



Debates

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Legislative Assembly for the ACT

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MADAM SPEAKER (Mrs Dunne) 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.

Canberra—centenary Ministerial statement

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (10.00): I seek leave to make a ministerial statement concerning the centenary evaluations.

Leave granted.

MS GALLAGHER: Thank you, Madam Speaker. I am pleased to provide the Assembly with an update of how the centenary of Canberra celebrations are progressing, now that we are a third of the way through the year.

In the first 130 days of the centenary year, we have seen an enormous array of events and, following the survey I released last week, we are in a position to take stock of the many great successes and also some lessons learnt.

At the outset of the centenary project, six goals were established: increasing the pride and ownership of Australians in their capital; fully engaging the community of Canberra, the capital region and the broader Australian community in the celebrations; establishing enduring international recognition of Canberra and its role as the capital; building the positive image and reputation of Canberra as a city and community; building lasting legacies of community value through memorable celebrations and high-quality projects; and creating impetus for future development of the national capital.

These are the goals that guided the development of the centenary program, and they provide the framework for our approach to monitoring, evaluation and reporting.

Despite the very positive anecdotal evidence about the centenary year so far, the government is making sure we can evaluate the program through impartial quantitative measures and ensure that the community is getting good value for money.

As part of the evaluation framework a number of surveys have been commissioned to draw out the community sentiment towards the centenary program, and specifically towards some of the key events.

Last week I released the results of a survey conducted by Winton Sustainable Research Strategies. It showed that more than three in four Canberrans—270,000 people—have participated in at least one centenary event this year and that 79 per cent were satisfied with the experience.

In a *Canberra Times* poll that closed on Tuesday, 85 per cent of respondents said they thought the centenary celebrations had been great so far.

We have also seen great community engagement online. The Canberra 100 website is averaging 95,000 hits per month, and over 135,000 votes were received for the top 100 things people like about Canberra.

Today the government released two new surveys, conducted by Repucom and the University of Canberra.

The Repucom survey shows that 90 per cent of people believe the centenary program is enhancing community spirit and pride in the community; 88 per cent say it is important for the ACT government to attract and secure significant events each year; and 78 per cent say it is reasonable for taxpayers' money to be used to stage major events. According to the survey, the events people have enjoyed the most are the one-day international at Manuka Oval, and the women's open golf at Royal Canberra, both with average scores of 8.1 out of 10.

The University of Canberra survey was dedicated to the big birthday event on the shores of Lake Burley Griffin, which was attended by over 100,000 people. We do acknowledge that there were criticisms made of this event, and the survey results reflect mixed views amongst those who went. Thirty-six per cent of people said the big birthday had a positive effect on pride in Canberra; 18 per cent said it increased their sense of ownership; 35 per cent said it had not changed their perceptions of Canberra; and 10 per cent thought it had a negative impact.

We have listened to the concerns raised about lack of food and drink vendors, and toilets, particularly given the heat of the day, and we have learnt from this feedback. But I would also like to acknowledge the successes of the day, made possible through a herculean effort by the centenary organisers, more than 300 contractors, 825 local artists and performers, and a small army of volunteers. The University of Canberra survey shows that most people in the community recognised these achievements. Sixty-six per cent strongly supported the scale and impact of the event; 59 per cent said the event was artistically adventurous; and 41 per cent said the event encouraged strong audience participation.

We should also pay tribute to the great behaviour of the crowd, and I note that the police and emergency services reported no trouble during the day. The great atmosphere we created benefited not only local people but also thousands of people from interstate and overseas who left with great memories of our city. The total number of overseas visitors was estimated at more than 8,000, many of whom stayed multiple nights, and they injected more than \$5 million into the local economy.

The big birthday weekend contained many highlights, all accompanied by amazing Canberra weather and big crowds. Highlights included the Enlighten festival; the balloon spectacular; the Black Opal and Canberra Cup race meeting; and the lakeside celebrations, with five stages, roving entertainment, the world's longest bubbly bar, fireworks and a brand new centenary symphony performed by the Canberra Symphony Orchestra.

Other centenary events have also contributed to what is a full calendar of celebrations. On 12 March I joined the Governor-General, the Prime Minister and the Minister for Regional Australia to re-create the ceremony where Canberra was first named, and led a nationwide toast to the city on live television.

Canberra's annual events have also hooked into the centenary celebrations; and many, such as the Royal Canberra Show, have received support through the community centenary initiatives fund.

The National Gallery, Museum, Library and Archives have all put on special events, and the National Arboretum, our newest national institution, has drawn 120,000 visitors since opening on 1 February 2013.

In many ways some of the smaller events have generated the most pride and participation. The birthday weekend brought Canberra's unique suburban communities together through parties at the shops. These parties drew people to their local shops across the ACT to celebrate the special character of their suburbs, and many have suggested they should become an annual event.

The theatre, dance and music programs are delivering local events on every day of the centenary year. Canberra school and performing groups are getting new opportunities to show off their talents in public, while mums, dads and other volunteers are, as always, working tirelessly to make the events run smoothly.

As the centenary program moves into its middle stages, the Canberra community has a lot to be proud of, and there is more to look forward to. We will continue to evaluate the centenary program as it moves ahead, listening to the views of the community and factoring in the lessons to make sure the next events are better than the last. I present a copy of the following paper:

Evaluation of Centenary celebrations—Ministerial statement, 9 May 2013.

I move:

That the Assembly takes note of the paper.

Question resolved in the affirmative.

Legislative Assembly—review Paper and statement by minister

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (10.07): For the information of members I present the following paper:

Review into the size of the ACT Legislative Assembly—Report by the Expert Reference Group 2013, dated 28 March 2013.

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

Leave granted.

MS GALLAGHER: I am pleased to table the report by the Expert Reference Group on the review into the size of the ACT Legislative Assembly. I would like to thank the Expert Reference Group, chaired by the Electoral Commissioner, Phillip Green, for completing such an extensive research and consultation process in what was a short time frame.

The report I am tabling today was released publicly on 16 April 2013. It provides a blueprint for how we can expand the ACT Legislative Assembly and the executive for the demands of the future. It also provides the evidence to show that if, as an Assembly, we do not take this opportunity, if we do not use the power the commonwealth has given us to determine our own size, we will create significant risks to good governance in the ACT.

On 13 December 2012 I established an expert reference group to consider and report on the adequacy of the size of the current Assembly and to provide options for increasing it. The terms of reference for the review asked the Expert Reference Group to: examine past reviews into the size of the Assembly; consider factors relevant to increasing the size of the Assembly; consider any limitation placed on changes to the size of the Assembly by the Proportional Representation (Hare-Clark) Entrenchment Act 1994; and recommend options for increasing the size of the Assembly, including the number of electorates and the number of members for each electorate.

It is a subject that has drawn debate since before self-government, with 11 previous inquiries touching on the issue. But this is the first inquiry that has happened since the Legislative Assembly has had the power to determine its own size. This power was provided in March 2013 when the federal parliament amended the Australian Capital Territory (Self-Government) Act 1988 to give the Assembly the power to set its own size by enactment passed by at least a two-thirds majority of members.

The review I am tabling today found compelling evidence to support growing the size of the Assembly. The most obvious need is for us to address the under-representation of ACT voters. Due to population growth, the ratio of MLAs to ACT voters has gone from one per 10,000 in 1989 to one per 15,130 today. When you factor in the absence of local government in the ACT and our small representation in federal parliament, the level of political representation becomes much less than anywhere else in Australia.

Proportionally, across all levels of government, there are 5.6 elected representatives per 100,000 voters in the ACT, less than one-quarter of the national average. If we do not act this term to increase the size of the Assembly, we will effectively lock in the status quo until at least 2020, when the ACT population is expected to exceed 400,000 people.

We also need to grow the Assembly to strengthen the governance mechanisms in the ACT. When I met with the Expert Reference Group last week to discuss the thinking behind their recommendations, they explained that given the responsibilities of this government and the number of portfolios and directorates, the appropriate number of ministers would be nine. In other words, ACT ministers are currently handling almost twice the workload of counterparts in other jurisdictions. Our cabinet succeeds under these demands because of how hard and how effectively ministers work, but the warning signs are there and the workload is increasing.

The ACT government's responsibilities include a full array of state and local government functions and we are also delivering services for many of the 150,000 people who live in the surrounding region.

"No change" is simply not an option. If the Assembly fails to support an increase to the number of MLAs, the executive will have to restructure to accommodate the increased demands being placed upon it. We will have to look ahead to many more years of an undersized ministry and govern with one eye on the risks that this poses for governance of the ACT.

On the other hand, if we, as a group of MLAs, are mature enough to engage on the subject of an expanded Assembly and define that reform, it will help avert future risks to good governance in the ACT, enabling a larger ministry, government backbench, opposition and crossbench to govern and scrutinise. More ministers and shadow ministers would spread the load on both sides to allow greater specialisation, more manageable workloads and stronger, more responsive governance overall.

The report shows that community support is strong. Thirty-three of the 51 submissions supported an increase to the size of the Assembly, including peak business groups, the Canberra Business Council and the ACT Property Council.

The Expert Reference Group recommends that the Assembly grow to 25 MLAs across five electorates at the 2016 election, and 35 members across five electorates in 2020. The proposed transition approach would allow the one-off costs of growing the Assembly to be spread over two terms of government.

The report contains detailed estimates of the financial impacts of different options, and one important finding is that the present chamber could be modified to fit 25 MLAs in 2016 with minimal change. The government supports the Expert Reference Group's recommendation.

Today I have written to Mr Hanson and Mr Rattenbury in his capacity as a Greens MLA to arrange a meeting to discuss the report, a process for taking the next steps and time frames for taking this reform forward if it can be agreed to.

I think it is time for members to show leadership, look at the evidence and not the cheap politics, care about the long-term future of the ACT Assembly and work as a group of parliamentarians to keep our institution strong. I believe the future suitability of the ACT's democratic institutions should be afforded the attention, respect and support of all of us.

Instead of putting the big reforms in the too-hard basket, we need to embrace the future and make the changes that will ensure our city is ready to meet the challenges that lie ahead. We are a growing, innovative and progressive city and we should accept that a strong, viable, representative political system is vital to our future success.

The Legislative Assembly finally has the power to determine its own future, so let us not waste the power that has been vested to us. As the guardians of this Assembly let us demonstrate the leadership that is needed to keep our local democracy strong. I commend the review to the Assembly and ask members to support this vital reform. I move:

That the Assembly takes note of the paper.

MR HANSON (Molonglo—Leader of the Opposition) (10.15): There has been significant debate on this matter, but I just want to debunk a few myths. The Chief Minister said that no change is not an option. Well, it is an option. The opposition will come to a view within a number of months, but we are in no rush to do so. Let me be very clear: this is a Labor agenda. This is being driven by Katy Gallagher as a Labor agenda, and trying to create a myth that no change is not an option is not something I agree with. We are looking at the fine detail of this, but we may come to the conclusion that more than doubling the size of this Assembly, which Katy Gallagher essentially signed off on today saying it is something for which the reference group's paper provides a blueprint, is not something we are going to rush to.

Katy Gallagher said this had been broadly canvassed in the community and that most of the submissions—were there 30 or 50?—supported increasing the size of the Assembly. Well, this is something that is probably grabbing the attention of about 30 to 50 people and or groups. One of the problems this place had with its establishment 24 years ago was that there was a feeling by the ACT community that it was imposed on us. We had a referendum for which there was a no vote, and then the Prime Minister of the day said, "Well, you're going to get it anyway."

Consulting with a group of people who are particularly engaged with the Assembly and saying that that is the community showing its will is not the case. And if you are going to do something so substantive as doubling the size of the Assembly, then engaging with the community is an important thing to do. I do not stand alone in that. An article by John Nethercote, an academic from the Australian Catholic University, talks about the arguments for a larger Assembly being flawed. He says:

It is a long-standing view in Westminster governance (as Benjamin Disraeli explained more than 150 years ago) that there should not be any major change in the body politic unless it has first been put before the people.

In this case it clearly has not.

Later today the Chief Minister will table a paper on the results of surveys that have been done about what people thought about parties down by the lake, what they

thought about centenary celebrations. I am surprised, then, that the government has not thought to do a survey of what the people of Canberra think about doubling the number of their politicians. If we are going to talk about whether people are concerned about queuing for a hotdog and she thinks that that is something worthy of conducting a survey on, why have we not conducted a survey on the people of Canberra asking, "Do you want to double the number of your politicians?" And I call on the Chief Minister to do that. I call on the Chief Minister today to conduct a proper, independent survey—we can have a look at what questions will be asked at the meeting that may occur with myself and Mr Rattenbury—to ask the people of Canberra, "Do you want double the number of politicians?" Because that is what Katy Gallagher is advocating; she says that is her blueprint. Let us ask the people of Canberra. If she refuses to do that survey, one would have to ask why.

Mr Coe: Or we will.

