend wisely. You have an extra duty as Treasurer and as Deputy Chief Minister to also ensure that the money you spend will be spent in the most appropriate way.

There are serious questions about the way that this whole planning process has been done, and as far as your so-called amendment is concerned, I guess this is where it becomes difficult not to get disappointed and angry. It is nothing more than an attempt to make sure that the Assembly records that, indeed, you have done everything according to Hoyle; everything has been done; consultations are all in line; everyone is happy. But not everyone is. If you want to talk to all of the clubs, you will find that there is quite a bit of concern about the position that they are being put into. If you substitute the various athletic clubs in this amendment with the names of schools and the consultation that accompanied school closures, you will see the same cover-up approach that was ACT Labor's version of consultation.

The fact, minister, that you took all day to come up with the amendment and gave it to us when I was halfway through my speech does not exactly show any notion of cooperation with us on this. It shows clearly that you have no intention of trying to seek Assembly consensus.

I am particularly disappointed, I guess, at the initial reaction of—

*Mr Barr interjecting—*

**MADAM ACTING SPEAKER:** Mr Barr! Mr Doszpot.

**MR DOSZPOT:** Thank you, Madam Acting Speaker. I was about to say that I was particularly disappointed with the initial reaction of Mr Rattenbury. We also have tried to have a little discussion on this, but I believe that he now understands the story a lot more than he did at the outset. And I would certainly encourage that. A lot of the things that Mr Rattenbury said, I will and do agree with—the fact that if we are talking about an option for a facility that cannot be utilised by everyone, or it is not up to scratch, then there has got to be an alternative that would help all of the clubs in Canberra. And that basically is not far from the real issue.

I know that the government is committed to continue to work with little athletics and others, and I trust and sincerely hope that there is no bullying into accepting a less than acceptable solution. I guess one of the things I would like to close on is that we see the government's motion as nothing short of filibustering. Proper consultation, genuine dialogue and open and legitimate discussion and comparison of all the options would lead to the athletics community getting the facility that they want.

It would also lead to a government getting credit for their efforts, Mr Barr, and all of Canberra's athletes getting what they need. All you need is to consult widely, listen to what the people are saying. This is what I am saying to you. Instead, Canberra's athletes on the south side at the moment face the prospect of a substandard facility that will have limited value as an elite sporting venue. Sure, it will be a synthetic track, but it will leave other clubs behind.

We have emails coming into our office from other clubs pointing out that they do not oppose Woden having improvements on their track, but it will only benefit around 400 children, when the rest of Canberra's athletics participants, perhaps three times

that number, are running on substandard tracks that are too small and do not meet even the required 400 metres intended for competitions. The tracks are undulating and rough, and you can translate this into virtually every field around Canberra. Athletic clubs in Canberra are not asking for \$4 million to be spent at each and every club oval. What they are asking for is proper consideration of other options.

So let us step back and look at what facilities might be needed in the new areas of Molonglo. A greenfields site would be more costly, but in the long run, will it? If it is purpose built with parking and appropriate facilities, then perhaps it would be in the longer term a much better option. Currently Stromlo park, where various events are staged, has parking for possibly thousands of cars, just like the AIS has, and it has space to build a first-class athletics facility with the full range of services and all that is required of an IAAF compliant track, just like the AIS does. The AIS has equipment storage the size of a large industrial shed. Woden has something half the size of a local garage. And, worse, if the proposed facilities are built, there will be no room to upgrade existing facilities.

What of grandstands? Woden currently has open park benches and, as mentioned in the consultant's report, spectators will face glare from the sun. Yes, there will be demand for more parking, and Edison park will be under threat, as will the hospital car park. You cannot build first-class sporting facilities and expect everyone to walk to them or catch a bus. What the athletics community is asking is that the Canberra taxpayer not be saddled with a half-hearted potential white elephant, and that is what would happen if the minister chooses not to listen to all the concerns and all the views of all the stakeholders.