MR HANSON: If the government will not do it then, indeed, as Mr Coe says, we will. We will make sure that we speak to the people, but we are not convinced. A whole bunch of myths have been put forward. Statistics are used in this case to try and say, "We're under-represented in the ACT." But some of those comparisons are false. We have a small number of federal parliamentarians compared with the number of federal parliamentarians elsewhere. But that is largely irrelevant to this debate because it is a different jurisdictional responsibility. Federal parliamentarians have their role, we have ours. Saying, "Well, we only have two lower house members and two senators and Tasmania has more than us, therefore, we should double the size of the Assembly," does not make sense. Doing comparisons with other jurisdictions that have an upper house when we do not again skews the numbers.

It is not relevant to the debate to say, "Look at all the local councillors out there, and we have those jurisdictional responsibilities." That ignores the fact that most of those councillors are part-time and it again skews the numbers. It also ignores the fact that in other jurisdictions, state and federal, representatives fly in and out or drive in and out from remote locations; they spend only a certain amount of their time in their parliament, maybe a third of the year. We are here all the time. Members are available here for 100 per cent of the year to conduct our responsibilities, be it in the parliament or doing committee work, whilst remaining connected with our communities. We can be in parliament here as we are today, and tonight many of us will be out in our communities at various events, and I will be going to one tonight. Other parliaments do not enjoy that luxury; we do. We are unique in this jurisdiction, so those comparisons in many ways are flawed.

The argument is also put that we are so busy and there is so much demand on this place. Any observer of this place would have seen on Tuesdays and Thursdays in particular that executive business dries up at about 11 or 11.30 in the morning or for an early knock-off at 4 in the afternoon and that an array of backbenchers from the other side then talk on issues and filibuster to try to fill the space on portfolio matters they really have no interest in, where they deliver a speech after being told by Mr Corbell, "Hey, fill in the space."

It is a mockery to say that ministers are that busy. But if they are, why has Katy Gallagher not appointed a sixth minister? There is nothing stopping her. She has got someone on her backbench, Dr Bourke, who has been a minister before, and he was squeezed out to make room for Shane Rattenbury, the Green, as part of the deal to get government. But she could enact that; we would support her doing that. My predecessor, Zed Seselja, said he would. I said I would. She could have a sixth minister right now, so what is stopping her? She could share that workload. That is something she could do right now without doubling the number of parliamentarians in this place.

The Chief Minister is also concerned about the other work parliamentarians do. But we have a situation at the moment where we have four members on each committee. We could go to three, and doing so would actually make committees work more effectively. Three members on a committee would enable decisions to be made. We would share the balance of chairs between the two major parties, and we would make sure we had a result. The situation that is clearly emerging at the moment is that when you have two from each political party, committees become deadlocked. Essentially we have six members sitting on committees doing very little other than deadlocking committees. So there is another reform that we could have right now to free up members and actually make this place more effective and more efficient.

You have also got to pay some attention to what this will cost the community, because doubling the size of the Assembly in my estimation—based on what the reference group said about an increase to 25 and if you expanded that to 35—based on the facilities required, the salaries of parliamentarians and their staff and other resources, that could be an election commitment of somewhere between \$60 million and \$70 million. Is that where the public see \$60 million to \$70 million of their money being used most effectively and the most efficiently?

Mr Seselja yesterday introduced a piece of legislation to provide a fifth Supreme Court judge. As we all know, there are extensive delays in our court system, whether you are waiting for your day in court, whether you are a victim of crime, or whether there are multi-million dollar issues to be resolved in the court, as we know there are. These are issues that affect our community and that they are concerned about. But when this was raised by Mr Seselja, Katy Gallagher said on radio that, “We don’t just necessarily say that we’ve got a whole load of money to give you just because you’re under pressure. I understand the courts are different, they are not departments of the government, but it is a pretty routine ask that you look at efficiencies and make sure you are doing what you can with the resources available before you inject more funds in.”

Now, what is good for the goose is good for the gander. She is saying to the courts, “No, you’re not getting a single new judge. You’ve got to become more effective. You’ve got to become more efficient,” but then she says of the Assembly, “Well, let’s double the number of politicians.” I do not understand that juxtaposition. I just do not understand how you could walk those two paths at the same time with any credibility. And, of course, you cannot. It makes a mockery and a nonsense of it.

We have to make sure that every dollar of taxpayers' money in the ACT is spent effectively and efficiently. I have some sympathy in a way for what Katy Gallagher is saying about making sure our courts or our departments are as effective and efficient as they can be, but you cannot say that and then say, "Let's double the number of politicians."

We are not yet convinced that this is the path this Assembly should take. We are going to consider it further. Certainly, as part of that, I would expect that the community are substantially engaged and that is not just a group of insiders or academics that have debates—some for, some against. Let us see what the community really thinks. Let us not have a survey that is skewed—and we have had significant allegations about the centenary surveys—but let us have a survey, an opinion poll, whatever you want to call it, a big one, getting out there in the community and asking, "Do you want Katy Gallagher's blueprint, which is doubling the number of politicians here in the ACT," and let us see what the people think. If you are afraid to do that, if you are refusing to do that, do not come looking to us for support for what is your agenda.

Question resolved in the affirmative.

Auditor-General Amendment Bill 2013

Ms Gallagher, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (10.27): I move:

That this bill be agreed to in principle.

I am pleased to table the Auditor-General Amendment Bill 2013 and the explanatory statement for the bill. This bill implements a number of the government's agreed recommendations from the inquiry by the Standing Committee on Public Accounts into the Auditor-General Act. A separate bill will address the committee's recommendation to designate the Auditor-General as an officer of the parliament, and other related recommendations.

The changes in the bill I am tabling today include:

- amendments to clarify the independence of the Auditor-General;
- requiring the Auditor-General to develop and consult on an annual performance audit program;
- providing a new power for the audit of non-government entities in receipt of government funding, but subject to some prerequisites set out in the bill; and

- a broader approach to performance audits of the Auditor-General through a wider concept of strategic review and a fixed time frame in each parliamentary term for the conduct of such reviews.

The government has also included some other changes to support joint or collaborative audits by commonwealth, state and territory auditors-general, and reflect the role of the Head of Service in consultation on draft audit reports.

A number of other changes are made to the sequence of the act's provisions to reflect more recent drafting practice.

Clause 9 of the bill amends existing provisions that define the independent role of the Auditor-General by stating that the Auditor-General cannot be directed by any person. A complementary provision that Auditor-General staff can be directed only by the Auditor-General or a person authorised by the Auditor-General is provided at clause 10.

Clause 14 of the bill introduces a new requirement that the Auditor-General must have regard to professional standards and practices in carrying out the role's functions. This new section is framed to ensure that it is clear that the Auditor-General still retains complete discretion and independence.

Clause 15 introduces a new section to provide for joint or collaborative audits with other Australian auditors-general. This is a result of discussion between auditors-general on the advantages of having a concurrent audit across all jurisdictions on key national issues.

Clause 20 introduces a new concept of an annual performance audit program. This supports subsequent provisions in this clause that require the Auditor-General to consult the public accounts committee, each MLA, the Head of Service, and anyone else the Auditor-General considers appropriate about the program. This clause also requires that the program be placed on the Auditor-General's website.

Clause 21 introduces the new power for the Auditor-General to audit non-government entities in certain circumstances. This implements the public accounts committee's recommendation to provide express authority to the Auditor-General to audit outsourced activities of government. The government agreed to this recommendation in principle, commenting in its response to the public accounts committee inquiry report that there are already non-legislative measures in which non-government organisations are required to account for their government funding. In the government's view, new powers should therefore be framed as a last resort, where existing acquittal or internal audit arrangements have proven ineffective to resolve the issue. This approach is built into the new provisions.

The approach taken in the bill introduces a new power to track government funding, but in a way that defines the scope of the proposed performance audit more tightly so that audit powers can be exercised only in relation to the government funding provided.

The power to audit a non-government entity's use of government funds should reflect the extent of risk involved. Further, it should not create excessive cost or unreasonable exposure for private sector or community partners and stakeholders. Private sector entities subject to these audits will also have an initial right to comment on draft audits before government agencies. The audit powers are also more restrictive than those applying within government in that, while the Auditor-General may use existing powers to require production of documents and take evidence under oath for these audits, the power to access premises without consent is not extended.

The trigger for these non-government entity audits is a referral by the public accounts committee or the minister with responsibility for the Auditor-General Act. The Auditor-General will then decide whether to undertake the audit. This reflects the existing discretion the Auditor-General has about which audits to conduct to manage relative priorities within an annual audit program. In this case, the decision is also subject to some criteria identified in the act.

In addition to the referral by the public accounts committee or the minister, the Auditor-General may also decide to initiate a non-government entity audit, but this decision is subject to these same criteria.

The prerequisites are that the usual acquittal process for property provided to a non-public sector entity have been exhausted, there are no other mechanisms readily available and failure to conduct the audit may result in significant risk to the territory. If an audit is conducted, the Auditor-General must explain the reason in the audit report.

Clauses 24 to 28 adjust existing sections on consultation on draft audit reports to incorporate the need to consult and take account of comments from non-government organisations that have been audited under the new power. These changes also include provision for non-public sector entities to have a right to comment before government agencies.

The across-government role of the Head of Service has also been incorporated into these provisions.

Clauses 29 to 31 make changes to the provisions that deal with inclusion of sensitive information in audit reports. Clauses 29 and 30 limit reporting to the Legislative Assembly on Legal Aid clients' legal files and also reflect related changes to the Legal Aid Act.

Clause 31 provides new processes for including cabinet material in audit reports. Under the new provision, the Auditor-General can make a decision to release cabinet information where the Auditor-General considers this is in the public interest. This replaces the existing provision that prohibits release of executive deliberative information where the Chief Minister has issued a certificate that release is contrary to the public interest. This change is consistent with the removal of conclusive certificates from the Freedom of Information Act.

As part of considering whether to release cabinet information, the Auditor-General must consult the Chief Minister as the chair of cabinet. This allows the Chief Minister to identify information that may be relevant to the Auditor-General's assessment. The amendment also provides a seven-day notice period on release of contested information.

Clause 42 of the bill addresses public accounts committee recommendations that relate to independent audits of the Auditor-General's office.

The committee recommended the introduction of a wider concept of strategic review, that it be clear that a strategic review should occur every four years, and that it also be clear that the public accounts committee initiates the audit. This clause also includes a new requirement for the independent auditor to be suitably qualified.

Under the bill, a strategic review must occur every parliamentary term. The public accounts committee decides on the timing of the review and requests that the Speaker appoint the strategic reviewer. This is different from the process currently in the act, but aligns with the anticipated direction in future officer of the parliament legislation. This is also consistent with the public accounts committee recommendations.

The terms of reference for the review will be developed by the public accounts committee, in consultation with the minister with responsibility for the Auditor-General Act. The strategic reviewer has the same powers as the Auditor-General, except for the new power that allows the Auditor-General to make decisions on inclusion of cabinet information in the report. The strategic reviewer, as well as the auditor of the Auditor-General's annual financial statements, may include cabinet information in a report only if it has already been published—for example, in a previous audit report or by the government. This will not interfere with the roles of people contracted to carry out these short-term and specific functions but it does provide appropriate protections for decisions around release of cabinet documents. The strategic reviewer will continue to have the current power to access these documents.

Clauses 42 to 46 set up a new part 5A of the act to provide a new structure for existing provisions on protected information and relevant offences. Changes are made to reflect current drafting practice and standard approaches to offence provisions.

The remaining clauses in the bill relocate some existing provisions relating to the employment of the Auditor-General into the body of the act—this improves the sequencing of the act; no changes are made to the content of these provisions—make minor amendments to definitions at the end of the act; and make some minor consequential amendments to other acts to update references to the Auditor-General Act section numbers that are changed by this bill.

I commend the bill to the Assembly.

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

Road Transport Legislation Amendment Bill 2013 (No 2)

Ms Burch, on behalf of **Mr Corbell**, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

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) (10.37): I move:

That this bill be agreed to in principle.

I am pleased to present the Road Transport Legislation Amendment Bill 2013 (No 2). This bill establishes an interlock program for the ACT to complement the existing range of legislative, law enforcement and education measures to address drink driving. An alcohol ignition interlock device is essentially a breath test device that is connected to the ignition of a motor vehicle that prevents it from starting or continuing to operate if the driver has alcohol present in his or her breath. An interlock can be fitted to almost any type of motor vehicle.

The bill aims to reduce the road safety risk posed by drink drivers to themselves and other road users by preventing the driver from operating a vehicle fitted with an interlock device if the device detects the presence of alcohol on the driver's breath. A vehicle fitted with an interlock device will not start unless the person trying to start it provides a breath sample and is sober.

Drink driving continues to affect our community. It can ruin lives indiscriminately. Where it results in injury or harm, it can impose substantial economic and social costs on everyone involved.

Drink driving remains a major contributor to fatalities and injury on Australian roads. Over one in five drivers and riders killed nationally have a blood alcohol level that exceeds the legal limit. And the harm caused by drink drivers is not limited to themselves; it extends to other road users, their families and the broader community.