I have listened to them, and there is more than one side to this issue. As MLAs, it is our duty and obligation to listen to the community and ensure public moneys are being used to the best possible purpose. Building half a facility at Woden is not the best use of public moneys. There can be winners out of this, but if the government continue to insist on a least-worst option, they, the government, and the Canberra athletics community will be the big losers. I commend my motion to the Assembly.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 8

Mr Barr	Ms Gallagher
Ms Berry	Mr Gentleman
Dr Bourke	Ms Porter
Ms Burch	Mr Rattenbury

Noes 6

Mr Doszpot	Mr Smyth
Mr Hanson	Mr Wall
Mrs Jones	
Mr Seselja	

Question so resolved in the affirmative.

Amendment agreed to.

Motion, as amended, agreed to.

## Local shopping centres

**MRS JONES** (Molonglo) (6.11): I move:

That this Assembly:

(1) notes:

- (a) that the state of local shopping centres across Canberra is deteriorating with regard to a range of issues including cleanliness, parking, access, lighting and safety; and
- (b) that despite repeated assurances from the Government that issues at local shops are being addressed, the state of many local shops remains unsatisfactory; and

(2) calls on the Minister for Territory and Municipal Services to:

- (a) explain to the Assembly why local shops have been neglected; and
- (b) outline to the Assembly action he is taking to improve the maintenance of local shops.

I am very pleased today to be able to draw the Assembly's attention to the state of local shopping centres, because well-maintained shops are a real asset to a local community while dilapidated shops are a burden. Well-maintained shops are places where people meet. They are places where people get to know each other. They are places where the local community can connect and create stronger networks. Dilapidated, dark, falling-down shops needing paint, needing lighting are not only a burden on local people but also they can become a hotbed of petty crime.

I understand that the Minister for Territory and Municipal Services has a program of upgrading local shopping centres and that some work has been done. But may I just draw everyone's attention to the fact that 40 years ago, writing about town planning, the academic Hugh Stretton said of Canberra:

This city is built of units, neighbourhoods that can support a primary school and a walk in shopping centre. Three or four of them are grouped to share a larger shopping and service centre. Three or four or five of such groups make a district of 60-120,000 people with a major town centre.

Our whole city has been developed around the concept of a local shopping centre which backs us up, which gives us an opportunity to meet each other, which can be a hub of activity and a hive of networking. Hugh Stretton was reflecting on the Canberra that we know, and he was reflecting on what we all know—that local shops were meant to be within walking distance and were meant to serve as a local community hub.

Instead of that situation, what we have in some shops is an opportunity for things like drug dealing at night time. Hanging around local shops we have people that might make the average mum feel a little uneasy. We might have a lack of lighting. There is graffiti. People do not enjoy being there. People are being repelled, and local business owners are suffering as a result.

Minister Corbell in this place yesterday said that shops are deteriorating. I think every Canberran knows this to be the fact. Minister Corbell said about his change to the size of shopping centres that was discussed yesterday:

This change is important because local centres cater largely to the residents of a single suburb and there is no doubt that some of our local centres in recent years have been suffering from decline, at least some of which can be attributed to competition from larger supermarket chains, affecting the viability of local centres.

But I would add that, even in other cities where there are very small shopping centres that do not perhaps have as natural a clientele as the suburban, little shopping centres that we have in Canberra, there has been urban renewal, and renewal of shopping centres has actually created a change which has allowed for a more vibrant community atmosphere.

Let us look at a few examples. At Rivett, my local shops, there is bird manure, vacant shops, graffiti, an unused petrol station site and desperate need of a repaint. The Duffy shops are dilapidated, depressing, there is not enough car parking and another unused petrol station. There is still not enough parking at Weston Creek group centre, although I do understand that there is a plan to address that. I am sure it will be slow.

I am also very concerned about the new Molonglo suburb. It does tend to take a long time to get things done and I do understand that it takes a long time to get things done but people do get frustrated in the meantime. There is a real fear in Weston Creek about the number of new people who will be parking at the shopping centre there because of the building of a new estate. And we want the new estate. It is going to be fantastic to have new houses in the area. It is going to be fantastic, all the things that will be built there, but in the meantime there is a great fear that it is already difficult to find a park and that is only going to get worse.

At Hughes shops there is a car park full of potholes, apparently. There is not enough lighting. People feel unsafe. Yarralumla shops have car parking issues. Narrabundah shops do not have enough car parking because of the four restaurants that are there. Especially at night time, people are not sure where they are supposed to park. It can be difficult if a restaurant has a seating capacity for 60 and there are only about 20 car parks nearby. It does make it difficult for those businesses as well. People do feel unsafe around Narrabundah shops at times. I have been warned off going there. And I think a lot of that has to do with the look and the feel of the place. It can be improved with some effort.

Amaroo does not even have shops. The first house was built in Amaroo almost 20 years ago, and there are still no shops. There is a vacant lot where the shops are

supposed to be. I moved into a house in Amaroo, had two babies and then moved out of Amaroo and I still did not have anywhere to go locally to get my bread and milk. When my husband took the car to work, I could not actually get to a shop. Even the local park was quite a long way away. Amaroo suffers because, for some unknown reason, Bonner shops were built before Amaroo shops were built. And I still do not understand why that is the case.

Ngunnawal shops are run down and are a little dilapidated. There is quite a good clientele there at least because there are a lot of tradies working in Casey and so on who come in there at lunchtime. During the campaign I had a great time at Ngunnawal shops. I would go in there in my big “Giulia with a G” van at lunch time. I would get out of the van and go in and get myself something to eat. I was working so hard during that election campaign with the G-mobile that I—

**Mr Barr:** Even when you park it illegally it gets photographed and put all over the web.

**MRS JONES:** I was not always driving the G-mobile; so I will not take responsibility for every error of judgement made by those who were driving it. I had some very good volunteers during the campaign.

Ngunnawal shops are vibrant shops but the local residents really do deserve a little better. Maybe these things do not need to be solved with a lot of money. I will get onto that in a minute. At the Lyons shops, although they have had some upgrades, there are still ongoing issues with parking. Erindale shops have a number of issues, and we addressed them during the campaign. Mums meet at shops, kids build independence going to local shops. Shops are a vital hub, and we must do better for modern Canberra.

I said that I would address the concept of how much it costs. Maybe, if I cannot get any action out of the government, I will have to help start a local group to organise planting some new plants at the shops and buying some paint for the shops. I do not know what the permission structure is but I really do think that in modern Canberra we can do better than health hazards and unpainted surfaces.

I will not take the full 15 minutes. I do not really need to labour the point. I think everybody knows what I am talking about. Minister Corbell knows what I am talking about. I hope that we can do better, and I would like to think that we can make a better job of increasing the vibrancy and the amenity of our local shops.

**MR RATTENBURY** (Molonglo—Minister for Territory and Municipal Services, Minister for Corrections, Minister for Housing, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for Ageing) (6.19): I welcome the opportunity to discuss the issues raised in Mrs Jones’ motion today because they are matters of high importance to the government—both to the Labor Party and to the Greens. I reject the notion that the government has neglected local shopping centres and I would like to spend a bit of time discussing some of the things—

**Mrs Jones:** Minister Corbell thinks they have been.

**Mr Hanson:** Simon said it yesterday.

**MR RATTENBURY:** Well, 21 seconds. That is about the usual amount of time it takes for them to start interjecting on me, but that is probably a new record.

I would like to take some time discussing what the government is doing—I think this will allay some of the concerns that Mrs Jones has—but also point to some of the challenges, particularly around the private ownership of key areas.