Despite a range of legislative reforms introduced in 2010, ongoing policing and enforcement activity and numerous public awareness initiatives, a proportion of drivers continue to drink and drive, notwithstanding the clear safety risks to themselves and others.

In the 12 months to the end of March 2013, almost 1,350 people in the ACT failed a random roadside breath test. While this is fewer than the number in previous years, it is still unacceptably high. Around 23 per cent of these drivers are repeat offenders.

This bill provides another option for dealing with entrenched or serious drink driving behaviour. It is aimed at preventing a recurrence of high-risk behaviour before further harm is caused either to the driver or to others.

The provisions in the bill place a mandatory interlock condition on high-risk drink-driving offenders who apply for a probation licence after serving a period of licence disqualification. High-risk drink drivers are people with a proven track record of poor decision making when it comes to drinking and driving—that is, drink drivers who have committed three or more offences within five years and offenders with a breath or blood alcohol concentration of more than 0.15 grams.

The interlock condition means that these drivers are not permitted to drive a motor vehicle unless it is fitted with an alcohol interlock. They are also subject to a zero breath or blood alcohol concentration at all times while driving. The interlock will prevent these drivers from starting or continuing to drive if alcohol is detected by the interlock device.

This focus in the bill on high-risk offenders is appropriate. Research shows that high-range drink-driving offenders are more likely to be involved in a crash than low- and mid-range drink-driving offenders. Similarly, the risk of a person being involved in a crash resulting in injury, property damage or death increases exponentially in accordance with the number of offences a person commits.

There is substantial research demonstrating that high-range and repeat offenders are the most likely to have established patterns of alcohol dependence or abuse. High-range first offenders and repeat offenders also constitute the greatest risk of drink-driving recidivism.

Low-range first offenders are the drink drivers least likely to be alcohol abusers or alcohol dependent and are statistically the least likely to be detected drink driving again. This bill will not impose mandatory interlocks on this group as it would be unlikely to return measurable road safety improvements and would impose unnecessary economic costs, both on the community and those offenders themselves. However, these offenders may elect to have a voluntary interlock condition placed on their licence in exchange for a reduction in their disqualification period.

It is possible this bill may attract criticism in some quarters for allowing a convicted drink driver to return to driving before completing the full disqualification period ordered by the court. However, undertaking the interlock program will enable offenders to develop the habit of separating drinking and driving behaviours in a supported situation earlier on, in conjunction with therapeutic approaches to address alcohol use issues that may also be present.

In this way, interlocks can contribute to prolonged and sustained changes in behaviour which will reduce the risk of further drink driving. This is particularly the case where the interlock programs incorporate a therapeutic component, as this bill does.

The bill requires high-risk offenders to undergo pre-sentencing assessment by the Court Alcohol and Drug Assessment Service to determine whether a treatment component should be recommended in conjunction with the use of the interlock device. The court will consider the assessment report when sentencing these offenders.

The program includes both time-based and performance-based elements. Participants must remain on the interlock program for at least six months and cannot exit the program until they have completed three successive months of “clean” driving immediately beforehand. The road transport authority must also be satisfied that the participant has complied with any court-ordered therapeutic component.

The inclusion of time-based and performance-based elements is consistent with best practice schemes around the world and in Australia. It recognises that it takes time to change behaviour and that changes need to be sustained over time.

From experience in other jurisdictions, it is expected that almost every high-risk drink driver will be capable of operating an interlock device. However, the bill includes an exemption process to deal with the possibility that a person may not be able, for example because of a particular medical condition, to operate the interlock device while driving. An offender who obtains an exemption from the interlock requirement will not be eligible to apply for a probation licence until the full disqualification period ordered by the courts has been completed.

The ACT is home to many outstanding tertiary education establishments and is a great place to live and work. It attracts students from around the world. From time to time police will detect drink-driving offences committed by temporary visa holders who are driving on a foreign driver licence, as temporary visa holders are not eligible to apply for an ACT driver licence.

The bill contains provisions that ensure the interlock condition will be applied to foreign drivers on temporary visas who are disqualified from driving following a drink-driving conviction. Changes are made by the bill to the licensing arrangements for these drivers to enable an interlock condition to apply to high-risk drink-driving offenders who are here on temporary visas.

The bill contains a range of measures to ensure the integrity of the program, including the effective operation of the interlock devices themselves. There are measures to ensure that devices distinguish between multiple users of a vehicle, including the use of technology such as in-car cameras or personal identification numbers.

There are measures to prevent, detect and report suspected and actual tampering with the devices, including requirements relating to tamper evident seals and regular maintenance of devices.

There are requirements relating to the regular provision of information and reports, including a requirement to notify the road safety authority promptly where tampering is identified or suspected.

Most importantly, there are powers that enable police and authorised people to stop and inspect a vehicle driven by a person who is subject to an interlock condition to make sure that the interlock is installed and is operating properly.

The bill also establishes a process for approving people to act as interlock installers and interlock service providers, who will install and service the interlock devices. Approvals will only be issued if the applicants satisfy strict eligibility requirements and demonstrate they have the skills, abilities and experience, as well as access to the necessary equipment, to perform the functions of the role. There are obligations placed on interlock installers and service providers to promptly notify the road transport authority that an interlock device has been improperly removed from a vehicle. Interlock installers or service providers must also comply with the requirement to ensure the interlock data is kept securely.

The bill includes a range of consequential amendments to other legislation, mostly relating to definitions and the insertion of new regulation powers in the principal act. More significant amendments are the insertion of a new offence relating to driving in breach of the interlock condition, which is inserted into the Road Transport (Driver Licensing) Act 1999, and amendments to the Road Transport (General) Act 1999, which deal with the new power to stop and search vehicles to ensure the interlock devices are installed and operating properly.

The bill provides for a default commencement of 12 months. The intention is to have the scheme in place well before that date, but 12 months has been selected in order to cover the contingency that the implementation processes take longer than anticipated. These processes include approving the devices that may be installed, including the pricing arrangements for those devices; approving the people who may install and maintain them; working with the courts and ACT Health to develop protocols for sharing information relating to clients on interlock conditions with a therapeutic component; and developing the necessary training and public awareness materials associated with a major initiative of this type.

This bill is realistic in its appreciation that deterrence and education are valuable tools but have their limits where a driver's behaviour is entrenched and the driver finds it difficult to make the right decisions without help.

For those drivers, we need to use other approaches, oriented towards rehabilitation and harm minimisation. Alcohol interlocks force them to separate their drinking and driving behaviours at a stage in their lives when they are unable to do that. Over time, and where necessary, with professional assistance, these drivers can potentially regain the skills and confidence they need to make better decisions, and ideally to separate their drinking and driving behaviours on a permanent basis. This bill will play an important part in the government's ongoing efforts to make our roads safer for all road users. I commend the bill to the Assembly.

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

Justice and Community Safety Legislation Amendment Bill 2013 (No 3)

Ms Burch, on behalf of **Mr Corbell**, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

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) (10.50): I move:

That this bill be agreed to in principle.

I thank my colleague Minister Burch for her assistance during my absence earlier this morning. The Justice and Community Safety Legislation Amendment Bill 2013 (No 3) is part of a series of legislation which makes minor changes to laws within the JACS portfolio. The bill I am introducing today makes minor modifications to a number of acts which will improve the ACT statute book.

The amendments remove unnecessary duplication, ensure the expeditious hearing of applications for orders for forensic procedures in the Magistrates Court and ensure that police officers are able to carry out more than one alcohol screening test where appropriate. This bill achieves these ends by amending the Coroners Act 1997, the Crimes (Forensic Procedures) Act 2000 and the Road Transport (Alcohol and Drugs) Act 1977.

This bill amends section 102 of the Coroners Act to remove the need for the Chief Coroner to prepare annual reports and provide them to me for tabling in the Legislative Assembly. The requirement in section 102 for the Chief Coroner to prepare an annual report and provide the report to me for tabling is unnecessary. As the Chief Coroner is a “public authority” under the Annual Reports (Government Agencies) Act 2004, she is already required to prepare and table annual reports under that act.

The bill will substitute a new section 102 which sets out the particulars which must be included in the Chief Coroner’s annual report and removes unnecessary provisions that duplicate the requirements under the Annual Reports (Government Agencies) Act 2004. This will simplify the process and provisions regarding the Chief Coroner’s annual reports and reduce the resources required for publication. It is proposed the Chief Coroner’s annual report be included in the Justice and Community Safety Directorate annual report. This will ensure consistency with the approach taken with the annual reports for a number of other public authorities, such as the ACT Civil and Administrative Tribunal.

This bill also amends the Crimes (Forensic Procedures) Act to address an operational issue. Section 37(1)(b) states:

A magistrate may, on the application of a police officer, issue a warrant for the arrest of the suspect to bring the suspect before the magistrate for the hearing of the application.

The use of the term “the magistrate” in the section means that the legislation requires the suspect to be brought back before the magistrate who issued the warrant. This is unnecessary, as the magistrate who issues the warrant may have no connection to the suspect or matter concerned and have simply been the magistrate on call for the issue

of warrants at that time. It is also impractical, as the issuing magistrate may be unavailable when the warrant is executed and it is far easier to have the suspect brought before the “A” list magistrate. To ensure the expeditious hearing of the application in the court, this bill substitutes reference to “the magistrate” in section 37(1)(b) with a reference to “the court”.

This bill amends sections 8, 9 and 10 of the Road Transport (Alcohol and Drugs) Act. These sections currently authorise a police officer to require a person to undergo a roadside alcohol screening test in stated circumstances. However, a person must be taken into custody before a second test can be conducted. Being taken into custody, while sometimes necessary, is not something that should happen only because of a technical requirement in the act. The amendments will allow a police officer to conduct more than one roadside alcohol screening test.

In the case that the first test is inconclusive and gives a result “on the margin”, the amendments will allow police officers to conduct the second test at the roadside after a short interval without the need to take the tested person into custody first. In some cases, that means that someone who would otherwise be taken into custody will be allowed to leave without having been taken into custody.

The amendments will assist police officers to more effectively measure a person’s blood alcohol concentration, because multiple tests allow the officer to determine whether the level of alcohol in the person’s breath is rising or falling below the threshold for an offence under the act. Irrespective of whether one, or more than one, screening test is conducted, determination of a person’s blood alcohol concentration for the purposes of charging a person with drink driving will continue to be based on the results of a breath analysis.

Madam Speaker, I am confident that this bill introduces amendments to the statute book that are relatively minor but which will improve the operation of ACT legislation. I commend the bill to the Assembly.

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

Planning and Development (Territory Plan Variations) Amendment Bill 2013

Mr Corbell, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

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) (10.55): I move:

That this bill be agreed to in principle.

It is with pleasure that I present the Planning and Development (Territory Plan Variations) Amendment Bill 2013. This bill amends the Planning and Development Act 2007 and its focus is the territory plan variation process under that act. It will make processes for updating and maintaining the territory plan more efficient.

The aim of the bill is to provide greater certainty and confidence for the community and developers and to better support the efficiency and effectiveness of the overall development assessment and territory plan variation processes, particularly in relation to future urban areas and estate development plans. It does this by clarifying and providing more effective and efficient processes associated with technical variations of the territory plan. These improved processes will enhance the government's ability to respond quickly to address environmental issues and allow for more timely delivery of land to the Canberra market.

The planning controls for each zone in the territory plan are detailed in the relevant development tables and codes of the plan. The territory plan sets the strategic direction for planning and development in the ACT. The statutory requirements for the plan are set out in the Planning and Development Act 2007, primarily in chapter 5.

The object of the territory plan is to ensure, in a manner not inconsistent with the national capital plan, the planning and development of the ACT to provide the people of the territory with an attractive, safe and efficient environment in which to live, work and have their recreation.

The territory plan can be varied, subject to it being consistent with the national capital plan. Variations are usually necessary to update the policies to manage change brought about through economic, social, environmental, built environment and other factors. Variations can be of two types—ordinary and technical, and the process for each is different under the Planning and Development Act.

This bill is concerned with the technical amendments process. A technical amendment to the territory plan is made under part 5.4 of the Planning and Development Act. A technical amendment can be in a number of forms, including, for instance, a variation which corrects a formal error in the plan, a code variation that only changes a code and is consistent with the policy purpose and policy framework of the code, and a change to a boundary of a zone.

I would now like to talk about the territory plan variation processes specifically for future urban areas and estate development plans. Part 5.5 of chapter 5 of the act deals with matters associated with future urban areas and related consequences of the approval of an estate development plan, otherwise known as an EDP.

“Future urban area” is defined in the act as meaning an area identified in the plan for future urban development. The Planning and Land Authority may vary the plan as a technical amendment to rezone land in a future urban area and to identify the zones that will apply to land consistent with an approved estate development plan. This second type of technical variation of the territory plan has the effect that the land ceases to be in a future urban area. The rezoning cannot be inconsistent with the structure plan for the area.

In the early stages of planning for a future urban area, the zoning is typically shown indicatively. As planning for the area progresses, the zones are refined. The Planning and Development Act enables the territory plan to be amended to reflect any zoning changes as a technical amendment with limited community consultation. Limited consultation takes the form of a notice published in a daily newspaper. This process means the plan can be updated in relation to future urban areas efficiently and effectively whilst still retaining the opportunity for community comment.

The bill makes it clear that this technical amendment process also includes the capacity to introduce or amend codes that apply to the future urban areas. There will be safeguards—only zones already established in the territory plan can be used and the codes that can be introduced and any amendments to codes must still be consistent with the objectives of the relevant zone.

The bill makes it clear that rezoning in a future urban area can encompass the identification of a new zone and introduce a code or codes that will apply to that zone, ordinarily in the form of a concept plan. The benefit of this is that it allows the community to have a full picture of the evolving planning for the area, whilst maintaining sufficient flexibility to respond to changing circumstances.

For example, under the amendments proposed by this bill, a concept plan for a new suburb in the Molonglo valley could be introduced in the early planning stages, while the land is still defined as a future urban area. The concept plan may, for example, introduce minimum residential densities and building heights along major roads, and provide guidance for the design of particular streets and open space, but only if they are consistent with the territory plan and the Molonglo valley structure plan.

The concept plan would then inform the preparation and assessment of estate development plans for the suburb. Eventually, provisions relevant to the future development of blocks in the estate, such as minimum building heights, will be transferred to the relevant precinct code. When the last estate development plan for the suburb is approved and the relevant provisions migrated to a precinct code, the concept plan will be removed from the territory plan.

The bill also provides that a concept plan for a future urban area can be modified through the technical amendment process to reflect evolving planning outcomes. Again the changes must be fully consistent with the territory plan and the structure plan.

What constitutes an estate development plan, or EDP, is presently set out in section 94 of the act. There can be two types of EDPs—those for a future urban area and those for an existing area, for example, the Hume industrial area. EDPs for future urban areas can deal with three things: the zones that will apply, the ongoing provisions that will apply, and identifying block boundaries—whereas an EDP for an existing area only deals with ongoing provisions and identifying block boundaries.

This bill clarifies the situation with respect to varying the territory plan for the two types of estate development plans. Under the act, section 96, once an EDP for a future

urban area is approved, the territory plan can be varied to identify the zones applicable to the land in accordance with the approved plan as a technical amendment and without further community consultation. It should be noted that the EDP and the proposed provisions are publicly notified before assessment. Any ongoing provisions in the EDP—for example, bushfire attack levels for building construction—can also be incorporated into the territory plan.

However, when the EDP is not in a future urban area there is presently no provision in the Planning and Development Act to permit ongoing provisions in the approved EDP to be incorporated into the territory plan as a technical amendment. The bill will provide this capacity. The sort of situation we are talking about is where the Planning and Land Authority includes ongoing provisions as part of approving the development application.

The effect of this change can be illustrated by past development in Bonython. Some years ago an application for the subdivision of part of Bonython was lodged with the planning authority. This land was zoned RZ1 but was not a future urban area under the territory plan. At the time the act did not provide for the uplift of ongoing provisions, such as bushfire provisions, into the Bonython precinct code. The provisions proposed in this bill will provide the opportunity to efficiently add ongoing provisions in future subdivisions of this sort. Once again such provisions must be fully consistent with the territory plan.

The bill, however, contains a proviso. Where the authority includes ongoing provisions as part of the approval of the development application, the ongoing provisions may not have been the subject of community consultation as a part of the development application process. The bill therefore requires in this situation that the technical amendment of the territory plan is subject to limited community consultation.

In summary, the bill covers these scenarios. Firstly, if an EDP for a future urban area that contains ongoing provisions is approved in accordance with the development application assessment process then the Planning and Land Authority can vary the territory plan to incorporate the plan, including the ongoing provisions, without further consultation. Secondly, the Planning and Land Authority can vary the territory plan to reflect zoning changes and to amend and introduce new codes in a future urban area provided it has undertaken limited consultation on the variation. Thirdly, the Planning and Land Authority can vary the territory plan to incorporate ongoing provisions for an existing area that is not a future urban area.

The bill clarifies that the Planning and Land Authority can vary the territory plan as a technical amendment to incorporate all EDPs, including ongoing provisions that are part of the EDP itself and those imposed by the authority and also clarifies what consultation about the variation, if any, is required.

I now briefly turn to elements about community consultation in the bill. The Planning and Development Act currently provides that consultation on those territory plan variations that require consultation must be at least 15 working days. The same time period is specified for full draft variations as for technical plan variations. Clauses 4 and 7 of the bill change these time frames. The minimum period for both types of variations is increased but the increase is greatest for full draft variations.

The bill increases the minimum consultation period for a full draft plan variation from 15 working days to 30 working days to reflect current practice. Experience shows that the period of consultation is regularly increased to at least 30 working days and sometimes longer depending on the complexities of the variation and the level of interest in it. The authority can extend or further extend the consultation period pursuant to section 63(2) of the act.

Section 90 of the act provides that the minimum consultation period for a technical amendment that requires community consultation is 15 working days. The bill increases this period to 20 working days. This is considered a more reasonable time to allow interested parties to comment but is still a period that will not significantly impact on the progress of a technical variation.

This bill is consistent with the ACT planning strategy, which sets out the government's strategic directions for the development of Canberra over the next 30 years and beyond. The planning strategy includes higher density residential development within existing urban areas as a key initiative, particularly in town centres and along key transport corridors. An efficient and effective development application and approval system and territory plan amendment process are critical to ensure that the expected growth in developments in the territory is adequately supported, approved and assessed in line with both legislative and policy requirements, as well as the expectations of the government and the community.

The bill will allow provisions to be incorporated into the territory plan in a timely manner and ensure estate development plans across the territory are treated equally, whilst still ensuring proper community consultation in relation to development approvals. It will provide clarity and certainty about requirements for developers when they are developing their EDPs. It means better and more streamlined outcomes can be achieved for developers, the community and the government.

I commend the bill to the Assembly

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

Annual and financial reports

Reference to standing committees—amendment

MR SESELJA (Brindabella) (11.08): I move:

That the resolution of the Assembly of 14 February 2013, which referred specified annual and financial reports for the calendar year 2012 and the financial year 2011-2012 presented to the Assembly pursuant to the *Annual Reports (Government Agencies) Act 2004* to the standing committees be amended as follows:

- (1) in paragraph (4) after “standing committees are to report to the Assembly by 16 May 2013”, insert “except the Standing Committee on Public Accounts which is to report to the Assembly by the last sitting day in June 2013”; and

(2) insert new paragraph (4A):

“(4A) if the Assembly is not sitting when the Standing Committee on Public Accounts has completed its inquiry, the Committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publishing and circulation”.

The Assembly resolution referring 2011-12 annual reports for inquiry to the Assembly standing committees set a reporting date of 16 May 2013. Due to the Standing Committee on Public Accounts public hearing schedule—that is, its last public hearing is scheduled for 10 May 2013—the committee is not in a position to report by the date requested. Accordingly, the Standing Committee on Public Accounts seeks leave to amend the reporting date for the PAC to “by the last sitting day in June 2013”.

Question resolved in the affirmative.

Planning, Environment and Territory and Municipal Services— Standing Committee Reference

MR RATTENBURY (Molonglo) (11.09): I move:

That this Assembly:

(1) notes:

- (a) the disproportionate risk of injury faced by vulnerable road users, who are primarily pedestrians, pedal cyclists and motorcyclists, including the special categories of older people and children;
- (b) that ACT road safety statistics reflect a disproportionate number of casualties and fatalities for vulnerable road users; and
- (c) that the ACT is seeking to be a leader in both protecting the safety of vulnerable road users, and in growing the use of sustainable modes of travel; and

(2) refers to the Standing Committee on Planning, Environment and Territory and Municipal Services for inquiry and report by the last sitting day in October 2013, the issue of vulnerable road users, including:

- (a) an examination of national and international best practice approaches to protecting and encouraging vulnerable road users, including through regulation, infrastructure, design, education and funding arrangements;
- (b) gathering evidence from the community and experts about issues faced by vulnerable road users and potential improvements;
- (c) recommending changes to be made in the ACT to better protect and encourage vulnerable road users; and

(d) any other relevant matter.

I am pleased to present the Assembly with a motion to refer the issue of vulnerable road users for inquiry by the Standing Committee on Planning, Environment and Territory and Municipal Services. "Vulnerable road users" is a term that refers to people who are most at risk in traffic and who are most sensitive to road injury. They are always the weaker party in a collision. Essentially, the term refers to road users who are not protected by a hard metal shell. It includes pedestrians and pedal cyclists, as well as motorcyclists. Specific categories of vulnerable road users also include children and older people. Children and older people are commonly pedestrians that need special consideration and face a higher risk.

Now is an ideal time to do this work and to establish a best-practice approach to vulnerable road users in the ACT. There are several reasons why it is important to hold this inquiry. Firstly, there is a clear body of evidence showing that certain categories of road users are particularly vulnerable to injury and death. It should be instinctively clear to all of us. We have all been in traffic. We have probably all walked or even ridden a bike in traffic. We have a good sense of the energy and force involved in a collision with a motor vehicle.

The fact is that if a pedestrian is struck by a motor vehicle travelling at 60 kilometres an hour, the chance of death is essentially 100 per cent. Interestingly, at 40 kilometres an hour, this reduces to about 25 per cent, which is one of the key reasons we are expanding 40 kilometre an hour speed zones to our busier town centres.

The vulnerability premise is also reflected in the ACT's most recent road safety statistics. There are many more car drivers than there are cyclists, pedestrians or motorcyclists. But in 2012 there were four pedestrians killed, one cyclist killed and three motorcyclists killed, compared to three car drivers. There was also one car passenger killed. That means eight out of 12 road deaths in the ACT last year were from the category of vulnerable road users.

Injury statistics reflect the same pattern. There were 151 reported pedestrian and cyclist injuries last year compared to 453 driver injuries. Overall, about eight per cent of vehicles involved in traffic crashes involved injury. But of all bicycles involved in crashes, 57 per cent were injury crashes. For motorcycles, 44 per cent of crashes were injury crashes.

This reflects a disproportionate level of injury and death amongst our vulnerable road users. It is something I do not believe is acceptable. There has been considerable effort put into road safety over the years, which I do acknowledge. But as far as I am aware we have not conducted a focused inquiry on the needs of, and best practice response to, vulnerable road users.

As well as being important for safety, the proposed inquiry is significant in the context of our city's changing transport patterns. Canberra will benefit greatly from an increase in people using sustainable modes of transport. Unfortunately, sustainable modes of transport also tend to be vulnerable modes of transport. Cycling, walking and catching public transport all require people to travel as vulnerable road users.

Using a motorcycle or scooter is also generally a more efficient and environmentally friendly option than using a car, but using these options also makes a traveller more vulnerable.

But on the upside, taking measures to protect and prioritise vulnerable road users and improve their safety has the benefit of encouraging more sustainable transport. Improving safety is a particularly effective way to increase the amount of sustainable transport because safety concerns are recognised as a major barrier that prevents people from using alternatives to their cars. In Canberra, for example, while 49 per cent of people own a bicycle, only one in six uses it to commute. In a recent survey, 81 per cent of those who do not ride a bike cited “dangerous traffic and unsafe roads” as the biggest barrier to riding.

Women are particularly under-represented as commuting cyclists and safety is one of their greatest concerns. I would love to see this turn around, and for Canberra to become a standout leader for female cycling. I think this is quite possible, and certainly it has been done elsewhere. In complete contrast to the trend in Australia, in the popular cycling countries of Denmark and the Netherlands, female cyclists actually outnumber men when it comes to journeys made by bike, and 45 per cent of all Danish children ride to school.

There is a very large pool of people here in Canberra who could travel using bikes if they felt safer. I do not think there is much scope for increasing the number of lycra-clad racers; those people are already out and cycling. But there is a lot of scope for increasing the numbers of regular everyday cyclists—women and children in particular. So improving the safety for vulnerable road users is a good strategy to increase the amount of people using these modes of transport. Walkable and rideable communities are also more cohesive and vibrant communities. They accommodate everybody and increase the social dividend of our town centres by promoting interaction, engagement and street life. That is also good for local business.

Increasing the number of cyclists and walkers can also create a positive feedback loop, because one of the best ways to increase safety for walkers and cyclists is to increase their numbers. It is a win-win situation where we get more cycling and walking, a more liveable and healthy city, and at the same time fewer traffic injuries and deaths. International experience shows that places that have the largest number of walkers and cyclists also achieve the lowest rates of pedestrian and cyclist deaths.

If modal shift occurs at the rates envisioned in the transport for Canberra plan, and I sincerely hope that we achieve this and more, then the ACT will have an annual increase of 444 new walkers, 647 new cyclists, and 1,306 public transport users. Now is the ideal time to inquire into this topic of vulnerable users to find ways to support this increase, but also to prepare for the growing amount of interactions between different road users that will occur in Canberra in the future.