The Territory and Municipal Services Directorate has, over the years, developed a strong working relationship with the community and shop owners, and this is a relationship founded on mutual respect. Mrs Jones's claim that shopping centres have been neglected is largely baseless. The government has implemented several initiatives specifically targeted at improving local shopping centres, and these focus on three key areas: firstly, an ongoing upgrade and refurbishment program which focuses on asset condition and aims to improve the quality of the local shopping centres which it maintains; secondly, a minor works upgrade program funded under the urban improvement fund and the improve municipal services program; and, thirdly, an active commitment by TAMS to work with leaseholders, the community and businesses to support initiatives that promote their local areas and shopping centre precincts.

I note Mrs Jones has particularly raised some issues around Weston Creek. I believe you are a resident in that area these days, so you might be interested to note that in the Weston Creek area alone Waramanga local shopping centre is currently in the middle of being upgraded. The Chapman shops are in the middle of an extensive consultation process whereby the community were asked, first of all, to input what kind of changes they would like to see. Having gone to that session, I know some of them actually said, "We don't want any changes; we want our shops just the way they are," but people raised a series of ideas of how they could be improved. Based on that first round of consultation, TAMS has drafted a preliminary sketch plan to implement these proposals, and those proposals will come back to the community for their input. That consultation actually kicks off this weekend and will extend for all of April. Construction is scheduled for 2013-14 once that feedback has been received.

Rivett shops are also on the priority list for a future upgrade. This is all on top of the Cooleman Court master planning process, and over the coming years we will see all kinds of improvements there, especially given that we all know there will be increased pressure on the group centre as the number of residents in Molonglo valley increases.

Stepping away from Weston Creek and going back to the more general issue, the ACT government manages and maintains approximately 90 shopping centres across the ACT and in 1995 embarked on a rolling program of capital upgrades to improve local shopping centres. Over the 13 years of operation, funding has steadily increased in line with changing needs. From 2001 to 2010, \$11.5 million was provided towards the upgrade of 12 shopping centres, and in the 2009-10 budget the government appropriated a further \$8 million to upgrade the publicly owned spaces around



13 local shopping centres to improve safety and accessibility and provide new lighting, street furniture and landscaping over a four to five-year period. This represents a funding increase almost double the previous period.

Turning to how shopping centres are upgraded, the public spaces surrounding the leased land at shopping centres are upgraded via the shopping centre upgrade program. Centres are selected for an upgrade via a priority listing based on an assessment of a range of criteria, including the age and condition of assets, levels of usage and visitation and the demographics of the surrounding area. The most recent assessment was undertaken in 2012. Three shopping centres currently being upgraded: Red Hill, where construction commenced in late January 2013, with completion by December this year; Farrer, where construction commenced in February 2013, with completion in December; and Waramanga, which I have previously mentioned, where construction commenced in March 2013, with completion in October.

In terms of the near future, I have already mentioned Chapman shopping centre, where the forward design study is currently underway, and forward design studies for the Evatt, Florey and Hughes shops are scheduled to commence in April 2013. There are also forward design studies for minor upgrades underway at Charnwood, Cook, Griffith, Lyneham, Theodore, Torrens, Banks, Kambah—the Mannheim Street shopping centre, because Kambah has more than one shopping centre—and Rivett.

I would like to take this opportunity to highlight other initiatives and actions undertaken by TAMS that demonstrate the priority it places on local shopping centres. In 2012-13 ACT government implemented several initiatives specifically targeting local shopping centres, including the urban improvement program and the improve municipal services program, which allocated funding totalling \$430,000. This is in addition to the upgrade programs that I have already spoken about.

Priorities for shopping centre upgrades are planned and considered. A comprehensive audit program was developed and completed most recently in 2012, as I said, to determine what works are required at local shopping centres. This audit considered furniture, including seats, tables, bins and toilets, the state of shrub beds, and drinking fountains. As part of the 2012-13 urban improvement program nine shopping centres will receive a total of 48 new seats, three new picnic settings and 85 new bins and shrouds. A large number of small bins are being removed and replaced with larger bins. Funding of \$270,000 has been allocated to upgrade furniture and bins. These works will be completed by the middle of this year.