Members will see that I have proposed terms for the committee in my motion that reflect areas that I believe are key to the inquiry. I have asked that the committee examine national and international best-practice approaches to this issue, as well as gather evidence from experts. There are interesting and successful advancements

being made all over the world, as well as a growing expertise in best-practice policies for vulnerable road users. The committee will provide the opportunity for the ACT to harness these new ideas and recommend improvements that we might implement here in the territory.

Northern Europe often provides a benchmark for road safety initiatives, and particularly so for action on vulnerable road users. Since 1980, fatalities of pedestrians and cyclists in all of Europe have reduced by about 65 per cent and 55 per cent respectively. Fatalities among car drivers and passengers decreased by about 35 per cent. Certainly we would need to closely examine the transferability of any European policies or methodologies before implementing them here, but clearly that continent is worth looking at for the way it treats vulnerable road users. Of course, it also stands out as an area where there are high levels of walking and cycling.

Some of the policies that are working in European countries can seem quite radical by Australian standards, but they do give us an idea of what is possible. Several countries, for example, place a special onus on “stronger” road users—that is, the motorised road users—establishing serious offences for endangering vulnerable road users. In some instances, the law places an assumed onus of responsibility on car drivers who are in an accident with a vulnerable road user.

The laws also allow vulnerable road users to obtain compensation for injuries even if they are unable to find a driver who was at fault. These laws have helped to grow a strong risk awareness and sense of responsibility amongst car drivers. While I am not endorsing such a major change here, I do think we can take some preliminary steps in this direction. I have suggested, for example, the quite straightforward step of requiring all new ACT drivers to complete specific training on vulnerable road users in order to obtain their provisional drivers licence.

The reality is that drivers have a special onus to be aware of the more vulnerable road users around them. But, of course, this is a two-way street. I think we should also look at ways to encourage cyclists, pedestrians and motorcyclists to behave in ways that are safe and respectful. It is also important to recognise that within the category of vulnerable road users there is a hierarchy of vulnerability. Vulnerable road users have a responsibility towards each other. For example, a motorcyclist is the stronger party in a crash with a cyclist. And a cyclist is the stronger party in a collision with a pedestrian. All of these road users have to take special care of road users that are more vulnerable than them.

To this end, I am interested in programs that will promote road user etiquette, safety and understanding, emphasising the responsibilities of road users to one other. There are plenty of good and interesting programs around the world focusing on this. I am not averse to changing laws when appropriate to help ensure that all road users, including vulnerable road users, behave safely and responsibly.

I think it is also worth examining some of the interesting developments taking place in the USA and Canada. The US has a variety of road safety initiatives that are often quite different across states. Already five states in the US have specific vulnerable road user laws that define a set of road users as vulnerable. Laws and policies are then

built around this definition to provide specific protections to these users. As one example, Oregon provides distinct penalties for careless driving offences that involve vulnerable road users. It would be a leap forward for the ACT's road transport laws if they even recognised the special category of vulnerable road users. This recognition is the springboard for developing further laws and policies.

Locally, I think we have some high quality experts that could provide input to this inquiry. My office has met, for example, with the researchers from the Monash University Accident Research Centre, which is a research institute focused on injury prevention that was established 25 years ago. One of the challenges, I think, is bridging the gap between some of the research and academic studies being done in places like Monash research centre and the policy implementation taking place in parliaments. I hope that this committee inquiry will help us to take advantage of this valuable research.

In addition to the formal experts, we do of course have strong local community interest in issues affecting vulnerable road users. This is evident just in the media attention and community discussion we see on the issue, as well as the various popular user groups in the community such as the Motorcycle Riders Association, Pedal Power, Canberra Off-Road Cyclists and Living Streets. As always, a committee will provide a useful forum for the public to contribute.

Finally, I would like to mention the benefits that this committee inquiry can have for Canberra's future urban planning policies. In general, Australia has lagged behind when it comes to planning and designing for sustainable transport and, therefore, for vulnerable road users. It is well known that our history of transport planning has strongly favoured the motorcar and at the same time has discouraged cycling and walking. I think we are slowly overcoming this in the ACT. We have seen, for example, the recent opening of Canberra's first separated Copenhagen-style cycle lanes at the Civic cycle loop. They will also soon be opening at the new Kingston foreshore development. These are exciting milestones for Canberra.

But providing better infrastructure is not a stand-alone solution for improving safety for vulnerable users. We need to use a broad palette covering education, laws, planning policies and infrastructure. I think that establishing this committee today is an excellent way to achieve this. Its work will be of great benefit to the ACT, to all its road users and to our future progress towards a safer transport system.

I proposed originally that the committee report by October. I do not mean to foreshadow an amendment, but in discussions with Mr Gentleman, he has indicated to me that he thinks a longer time frame would be appropriate. I am quite agreeable to that. I think the important part here is that the committee is given the space to examine a range of options, for people to put things on the table and to allow time for that follow-up research to be done if necessarily the case.

I think this is an excellent opportunity to look at an issue that will inform future policy in the ACT and for the committee system to play a very valuable role in that process. With those few remarks, I commend the 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) (11.22): The government welcomes and will be supporting this motion this morning.

It is fitting that this motion is being debated today, as it coincides with United Nations Global Road Safety Week, which is this year dedicated to the issue of pedestrian safety. This focus demonstrates that road safety for vulnerable road users is gaining global attention. I note that in the lead-up to Road Safety Week the World Health Organisation, together with partner organisations, launched their sixth good practice manual, which is focused on pedestrian safety and is a manual for decision makers and practitioners.

Road trauma is often described as a global epidemic, with the death of approximately 1.3 million people every year and up to 50 million injuries on the world's roads. The most concerning aspect of these statistics is that half of the deaths are vulnerable road users. Each year, more than 270,000 pedestrians lose their lives on the world's roads, which constitutes around 22 per cent of all road traffic fatalities. In some countries this proportion is as high as two-thirds of all road traffic deaths. While many of these deaths and injuries occur in developing countries, in 2009 Australia was ranked behind 15 other OECD countries which all had a lower number of road deaths per 100,000 population than we did.

In the ACT, the five-yearly average for the number of road fatalities to the end of 2012 was 13, with approximately 700 injuries per year. The ACT has continued to maintain a lower number of road fatalities per capita than the national average, with 1.4 fatalities per 100,000 head of population to June 2012, compared to 5.7 road fatalities per 100,000 head of population nationally. The ACT's road safety record is therefore relatively good; however, I am sure that all members would agree that even one death on our roads is one too many.

No doubt members may have noted recent media reports which raised concerns from the Australian Automobile Association about a spike in road deaths since the extraordinary 12-month period from April 2011 to March 2012 when there were no fatalities recorded on our roads. Significant variations in the raw number of ACT road crash fatalities year on year are not unusual, and while it is unfortunate that this result came to an end, I think all members would reluctantly concede that it was unlikely to be sustained in perpetuity.

In terms of the proportion of ACT road fatalities that involve vulnerable road users, ACT road crash information produced by the Territory and Municipal Services Directorate shows that 25 of the 65 fatalities—38 per cent—which occurred in the five-year period 2007 to 2011 were vulnerable road users. Vulnerable road users are also highly implicated in injury crashes and represent over a third of total casualties in the ACT. This disproportionate representation of vulnerable road users in fatal and injury crashes is very concerning, but it is also not surprising as these road users do not benefit from the level of crash protection which is provided by those who use passenger motor vehicles.

The government is committed to reducing the number of deaths and life-changing injuries that occur on our roads. In 2011 I released the ACT road safety strategy. The strategy was developed following extensive consultation with key road safety stakeholders, including through a series of road safety roundtables chaired by the former Chief Minister Mr Stanhope. The strategy complements work under the national road safety strategy and is guided by the nationally agreed safe system approach. The safe system approach involves a shared responsibility for road safety and relies on the components of safe speeds, safe roads and roadsides, safe vehicles and, importantly, safe people and safe behaviours.

The safe system approach means that efforts must be made to manage the combined effects of the speeds at which we travel, the safety of the vehicles we use and the level of protection provided by our roads—not only to minimise the number of crashes, but to ensure that when crashes do occur they do not result in death or serious injury.

Improvements in vehicle safety have contributed significantly to reducing road trauma. In the ACT there are approximately 308,000 registered vehicles, including 12,000 motorbikes and about 4,000 heavy vehicles. The average age of the ACT fleet is 9½ years, which means that the average ACT vehicle includes safety features such as crumple zones and airbags. The benefits of safer vehicles on ACT roads are not just confined to drivers and their passengers, with manufacturers designing their vehicles to maximise protection for pedestrians. This is tested by the Australasian new car assessment program, ANCAP, which carries out a specific pedestrian test on new cars sold in Australia and New Zealand. The pedestrian tests are carried out to estimate head and leg injuries to pedestrians struck by a vehicle travelling at a speed of 40 kilometres an hour. These crashes represent about 15 per cent of fatal crashes in Australia and New Zealand, and can be as high as 30 per cent of crashes in urban areas. The 40 kilometre an hour testing speed is significant, as it is the same speed as the speed limits which are being introduced in all of our town centres and is at the higher end of speeds at which a pedestrian can survive the impact of a car.

The difference between a five-star ANCAP-rated vehicle and other lower rated vehicles in terms of pedestrian protection can be dramatic. Five-star vehicles score highly for their protection of pedestrians' legs around the vehicle's bumper and in most areas of the bonnet, but in particular those areas where a child or adult is likely to hit their head if they are hit by a car.

Speed is highly implicated in a large proportion of serious casualty crashes, and contributes significantly to the severity of all crashes, in particular those involving vulnerable road users. Research undertaken by Austroads in 2005 confirmed this and showed that as a vulnerable user the chance of surviving a crash with a car decreases rapidly at impact speeds above 30 kilometres an hour.

This evidence alone should be enough to confirm that the government was right to reduce speed limits at town centres where we have significant interactions between motorists, pedestrians and cyclists. Although there continue to be some who are opposed to the speed reduction strategy, the government makes no apology for implementing programs that will help save lives on ACT roads and that are backed by scientific evidence.

The 40 kilometre an hour speed limit in town centres is one example of government initiatives aimed at providing safer travel for vulnerable road users. Measures such as this are an important component of our road safety strategy and broader active transport policies. Other measures to support vulnerable road users include road safety awareness campaigns, licensing and training reforms for motorcyclists, and the continued implementation of on-road cycle lanes as part of new roadworks and resealing programs.

The government's road safety awareness program includes the share the road campaign, which has a particular focus on being aware of vulnerable road users. The share the road campaign includes television and cinema commercials and is broadcast several times a year.

In addition to this, the Justice and Community Safety Directorate is currently developing an awareness brochure on vulnerable road users which will be included with registration renewal notices from 2014.

Awareness campaigns aimed at improving motorists' attitudes towards vulnerable road users are important. However, it is equally important for vulnerable road users to obey the road rules and accept responsibility for their own actions. In line with this, JACS is currently working with ACT Policing to consider expanding the share the road campaign to include messages that could be directed to cyclists and other vulnerable road users. Providing messages to vulnerable road users about safe and appropriate conduct on our roads is necessary and may promote greater responsiveness by motorists to act on messages which are directed at them when they can see that similar messaging is being directed at other road users.

In addition to these initiatives, and as Mr Rattenbury has indicated, the government has completed its investment in the design and construction of the first stage of the Civic cycle loop, which, when completed, will be a 3.2-kilometre cycle path around the entire city centre. The loop aims to minimise the difficulties associated with travel on congested footpaths and roads in the city area. The first two stages have been opened to the public in Marcus Clarke Street and Rudd Street. For most of the length of the cycleway, a wide cycle path at footpath grade has been provided which offers segregation and increased protection from vehicular traffic. To increase visibility and safety, cycle lanes across driveways and intersections are at road level with green line marking. Completion of the entire Civic city loop is scheduled for late 2014.

The increasing number of motorcyclists across all jurisdictions also requires an ongoing focus, especially given that this group faces a fatal crash risk about 30 times higher than other road users. In response to this, the government completed a review of ACT motorcycle licensing and training requirements in 2011, and legislation making pre-provisional training compulsory for novice motorcyclists came into effect in July last year.

While the government has a number of existing programs in place to protect vulnerable road users, it is important that we do not lose sight of the issues affecting these road users and that we continue to provide leadership and consider other

initiatives which could support the territory's growing number of cyclists, pedestrians and motorcyclists.

That is why I have already asked the Justice and Community Safety Directorate to consider additional measures for protecting vulnerable road users, in developing the next action plan under the road safety strategy to cover the period 2014 to 2017. Work on this action plan commenced this month, with a series of stakeholder workshops. Workshops looking at "safe vehicles", "safe speeds" and "safe people", including vulnerable road users, have already been held. The purpose of the workshops is to identify a list of possible actions which could contribute to achieving the road safety strategy's goals of reducing road trauma and developing more collaborative, community-based approaches to keeping our roads safe.