The improved municipal services initiative allocated \$160,000 to the refurbishment of shrub beds at 49 local shopping centres across Canberra. This work also used the data from the 2012 asset condition audit and involved the removal of dead shrubs, mulching, replanting, pruning and weeding of shrub beds. Now, in saying this, I would hate to discourage Mrs Jones from starting a gardening club for Canberra shopping centres, because a bit of community initiative is always a welcome thing. I am sure TAMS would be happy to discuss in partnership with Mrs Jones and the local leaseholders any initiative she would like to launch.

The government does not by any means neglect shopping centres. Maintenance and cleanliness is a priority. TAMS maintenance teams clean these areas at least twice weekly depending on their level of use, with higher-use shopping centres being cleaned daily. This occurs every day, including Christmas Day and other public holidays. Cleaning includes the removal of all litter and rubbish, spilt food, blowing leaves from the hard standing areas, car parks, shrub beds, kerbs and gutters and grassed areas.

**Mrs Jones:** Bird waste?

**MR RATTENBURY:** I am coming back to that. Rubbish bins are also emptied up to three times per week depending on their level of use, while all toilets at shopping centres are cleaned and serviced daily. Local shopping centres are inspected weekly for graffiti and any graffiti located is removed at the time of inspection. If the graffiti is offensive, options are available to remove the graffiti soon after it is reported.

Of course, there is the constraint of the public space versus the private space, and part of the problem Mrs Jones is highlighting is that local shops have many different owners across Canberra. We are talking about many, many small businesses here, and the ACT government does not own the shopping centres themselves. So this goes to the issue of graffiti removal. Although TAMS has an extensive maintenance program for local shops, unfortunately, many problems arise for which the government is not and simply cannot be responsible.

The work of TAMS goes beyond that of upgrades and maintenance work. Most recently, senior representatives of the directorate met with the Manuka traders to provide assistance to improve the shopping centre precinct. Also, when we receive complaints about specific issues, such as the avian excrement Mrs Jones has mentioned on a number of occasions on the awning at Rivett Shops, and the lights outside of shop buildings not functioning, TAMS contact the building owners to ensure that they are aware of the issue and request that they rectify the problem. But this is certainly a challenge where these problems occur on what is the private domain and where the government is limited in what it can do. You can imagine a situation where, if TAMS intervened, some would be offended or, in fact, downright angry about government interfering with private property.

In March 2010 changes were made to the Litter Act 2004 when my former colleague Caroline Le Couteur passed a bill to reduce the number of shopping trolleys that were a blight to Canberra's urban landscape. The government has now implemented real solutions and has been proactive in providing a response after consulting with and listening to shop owners and the community. These changes to the legislation have made it an offence in the ACT to remove a trolley from a shopping centre or to use a trolley outside a shopping centre precinct. This is an example of how we have provided a viable framework for both responsible citizens and business owners in Canberra.

Since 3 January this year ACT government rangers have undertaken a blitz on abandoned shopping trolleys and issued over 225 individual shopping trolley removal

notices in the Woden, Weston and Civic areas. Shopping trolley removal notice stickers are placed on the trolleys and retailers are given 24 hours to collect them before they are impounded. Recent collection days have been held in the areas of Belconnen, Tuggeranong and Gungahlin, with a total of 137 trolleys being impounded across these three sites, meaning that those trolleys are no longer a blight on the landscape. This work has shown real and concrete improvement in the number of trolleys being abandoned and left on the streets, with only seven abandoned trolleys being reported to Canberra Connect from 19 February 2013 to now.

There are many, many examples of where the government is taking active measures to support local shopping centres and improve their management. From August 2012 to February 2013 the government undertook a charity bin pilot program to develop strategies to more effectively manage the illegal dumping of litter around charity bins located throughout Canberra's local shopping centres. This is an issue on which I have received quite some correspondence in recent times and one I know the community is concerned about.

Four charities were involved in this pilot program—Koomarri, the Smith Family, the Lone Fathers Association and Kidney Health. The pilot program evaluated the effectiveness of a range of measures to manage the dumping of rubbish around charity bins at local shopping centres. These measures included moving charity bins from local shopping centres and relocating them into clusters at larger group centres. The results from the trial show very pleasing results both in terms of reduced dumping at charity bins when they are located at larger centres and a higher proportion of usable material being donated to the charities.

Let me conclude by saying that a considerable amount of work is being done to maintain our shopping centres at the highest possible standard, whether it is the day-to-day maintenance of simply keeping them clean or the ongoing maintenance and upgrade programs that I have spoken about today. Issues, of course, arise. I encourage any member of the chamber, Mrs Jones included, to feel free to contact my office if there is a specific issue. We always have the capability to send a team out if there is a specific issue that has not been noticed. Alternatively, either members of the Assembly or the public can contact Canberra Connect where the same capability is available.

As I have flagged, some of the issues that arise with private owners and private lessees are more difficult and they take time to negotiate through on occasion. But the government is committed to having a positive relationship with those private owners so that we can do our best to keep these locations enjoyable for the Canberra community.

I spoke earlier about the parties at the shops I attended last week and which I know took place in many other places. The community pride in the shopping centres and the sense of community around them was evident at those events, and I think there is a community expectation that they want those hubs to be places where the community can meet each other, where they can feel safe and where they can get their business done. That is certainly the government's objective with Canberra's local shopping centres.

**MR WALL** (Brindabella) (6.32): I thank Mrs Jones for bringing this important motion to the Assembly today, as local shopping centres are an important part of our community. They are frequented by many in Canberra, as they are a place to meet with family or friends, for a meal, where you may find local health services or simply a convenient place to grab some bread and milk on the way home from work.

Many of our suburban shopping centres are showing their age. They have not received the maintenance or the investment that is required to maintain the visual appeal, cleanliness or ease of access that these centres once offered. The decline is in part due to a poor approach to planning, a lack of maintenance of footpaths and parking facilities and the government's preferred model to pick winners in the ACT grocery sector. These factors have led to a shift in the shopping habits of many Canberrans.

Despite the trending shift away from the traditional grocery store, newsagency and bakery at suburban centres, not all is lost. Many of the centres in my electorate are experiencing a revitalisation. New businesses are opening and attracting a new clientele to our suburbs. However, this shift is not without its challenges. These suburban centres are becoming hives of activity and parking issues continue to be a challenge.

Recently I spoke with shopkeepers at the Carleton Street shops in Kambah. This centre is a classic example of how these centres are evolving. There is now a boutique home wares and cafe, a hairdresser, a takeaway, a beauty salon, a dance studio and a second-hand clothing store. However, car parking space is one of the challenges that all shops in the centre are struggling to deal with due to the nature of their businesses. Their customers come and stay for longer periods, meaning that there is not a high turnover of car parking spaces, nor are there any reserved disabled parking spaces for some of the mobility challenged people that live in the community. As someone who has run a small business, I understand the frustration that these shopkeepers are experiencing as they watch prospective customers simply drive away because there are insufficient parking spaces.

Another example of this can be found at the Banks shops. Here you will find an IGA, a Chinese restaurant, a hairdresser and a takeaway. Parking has been a long-running issue here, with the number of spaces available barely meeting the needs of the staff employed there, let alone enough to provide for the customers. Previously the vacant block adjoining the shops had been used for staff parking and overflow customer space. However, the adjoining site is now listed for sale and there is a great deal of uncertainty over how parking will be managed in the future to ensure these businesses remain viable because its future use is unknown.

I am aware of instances where owners of suburban shops have made arrangements with surrounding residents to allow their customers to park on their property. This practice will grow in popularity if proper investment is not made to ensure adequate facilities are available to service the needs of our community.