We have seen groups such as ACT Policing, the NRMA-ACT Road Safety Trust, Pedal Power, NRMA Motoring and Services, the Motorcycle Riders Association, Kidsafe ACT and other key community, road safety and road user interest groups engaged in these workshops. Work on drafting the action plan will commence immediately after the completion of these workshops at the end of May, and public submissions on the draft document will be invited in late 2013.

Given that this work is underway as planned and will address the issues highlighted in Mr Rattenbury's motion in a way that allows for stakeholder and broader community input, I am concerned that there may be some potential for duplication on this referral, but overall the referral is appropriate. I understand and share Mr Rattenbury's interest and concern to ensure these issues are considered and inform future road safety initiatives, and anticipate that any committee recommendations could be considered in finalising the next road safety action plan.

On that basis, the government is supportive of this motion today. The issue of better protection and reduction in death and injury of vulnerable road users, whether they be pedestrians, cyclists or even motorcyclists, should be a concern for all members of the Assembly. I commend the motion to the Assembly.

MR GENTLEMAN (Brindabella) (11.35): We all know walking and cycling reduces the risk of heart disease, stroke, diabetes, cancer, dementia, depression and obesity. As travel by motor vehicles is reduced, there are also reductions in carbon emissions and traffic congestion, and this can only lead to a more sustainable future for all Canberrans. For most people, the easiest and most acceptable forms of physical activity are those that can be incorporated into everyday life. Selecting active transport options will make our city healthier, and the government is continuing to improve convenience and safety for people who choose cycling and walking as their preferred mode of transport.

The ACT has significantly higher cycling participation rates than the national average, with around 22 per cent of the population riding a bike in a typical week. Some 46 per cent of children under 10 and 43 per cent of one to 17-year-olds also ride each week. Forty per cent of Canberrans work less than 10 kilometres from home, a distance easily cycled, meaning there is a potential for these cycling trips to become more common. Canberra has an extensive network of off-road shared paths and on-road cycle lanes, where people can cycle in comfort and safety.

Road safety is relevant to discussions on sustainable transport planning, particularly in relation to vulnerable road users, and the government has linked its efforts under the transport for Canberra plan with the ACT road safety strategy. The ACT applies 40-kilometre speed zones in school zones, work sites and other areas such as hospitals and universities where there are higher volumes of vulnerable road users. You would have heard in his speech the Attorney-General mention that the government's share the road campaign has a specific focus on being aware of vulnerable road users.

Noting that Mr Rattenbury's motion proposes vulnerable road user issues be referred to the Assembly committee, one area the committee may wish to consider is the extent of vulnerable road user injuries arising from incidents that do not involve motor vehicles. The 2012 ACT pedal study, which was conducted by research fellow Dr Liz de Rome of the George Institute and funded by the NRMA-ACT Road Safety Trust identified there is a need for improving the conduct of some cyclists, particularly on shared paths. Those of us who have done those walks around the lake en masse for particular charities would know that sometimes there are conflicts between cyclists and pedestrians.

The study that was sent out was a cross-sectional survey of adults aged 17 to 70 who were injured in cycling crashes and presented to hospital emergency departments in the ACT over a six-month period between 21 November 2009 and 21 May 2010. Of the 372 cyclists who met the study's participant profile, 313 participated in the survey. Of those, 202 people crashed in transport-related environments, including 79 or 25.2 per cent on roads, 16 or 5.1 per cent in on-road cycle lanes, and 107 or 34 per cent on shared paths or other pedestrian areas like pedestrian plazas.

The main findings of the study related to a higher injury rate on shared paths than on roads or on-road bike lanes. This was predominately attributed to high speed and unsafe behaviour, with 24.7 per cent of the crashes on shared paths recorded as a result of a conflict with either pedestrians or other cyclists.

Continuing growth in rates of cycling in the ACT is to be encouraged, but we need to recognise that with more and more users, both cyclists and pedestrians, on shared paths there is a need for the users of these facilities to act responsibly, just as users of roads are required to act responsibly.

Another opportunity to raise awareness for vulnerable road user issues is through driver education. Members of this Assembly would be aware of the ACT's mandatory pre-learner road ready course. The road ready course raises awareness of vulnerable road users and includes exercises that involve looking out for pedestrians and cyclists. The road ready student workbook also includes statistics on pedestrian crashes and provides tips to improve awareness of vulnerable road users. Work is planned to review the road ready materials, and I understand this will include consideration of how to provide an improved focus on vulnerable road users.

A range of measures can contribute to improved safety for this group, including greater road user awareness, improved physical infrastructure, safer vehicles and enforcement of the laws which are intended to protect road users. I note the attorney

advised that work has already commenced on the development of the next ACT road safety action plan under the ACT road safety strategy. This will address issues affecting vulnerable road users.

On the basis that any consideration of these issues by an Assembly committee will contribute to the process, I support Mr Rattenbury's motion. I commend the work of his directorate in improving road safety through the provision of reduced speed limits in our town centres in areas with high levels of pedestrian and cyclist activity.

Having said that, Mr Assistant Speaker, I have circulated an amendment. I have had a conversation with some of our committee members and also Mr Rattenbury, and some of our committee members will be putting in quite an effort during the estimates period. We believe that would soak up some of the time of this inquiry, and combined with our belief that the inquiry will be quite robust, we would like to extend that to April next year. I now move my amendment:

Omit the words "report by the last sitting day in October 2013", substitute "report by the last sitting day in April 2014".

MR COE (Ginninderra) (11.42): For a government that is seeking information on road safety, we have certainly heard a lot about what they have done and what they are going to do. It seems to me this may well be more about politics than it is about a genuine inquiry. We have also heard from the government, from Minister Corbell, about all the work that JACS has done and is doing. In fact, as we speak they are doing an inquiry into road safety and are having workshops with experts as they prepare their road safety strategy. We also heard from Mr Rattenbury about all the different ideas that his directorate already has and many of the initiatives they are currently implementing.

We heard mention of Pedal Power, the NRMA, the Motorcycle Riders Association, and the Pedestrian Council. These organisations have never been shy in coming forward with ideas. There is no shortage of ideas out there about how to improve road safety in the ACT. In fact, one of the things the Motorcycle Riders Association regularly talk about is the installation of wire rope barriers, which they say are, in effect, cheese graters for motorcyclists. And what is this minister doing this week? Installing one on Parkes Way. It seems to me there is a certain degree of irony whereby you have the government saying, "We need to have an inquiry into road safety," yet for years and years the Motorcycle Riders Association have been saying, "Don't do this. Don't do this. Don't do this," and this week a driver along Parkes Way will see the installation of wire rope barriers.

How genuine can this inquiry be when Minister Rattenbury in his speech talked about all the things we should be doing? He also spoke about the 40-kilometre-an-hour zones which were implemented last month. If he were genuine, surely that decision would have been referred to the committee for consultation. I think this is more about politics than it is about a genuine inquiry.

The opposition will take any opportunity to talk about road safety. The opposition sends hundreds of letters to the responsible ministers about road safety issues,

pedestrian issues and general safety issues in the community, and we will take this opportunity as well. But if you want the community to take this seriously and you want members to take this seriously, there has to be a genuine undertaking that the government and the Minister for Territory and Municipal Services are also going to take it seriously.

We will support this, not because we necessarily have confidence that the government will take the committee's report seriously but because we think we owe it to the various community groups out there to give them another opportunity to say what they have been saying for many years but this time to have it in *Hansard*.

Amendment agreed to.

Motion, as amended, agreed to.

Public Accounts—Standing Committee Statement by chair

MR SESELJA (Brindabella): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Public Accounts relating to reportable contracts under section 39 of the Government Procurement Act.

The Government Procurement Act 2001 was recently amended to require agencies to provide the public accounts committee with a list of “reportable contracts” every 12 months, rather than six months. The new reporting period took effect from 1 April 2012 and ended on 31 March 2013.

Reportable contracts are defined, with some exceptions, as procurement contracts over \$25,000 that contain confidential text. Agencies provide the committee with the names of the contracting parties, the value of the contract and the nature of the contract.

The committee welcomes the change in the reporting time frame and, whilst acknowledging that the information directors-general and equivalents provide in relation to reportable contracts is readily available in the public domain on the ACT government contracts register, its role with regard to scrutiny is assisted by receiving a consolidated report every 12 months.

The committee has been provided with a consolidated list of reportable contracts for the new 12-monthly period from 1 April 2012 to 31 March 2013.

As per its previous practice, the committee believes that there is value in tabling a consolidated list of reportable contracts for the period specified as a transparency mechanism to promote accountability.

I therefore seek leave to table the list of reportable contracts for the period 1 April 2012 to 31 March 2013 as received by the public accounts committee.

Leave granted.

MR SESELJA: I table the following paper:

Reportable contracts—Agencies reporting reportable contracts for period 1 April 2012 to 31 March 2013.

Executive business—precedence

Ordered that executive business be called on.

ACTEW Corporation Ltd—governance Statement by minister

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), by leave: Mr Assistant Speaker, I am providing this statement pursuant to part (9)(b) of the resolution of the Assembly on 10 April 2013 concerning the general meeting of members of ACTEW Corporation Ltd held on 15 April 2013. Under that part of the Assembly resolution the government gave an undertaking to discuss issues relating to remuneration at the general meeting with the ACTEW board and report back on any resolution in this sitting.

The first item of business that was discussed concerned the managing director's remuneration. Mr Sullivan was not in attendance during these discussions. As ACTEW's voting shareholders, the Chief Minister and I conveyed to the board our concern about the level and complexity of the managing director's remuneration package. We also questioned the appropriateness of the bonuses paid to the managing director and indicated our disappointment about a lack of transparency in setting the salary package. We confirmed our view that the board should set the remuneration for the managing director and that this was not a role for the voting shareholders.

However, we made it clear that we considered that the remuneration appeared excessive. We acknowledged that in setting the package the board had taken independent and expert advice from Egan and Associates. However, we made the point that that salary needed to be supported by robust and independent advice. We suggested to the board that they should also consider obtaining the advice of the ACT Remuneration Tribunal.

During the course of the discussion the chairman advised that the managing director had offered to reduce his remuneration and accept a less complex salary arrangement. At this point I can advise that the chairman subsequently wrote to the Chief Minister on 19 April 2013 to confirm that the board had agreed to Mr Sullivan's offer to enter into a new employment contract. As a result, the board has approved a new fixed term contract with total remuneration, including superannuation, of \$693,000 per annum. There are no performance, incentive or bonus payments involved in the new contract.

Mr Assistant Speaker, I am also able to advise that there were several other matters that were placed on the agenda and discussed at the general meeting. Those issues related to the transparency of reporting and communications, the review into

governance and integrity, which ACTEW is undertaking at our request, the structural review we will be commissioning and the ICRC draft price determination. We consider these were positive and useful conversations.

Finally, as has already been announced, the ACTEW chair, Mr John Mackay, announced his intention to resign on 30 June 2013. Mr Mackay's significant contribution to ACTEW and to ActewAGL over the past 15 years was acknowledged by both the board and the voting shareholders. The government will now undertake a public advertising process to find a suitable replacement for Mr Mackay. I thank members for taking note of the information that I have presented today.

Revenue Legislation (Tax Reform) Amendment Bill 2013

Debate resumed from 11 April 2013, on motion by **Mr Barr**:

That this bill be agreed to in principle.

MR SMYTH (Brindabella) (11.52): I thank Mr Barr for introducing this bill for debate in the chamber today and the briefing that his office arranged for my office. As the Treasurer has already articulated, this bill will formally abolish commercial land tax, expand the eligibility criteria of the rates deferral scheme and change the formula for calculating general rates by removing the tax-free threshold. These are all things that occurred in the current budget and this is simply removing them now from the statute books. Taken on their own, we do not have strong objections to these changes. However, the Treasurer's explanatory statement for this bill noted:

General Rates is used as the base on which to replace revenue loss as a result of abolishing inefficient taxes.

Let us refresh the chamber's memory on what these tax reforms amount to. Under the cover of last year's ACT budget, the Treasurer announced a tax reform that amounted to a plan to triple general rates for Canberra home owners. What the Treasurer claims to be a broad-based and equitable tax reform is simply a cunning plan to shift the tax burden from homebuyers to home owners—so now home owners do not pay a one-off stamp duty hit; now they keep paying and paying and paying. What is worse is that we are not told how much we will pay. The government is yet to inform taxpayers of how far these increases will go. In the absence of that data one must do the maths, and if you do the math of what would cover these losses then rates must triple. Then again, we are told that to compensate for the rate increases, stamp duty will also be phased out. But, of course, that goes into your rates.

However, if you recall, in the last budget, stamp duty levels increased for the two highest value categories—and, might I remind this chamber, with no significant decreases in most categories over the four years shown. Given the 20-year time frame the government was talking about for the Treasurer's tax reform to conclude, whatever promises this government has made will be well and truly beyond the use-by date of the government.