Whilst parking is a major issue when it comes to local shopping centres, the general look and feel of the centre and its surrounds play a big part. A centre that has a nice feel and aesthetic, is clean, has level pavement, offers seating and is well lit will attract people to the area. The opposite, though, is also true. A poorly maintained centre will deter people.

Residents in suburbs such as Torrens and Pearce have local shops that could certainly benefit from a bit of investment by this government to bring the area up to a similar standard to that which is seen in suburbs such as Ainslie or Lyons; that is, by making improvements to the walkways, installing modern lighting and refreshing the surrounding landscape. If we begin to look towards some of the larger group centres within Tuggeranong, we begin to see even more needs to be done to bring these centres up to an appropriate standard.

The government are all too quick to congratulate themselves on developing master plans for the Kambah Village, Erindale and Tuggeranong centres, a policy that the Canberra Liberals have championed for a long time. However, they fail to address the big issues today. Need I mention again the concerns regarding Gartside Street in Wanniasa, an area plagued by insufficient amounts of parking, insufficient traffic controls and insufficient action from this government to fix the problems.

I feel that all too often this government is losing sight of the big picture. They are hell-bent on forcing Canberrans out of their cars and onto public transport. They want to build light rail at almost any cost. Yet there continues to be a lack of planning going into the facilities that are needed to support this shift. Canberrans will not give up their cars if they cannot do their daily errands in a convenient and timely manner, and I believe that a focus on improving the facilities in local suburbs is another piece of the puzzle that must be addressed.

**MR GENTLEMAN** (Brindabella) (6.36): I will not be supporting Mrs Jones's motion but I will talk about the shopping centre upgrades the government has been doing. The government has allocated \$11.5 million towards the upgrade of 12 shopping centres, over a period of time of course. The program aims to improve the amenity in public open space surrounding the privately owned areas of the shopping centres. And this involves improved disability access, landscaping, the replacement of lighting and street furniture and by creating key focal points, including public art and community gathering spaces to increase the vitality and the viability of the centres.

Shopping centres are selected for the program from a priorities list of centres that is prepared every five to 10 years. The assessment considers a range of criteria, including the age and condition of infrastructure, safety issues, level of compliance to current standards, the level existing in the centre and the potential to improve on this via the upgrade. A refurbishment project for a shopping centre involves capital works expenditure over a minimum of three financial years. The forward design stage, which involves extensive public consultation, is conducted in the initial year and is generally followed by final design and construction over the next 18 months or two years.

Just on that topic, I watched the upgrade of the Calwell shopping centre, which is my local shopping centre of course, over a period of time—expanding the car park areas and upgrading the park and ride. We are now building an even bigger park and ride opportunity at the Calwell shops. That was the result of, I guess, a direct call from the shopping centre and residents around Calwell that saw that the centre was getting busier and busier and required more parking.

But I will remind the Assembly too that sometimes these extra needs are caused by actions that are taken by the owners of the shopping centre. I do remember at Calwell shops there was a separate set of shops above the centre and those areas were closed by the owner of the shopping centre and then a lease variation change to the development application was applied for, which meant that the car parking for the shopping centre was limited. Car parks were taken away and the government then had to provide the funding for the extra car parks later, when demand increased.

The ACT government staff and design team work closely with shop owners to ensure needs are met to achieve the best outcomes for the community, both in usability and value for money. This is no easy task, and many individual issues need to be considered. In the past five years, a number of upgrades have been completed. Those include Melba shops, completed in 2008, \$380,000; Garran shops, completed in August 2009, \$1 million; Lyons shops, completed in 2011, \$1.1 million; Deakin shops, completed in 2009, \$1 million; Ainslie shops, completed in 2010, \$1.6 million. As well as dealing with the usual improvements, this project dealt with major issues to do with stormwater flooding as well. The upgrade at Scullin shops was completed in June 2012 at a cost of \$1.12 million.

In addition to these upgrades, a number of projects are currently underway, including construction works for Waramanga, Farrer and Red Hill shops. They are due for completion in October this year and December this year. Four forward design studies for major upgrades of the Chapman, Evatt, Florey and Hughes shopping centres and forward design studies for minor upgrades to nine shops at the Charnwood local shops, Cook, Griffith, Lyneham, Theodore, Banks, Torrens, Kambah at Mannheim Street, and Rivett shops are currently underway. The ACT government has delivered and will continue to deliver upgrades to our local shopping centres, ensuring our communities continue to access services and the important social interaction that comes from living in a community like Canberra.

TAMS also takes action to remove graffiti on public assets following reports received through Canberra Connect and encourages residents, businesses and community groups such as Neighbourhood Watch to monitor and promptly report graffiti offenders to the Crime Stoppers hotline. Graffiti is removed from public property within three days of notification or within 24 hours if it is offensive. Graffiti is an offence under section 120 of the territory's Crimes Act 1900, and persons causing damage to public or private property may be issued with an on-the-spot fine of \$1,000. Where graffiti occurs on a private asset, TAMS sends a written request to the property owner seeking their cooperation in removing the graffiti. If the property owner fails to do this and the graffiti is offensive, TAMS has a statutory right to remove the graffiti, and has on occasion taken this step.

In addition, Roads ACT also plays a role in management and maintenance responsibilities in local shopping areas. TAMS maintains the road pavements and footpaths and any walls within the local shopping centres that are on public land, sweeping the roads within the local shopping centres at least twice a year and undertaking additional sweeps if a specific request is received and found to be warranted. Roads ACT responds to requests from members of the public, including installing and/or modifying line marking and parking and road signs, and investigations are undertaken by Roads ACT staff.

Just before I conclude, I want to make special mention of the early morning cleaners at the Calwell shops that I see regularly on my early morning walks. They are always very cheerful and do a thorough job there. They are very good.

In closing, I strongly refute the motion by Mrs Jones. I am proud of the program being delivered by the government, especially that by TAMS, and will not be supporting the motion.

**MRS JONES** (Molonglo) (6.43), in reply: In closing, I think there is more that can be done. Although there is obviously a program of upgrades going on, there are still communities who are hurting because their local shops are not up to scratch. I really would like to see some change in this area, perhaps some more notification to people about where the shopping centre is on the list for upgrades. I will make further representations to the minister over time about this.

The issue of no shops in Amaroo has not been dealt with at all, and that is still just an empty paddock that is used for I do not know what. And the concern from local people there is that Bonner has had a shopping centre built in the time that their paddock has stayed empty and they still have nowhere to walk to.

My greatest concern, and the thing that sometimes drives me with these things, is—and this was so when I had my babies and I was at home—there is a real need for women to be able to go somewhere locally and to have some community. If there is no scout hall, if there is no shopping centre, if there is no place of meeting where you can run into other people and have a conversation, if there is not a positive place where you do not feel like you are going to have something go wrong to you, then that is an amenity that is really lacking. The newer suburbs of the ACT deserve to have the same treatment as the older suburbs, and the older suburbs deserve to have their shopping centres well looked after.

So in closing, I urge the minister to pay particular attention to this program. I will continue to bring to the minister's notice and the notice of the Assembly the things that are lacking, because we are the opposition and this is our role. We need to make sure that the concerns of the community are heard.

Question put:

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

The Assembly voted—

Ayes 6

Noes 8

Mr Doszpot  
Mr Hanson  
Mrs Jones  
Mr Seselja

Mr Smyth  
Mr Wall

Mr Barr  
Ms Berry  
Dr Bourke  
Ms Burch

Ms Gallagher  
Mr Gentleman  
Ms Porter  
Mr Rattenbury

Question so resolved in the negative.

Motion negatived.

## **Adjournment**

Motion by **Mr Barr** agreed to.

That the Assembly do now adjourn.

**The Assembly adjourned at 6.50 pm.**