This bill proffered up as a tax reduction bill by the Treasurer betrays the trust of Canberrans. Let us look at the basic impacts. It is cold comfort that Canberrans will be left with the consolation that 10 or 20 years from now they will no longer have to pay stamp duty. In many cases they have already paid that duty, yet are left now with tripled general rates charges. It is worth while reminding members in this chamber that Canberrans already pay some of the highest rates in this country—and, even with that, they are constantly having to remind this government to cut the grass, fix the roads and pick up the rubbish.

I think the recent incident involving the grassfire in Macarthur is very instructive. Residents kept asking for the nearby pasture to be mowed, but were simply handballed from one department to another. What happened? Of course, the fears of the residents were realised; there was a grassfire there and who knows how far that might have gone. The problem for residents is that their requests were not met by their government; the rates that they paid for services did not deliver.

In exchange for the government's indifference on this issue, rates are rising, and they will continue to do so under this government's tax reform. To date, over the last 12 years of this government, general rates have more than doubled in some suburbs. Banks has had an increase of 152 per cent, Charnwood an increase of 158 per cent, Chisholm an increase of 130 per cent and Spence an increase of 148 per cent.

The truth is that the government's tax reform and their plans to increase general rates are on top of the increases I have just mentioned. The Treasurer himself could not give any assurances or certainty to Canberrans regarding their rates. We recall last year when he said, "The capacity to predict that far ahead exactly what the rates will be at that point is not possible at this time." It raises the question: why not? If you know what you are getting rid of and you know what you have to allocate to cover that loss then surely you must have some knowledge as to what your reforms will do. The truth is that as we are debating this bill today Canberrans still have no certainty on the future of their rates in relation to the Treasurer's tax reforms. The initiatives in today's bills are a smokescreen to bamboozle Canberrans into accepting his plan to simply triple their rates.

Let us look at the insidiousness of Mr Barr's tax reforms. One of the key reasons the Canberra Liberals opposed the Treasurer's tax reforms was the impact of unreasonable general rate increases on Canberra home owners, especially those on low or fixed incomes. We were also concerned that it would make it more difficult for retirees to continue to live independently. In this regard, it is worth noting that section 46(2)(f) seeks to expand the eligibility criteria for rates deferral for households with at least one owner who is 65 years old or older.

The problem with that, of course—it is worth noting—is that these deferrals are indefinite and incur an interest charge, all of which is payable on the sale or often the death of the owner. In effect, you have a de facto death tax: just keep putting it off and we will take it when you are gone. This is insidious; it foretells that general rates will increase to the extent that more seniors will have problems paying them. You put this provision in because you know the effect. The effect is that it will get harder and harder for older Canberrans to stay in their homes. In this light, this initiative to

expand the deferral scheme in some cases could be described as predatory. It allows those seniors to defer payments but with an interest charge which, as I have said, ultimately amounts to a death tax.

What are Canberrans saying about what has occurred? This is from correspondence that we received in the lead-up to the last election. From one letter:

Yesterday we received the latest rate notice for our commercial land in Fyshwick. Without looking at the actual rates notice, we opened up the latest brochure on Tax Reform. With some excitement, we read Commercial Land Tax was being abolished. Downside we read that rates would be increased and we assumed this would be a minimal amount. We then turned to our rates notice and were literally shocked to see the amount on there ... For us this is an increase of \$1,310.

From the second piece of correspondence:

The current system is downright ludicrous ... Labor's move to a progressive system is outright rubbish ... it's just replacing UAV with block size! Has Labor gone completely mad? My rates have been increasing about 6.5% pa on average under Labor and it's downright scary receiving the rates notice each year (especially this year) ... Our incomes certainly don't increase by such an amount each year.

From a third constituent:

The government of the day is taking more and more money from us ... In my professional capacity, I saw waste first hand, and that perhaps frustrates me more when I am penalised for living in a house that I have occupied for nearly 30 years.

Although we note the respective initiatives in this bill, the context of this bill within the Treasurer's tax reforms and the lack of evidence to the contrary that rates will triple—the Canberra Liberals find it unacceptable. Furthermore, the examples I have just provided regarding the rates deferral scheme and its implication for seniors are worrying if this foretells the future to come.

In light of the Treasurer's reluctance to provide this Assembly with modelling on future rate increases as a result of tax reform, support of this bill is tantamount to a leap of faith. As a party that firmly believes that housing affordability is a problem that needs to be tackled now and is an element of our plans to address cost of living pressures faced by Canberrans, we will not be supporting this bill.

MR RATTENBURY (Molonglo) (12.01): In implementing part of the tax reform package, the bill improves the administration of our taxation system and moves us a little further down the path to the fundamental change in the way land is taxed in the ACT, a much needed change that I believe will deliver significant benefits to the ACT.

We have already had the policy debate about tax reforms in this place many times, and Mr Smyth has just re-prosecuted it. Suffice to say that the removal of commercial land tax to simplify the taxation liabilities for business, in the Greens' view, is a good thing, and adding the mechanism for rates deferral to ensure that the changes to the

tax system are fair and recognise the range of different circumstances of people in Canberra, particularly older people, we believe is also a good thing.

The tax reforms will deliver real benefits to the community, and this bill puts a framework in place to ensure that the new scheme fairly distributes the tax burden across the community. The real policy debate to be had is about the content of the instruments that will be made under the changes in the bill. The level that the various concessions apply is a difficult question, and one that the Greens will be considering very closely.

Having made those brief comments, on behalf of the Greens I will be supporting the bill today.

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) (12.02), in reply: I thank Mr Rattenbury for his support of the bill, and thank Mr Smyth for a predictable contribution in relation to this important reform agenda.

The Revenue Legislation (Tax Reform) Amendment Bill formalises arrangements that were administratively implemented as part of the government's taxation reform plan which was announced in last year's budget.

At this point I must observe that, in the context of something being announced "under the cover of the budget", it is one of the more extraordinary lines I have heard. It is probably the most scrutinised piece of government legislation in this place. I particularly enjoyed the context that was attempted to be spun there by the shadow treasurer—that somehow by putting something in the budget it is doing it under cover. That is extraordinary.

The tax plan that I outlined is the first five years of what will be a long-term process to make the territory's tax system fairer, simpler and more efficient. Critically, in the context of national debates and various reports and examinations of the revenue base for all Australian governments, it is about sustainability of public finance in the territory. It also supports long-term economic growth and ensures that the budget is less reliant on inefficient and highly volatile taxes and allows the government to sustain a high level of services to the community.

The taxation reform contained a number of key measures, including abolishing duty on general and life insurance premiums. So let us be clear here, Madam Speaker. This means that the ACT will be the only jurisdiction in Australia to abolish all taxation on insurance. That is a significant thing, and it will save households and businesses from hundreds to thousands of dollars a year in taxes on insurance.

The abolition of commercial land tax, which came into effect on 1 July 2012, is another important simplification measure for our tax system. It significantly reduces red tape and ensures a simpler system, both from an administrative perspective for the government and from a business perspective in receiving a single bill in relation to rates.

The phasing out of conveyance duty over a 20-year period is one of the most important reforms that any government can implement. Again, in the context of the

suggestion made by the shadow treasurer of there being some sort of de facto death duty, it is interesting that the Liberal Party position is to slug people repeatedly whilst they are alive and repeatedly if their circumstances change.

For example, if you happen to be in a relationship that ends, that forces you to sell your house and your financial circumstances change dramatically for the worse, the Liberal Party will be there with their hand in your pocket taking stamp duty time and time again. That is their preference. They want to tax you repeatedly whilst you are alive. That is their position. They want to ensure that young people, that people who are forced to move house, get taxed heavily by stamp duty. It is an inefficient tax, it should be abolished and I am pleased that this government is beginning that process.

Another key element of our tax reform has been to reduce payroll tax on ACT businesses. The ACT now has the lowest payroll tax requirement for small and medium sized businesses in Australia. That is a very competitive proposition to put to the 25,000 small and medium sized businesses in this city. We have sought to make the general rates system more progressive. So a quarter of all households in the ACT had a cut in their rates last year.

In addition, we made changes to concession programs delivered by the government. These concession programs were amended to provide more targeted assistance to households most in need. There was a particular increase in concessions for pensioners and for low income earners.

Specifically, this bill amends the rates and land tax legislation to formally abolish all reference to land tax on commercial properties, to formally amend the calculation of general rates and the fire and emergency services levy to remove the tax-free threshold, and to expand the eligibility criteria for the rates deferral scheme to allow self-funded retirees to access the scheme for the first time.

Effective from 1 July 2012, commercial land tax was abolished and rolled into commercial general rates. This has reduced red tape for ACT businesses and is a key tax simplification measure. While no land tax has been levied on commercial properties since 1 July 2012, the Land Tax Act 2004 currently contains reference to land tax on commercial properties. This bill seeks to abolish all reference to commercial land tax in the Land Tax Act 2004.

Making general rates progressive improves the efficiency and the equity of the territory's taxation system. It is almost a core element of faith for the conservative parties around wanting flat taxation. They want to ensure that poor people pay more in tax relative to their income than rich people.

Mr Smyth: What rot!

MR BARR: That is basically your core philosophical belief. So to the extent that you are being consistent with that, shadow treasurer—

Mr Smyth: What absolute rot!

MR BARR: That is your position, and that is exactly—

MADAM SPEAKER: Mr Barr, could you address your remarks to the chair?

MR BARR: Madam Speaker, that is exactly the position of the Canberra Liberals. They believe that rates should not be progressive and they should not be efficient. General rates were identified as an efficient tax by the ACT taxation review, by the Henry tax review, and they certainly provide a very sound economic base to replace inefficient taxes such as stamp duty and duty on insurance premiums.

This bill removes all reference to the tax-free threshold in the calculation of general rates and the fire and emergency services levy in the Rates Act 2004. The abolition of this tax-free threshold, along with the use of tax brackets and progressive rates, makes our general rates base more stable, more efficient and a fairer source of government revenue.

The rates deferral scheme allows eligible households to defer payments of their general rates. A low rate of simple interest is charged on any amounts deferred. Before the government's taxation reforms, this scheme was only available to eligible pensioners and property owners suffering substantial hardship and special disability trusts. This amendment will expand this scheme for the first time to allow non-pensioners, including self-funded retirees, to defer general rates, provided they meet a range of criteria—that is, at least one of the lessees must be 65 years or older; the lessees' combined income must be below the annual average earnings, a figure that is updated annually; the property's unimproved land value must be higher than the 80th percentile value, again, updated annually; and the lessees must have at least 75 per cent equity in their home. Details of the eligibility criteria will be administered through a disallowable instrument.

These important reform measures which have previously been implemented administratively are already benefiting our economy and our community, and ensuring a greater level of social equity within the city of Canberra. The passage of this bill will formalise, in a legal sense, these reform measures and further the government's reform agenda.

I commend the Revenue Legislation (Tax Reform) Amendment Bill 2013 to the Assembly.

Question put:

That this bill be agreed to in principle.

The Assembly voted—

Ayes 9

Noes 8

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

Question so resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Question put:

That this bill be agreed to.

The Assembly voted—

Ayes 9		Noes 8	
Mr Barr	Ms Gallagher	Mr Coe	Mr Seselja
Ms Berry	Mr Gentleman	Mr Doszpot	Mr Smyth
Dr Bourke	Ms Porter	Mrs Dunne	Mr Wall
Ms Burch	Mr Rattenbury	Mr Hanson	
Mr Corbell		Mrs Jones	

Question so resolved in the affirmative.

Bill agreed to.

Sitting suspended from 12.16 to 2.30 pm.

Questions without notice

Economy—employment

MR HANSON: My question is to the Treasurer. Treasurer, yesterday you bragged in the chamber about the levels of employment in the ACT. You said:

So we would not be achieving full-time record levels of employment if there was some massive slashing of public sector employment going on ...

You then went on to say that we had solid growth, low unemployment, strong investment and strong public finances. Yesterday the *Canberra Times* reported on the loss of nearly 3,000 public service jobs in the six months to December last year. Today the *Canberra Times* reports:

New figures from the Australian Bureau of Statistics show there are now more than 10,000 Canberrans actively looking for work—the first time it has cracked that mark since mid-2001.

Given that revenue is down, deficits are up and the territory's unemployment rate is increasing, did you mislead the Assembly yesterday?

MR BARR: I thank the Leader of the Opposition for the question. I can advise the Assembly that the number of ACT residents in employment increased by 200 in April 2013 to 209,400 which, according to the data series of the ABS, is an all-time record level of employment within the Australian Capital Territory. So far from a picture that

has been painted by the Leader of the Opposition of a poorly performing economy, the ACT has just set, according to the ABS, a new record for the highest number of people in employment in the territory's history.

I do note, when looking at employment growth in the ACT in the last 12 months, that it has been 1.8 per cent. The national average is 1.2 per cent. The only jurisdictions to record a higher level of employment growth than the ACT in the last 12 months are the Northern Territory and Western Australia, which is entirely consistent with what I said yesterday in relation to the ACT having the third strongest performing economy in the nation.

In relation to commonwealth public sector employment within the ACT, the former Leader of the Opposition made some allegations yesterday to the effect that employment in the commonwealth sector in the ACT had been declining. I thought I would go and have a look at the detail of this. I can advise the Assembly that the data that is available on the Australian Public Service Commission website shows that in June 2008 there were 58,971 public servants employed in the ACT. That increased to 64,759 in June 2011, and in the figures that were published just two days ago, it increased further to 66,326.

This compares with the level of employment in the ACT in 2007, when the Howard government was turfed out of office and employment in the public sector in the ACT was 56,709. So there would appear to have been just short of 10,000 additional positions in the commonwealth public service in the ACT in the last six years since the election of the Labor government.

When we go back to the period after the Howard government put the axe through public sector employment in the ACT and sent the ACT into recession, public sector employment levels back in 1998 were only 41,992. So we have gone up 25,000 public sector jobs from 1998 to 2012. Under John Howard in 1998, there were 41,992 jobs in the ACT; there are now, according to the latest figures from the Public Service Commission, 66,326. That represents a significant contribution to the total level of employment in the territory, which, as I say, according to the ABS, at 209,400 is an all-time record level of employment in the ACT.

MADAM SPEAKER: Supplementary question, Mr Hanson.

MR HANSON: Treasurer, what is your message to the approximately 10,000 Canberrans who are unemployed?

MR BARR: My message is that this government will work to diversify this economy, we will always support jobs growth in this economy, and we will continue to see employment growth in the ACT in the future under the policies of this local government. My great fear for those 10,000 people is that they will soon be joined by 10,000 more sacked by Tony Abbott.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Treasurer, will you now write to the current Prime Minister and ask for a commitment to stop job losses here in Canberra?

MR BARR: The Prime Minister gave a commitment on the 99th birthday of this city to Canberra being the home of the national government. That contrasts with the position that was put by the Leader of the Opposition, Mr Abbott, who suggested that jobs should be moved to Townsville, Karratha, Geelong—

Mr Hanson: On a point of order, Madam Speaker, on relevance. The question was very specific as to whether the minister would write to the current Prime Minister to ask for her commitment. I would ask him to address that specific question.

MADAM SPEAKER: The standing orders require that the answer be concise and directly relevant. Could you be relevant to the question, Mr Barr?

MR BARR: Madam Speaker, the Prime Minister has already given a commitment to Canberra and that stands in direct contrast to those opposite.

MADAM SPEAKER: Ms Porter, a supplementary question.

MS PORTER: Minister, how important is it to continue to support employment growth in Canberra?

MR BARR: I thank Ms Porter for the question. It is, indeed, very important, and it is why the government has embarked upon the economic policies that we have—to reform the territory's taxation system, to remove the deadweight loss of inefficient taxes on our business and household sectors, to ensure we cut payroll tax, to cut taxes on insurance, to reduce transaction taxes and to ensure that economic activity is supported in the territory. It is why this government has invested in more community services, in more health services, in better education services and in employing more people to deliver services to the people of Canberra.

Whether it is in my colleague Minister Corbell's portfolios—in emergency services in recent years with more ambulance officers and more firefighters—or in the Chief Minister's portfolios—in health with more doctors and more nurses—or in Minister Burch's portfolios—in education with more teachers and more support for people with a disability through the NDIS—or in Minister Rattenbury's portfolios—in territory and municipal services with more services to deliver enhanced municipal services to the ACT—or in my own portfolios, this government is working hard to ensure that the territory economy continues to grow and that we continue to see new jobs created in this city.

That is clearly demonstrated in today's employment figures that set a new all-time record for the level of employment in the ACT. And only those opposite would seek to talk down a new record level of employment in the territory, because they have no interest in the territory's economic future. Their only interest is to talk this economy down. The Liberal Party are the party of recession in this city. It has been demonstrated time and again, and we see it here again today.

Planning—Amaroo

MRS JONES: My question is to the Minister for Environment and Sustainable Development. I have received numerous complaints from residents of Amaroo concerned about a large number of long-term unfinished houses in their neighbourhood that are an eyesore, attract vandals and are a safety hazard for families. Minister, why are houses allowed to remain unfinished for long periods of time in Amaroo?

MR CORBELL: I thank Mrs Jones for the question. It is regrettable that there are a small number of homes in new suburbs like Amaroo which have not been completed within the appropriate commence and complete time frames established under those homes leases. The reasons for this are many and varied. They often relate to financial difficulties faced by the owners of those properties or in some smaller number of circumstances, a long-term or serious illness, or even death, which impacts on the ability of the leaseholder or their successor to complete the property.

My directorate continues to work with the leaseholders in these circumstances, reminds them of their obligations and seeks to achieve completion of the premises in as timely a fashion as possible, recognising that this is often difficult given some of the circumstances that I have mentioned previously.

MADAM SPEAKER: A supplementary question, Mrs Jones.

MRS JONES: Minister, in the last two years how many such long-term unfinished residential properties has the directorate taken action on, and how many have now been finished as a result?

MR CORBELL: Again I thank Mrs Jones for the question. I do not have those specific figures before me but I am very happy to take the question on notice and provide some further information to her and the Assembly.

MADAM SPEAKER: Supplementary question, Mr Coe.

MR COE: Minister, what specific action has been carried out to ensure that long-term unfinished properties are not a safety hazard for local families?

MR CORBELL: There is a range of options open to the government in relation to non-compliance with leasehold conditions. In the first instance, the approach is to educate and remind leaseholders of their obligations and seek commitments from them as to when the properties will be complete. Secondly, there is a range of penalties that are essentially applicable, depending on the time periods involved, for failure to complete, in particular at the five-year mark. And finally it is open to the territory to seek action to resume a property, to resume a lease, where failure to commence or complete has been a very longstanding matter. There is one instance, to my knowledge, where my directorate is doing just that.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Minister, what is the government doing to support residential growth across the territory?

MADAM SPEAKER: Ms Porter, I am sorry, I have to rule that out of order. It does not relate in any way to the foregoing questions in relation to non-compliance with leases.

Health—end-of-life forum

DR BOURKE: My question is for the Minister for Health. Could the minister please update the Assembly on the end-of-life issues and decision making community forum held on Saturday, 4 May, convened by the Local Hospital Network Council?

MS GALLAGHER: I thank Dr Bourke for the question and for his interest in the Local Hospital Network Council's work. The end-of-life issues and decision making forum was held last Saturday, with a very good turn-up from the Canberra community. Over 100 people spent Saturday talking with and listening to experts present on issues relating to end-of-life matters.

It was the first community engagement forum that has been held by the Local Hospital Network Council and I think it is a great initiative of theirs. They are in a unique position here in the ACT to significantly influence health policy and planning. And this forum provided them with the opportunity to do that, as well as show leadership from the members of the council

As I said, the forum was very well attended, with over 100 individuals giving up Saturday. The objectives of the forum were to stimulate awareness across the community about the importance of discussing and documenting decisions about future healthcare needs in preparation for a time when an individual may be unable to participate in their medical care decisions. It was also to assist the Local Hospital Network Council to better understand the impediments within the community to discuss advance care planning processes, to determine any impediments within the healthcare system and to discuss with clients the provision of end-of-life palliative care services.

The format of the forum was a series of presentations by eminent speakers in the morning, followed by a World Cafe-style discussion session in the afternoon. Speakers included Dr Imogen Mitchell, the director of intensive care at the Canberra Hospital; Dr Peter Sewell, senior specialist in intensive care and head of the clinical unit in ethics and health law at the University of Newcastle; Professor Jane Hall from the University of Technology, Sydney; Ms Lorraine Walker, Chief Magistrate here in the ACT; and Dr Adele Stevens from the Health Care Consumers Association.

Towards the end of the forum, after the cafe presentation, a number of possible recommendations were formulated which will now be considered by the Local Hospital Network Council who will then provide that report to me. Indeed, I am happy to share that with other members of the Assembly. I hope to receive that within the next couple of months.

MADAM SPEAKER: Supplementary question, Dr Bourke.

DR BOURKE: Minister, why is it important for people to discuss end-of-life advance care planning with their families and have a documented plan?

MS GALLAGHER: I thank Dr Bourke for the supplementary. I think that all of us realise that if individual choices about healthcare decisions are known then it is a lot easier at the time that our loved ones, or indeed the person we appoint to make those decisions should we be able to—can be respected at a time when that decision-making is necessary.

Advance care planning provides the mechanism to improve the quality of end-of-life care. It allows people to voice their wishes about access and use of health services, taking into account their own personal beliefs. Advance care planning offers everyone, especially people living with a terminal condition, their families and their significant others, because it is not always their families, the opportunity to take control of decisions which affect their care. If individuals make their decisions known ahead of time, clinicians do not have to provide care they know can be futile.

I think that all of us realise the difficulty in getting the community to talk extensively about end-of-life and advance care planning, but, like organ donation and topics such as that, it is really important if we are going to continue to empower consumers of healthcare services and have clinicians able to respect those wishes—and those in their families as well.

This is a topic that I am very interested in. I am glad the Local Hospital Network Council has prioritised it as a topic that it wants to be interested in and provide advice on. That will enable the Assembly to consider those recommendations and any changes that need to be made based on them.

MADAM SPEAKER: Supplementary question, Ms Berry.

MS BERRY: Minister, what is the role of the Local Hospital Network Council in convening forums such as this?

MS GALLAGHER: I thank Ms Berry for the supplementary. The Local Hospital Network Council has been established under national health reform. It is an advisory body here in the ACT and it provides advice through to the Director-General of ACT Health. Indeed, I table advice from the Local Hospital Network Council in the Assembly.

The council is made up of representatives and leaders of local healthcare organisations and consumers. It has a legislative mandate to consult with the community on any issues affecting the satisfactory delivery of health services and the overall performance of the local hospital network, which includes Canberra Hospital, Calvary hospital, Clare Holland House and QEII.

The annual report is tabled in the Assembly, but I think the difference with the Local Hospital Network Council here is that in a small jurisdiction, with the representatives that sit on the council, and they are eminent leaders within the healthcare system here, they are able to provide very clear advice. They are able to focus on particular subjects and formulate recommendations which then can influence decisions that may be made in this place or may be made within the healthcare setting.

Dr Ian Pryor has just taken up the chair of the Local Hospital Network Council here. He chaired the forum on Saturday. I was able to congratulate him on his appointment. I think for him, along with the other council members, this is a good start in terms of the community engagement side of the Local Hospital Network Council's work.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Minister, are there staff in our public hospitals and our community health centres to assist people in their advance care planning?

MS GALLAGHER: The healthcare professionals do provide an important role in providing advice around consumers' or patients' rights in relation to planning their healthcare needs. They do this as a standard core part of their work and their relationship with individual patients. I think in relation to end-of-life planning there are different levels of decision making. There is certainly advice that can be provided and there is obviously treatment that can be provided, but there are steps that individual patients can take, whether it be through a plan that they write down, whether it be through a directive, if that is where people want to go, whether it be through decisions about palliative care or decisions about whether to have treatment or not to have treatment.

I think the issue is that it is vexed. Clinicians are often put in difficult positions if they do not understand what a patient's wishes were and if they may conflict with family members. It can be a very confronting time in a family's life. My own views around end-of-life decision making have changed and been shaped through the loss of family members of mine. I think at that time, when you are having to make those decisions, that job is made a lot easier if individuals have made some of those decisions themselves and have articulated that decision to those who would be put in the position of making the decision on their behalf, should it be required.

I think there is scope for further reform in this area to clarify the roles of clinicians, the responsibility of individuals and, indeed, the responsibilities of those next of kin or appointed decision makers when that plan is put into action.

ACTION bus service—enterprise agreement

MR COE: My question is to the Minister for Territory and Municipal Services. Minister, at what stages are negotiations at for the next round of the enterprise agreement with ACTION buses?

MR RATTENBURY: I thank Mr Coe for the question. I think it would be best described as at the very preliminary stages, as is the case with the whole-of-government enterprise agreement that is coming up at the moment. Various agencies are at different points, but generally it is at the stage where first approaches have been made. The respective parties have begun to raise the issues that they believe will be the substantive issues in the negotiations. That is about all the progress that has been made so far.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, what aspects of the current agreement do you think need to be modernised?

MR RATTENBURY: There are a range of issues in the agreement that both ACTION management and the TWU, on behalf of the bus drivers in particular but also the mechanics union, have raised as part of the negotiations. They will be discussed over the next couple of months.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, what is your stance on the need for more casual drivers in the network?

MR RATTENBURY: That is an issue that I do not have a particular view on at this point, Mr Smyth. It is something that has not been identified as a specific issue, but it may well be something that comes up through the course of negotiations. I think there is a long way to go. As I indicated in answer to Mr Coe's first question, we are very much at the preliminary stages of considering the upcoming enterprise agreement, and there is quite some distance to go in looking through a few of these issues.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, do you agree with the hierarchical nature of allocating shifts within ACTION?

MR RATTENBURY: I thank Mr Smyth for the question. I think the hierarchical nature of shift allocation in ACTION is one that is well recognised. I think many members are aware that this is the case. I think it raises some concern for some people, both in the public and within ACTION itself. It is something that may well be on the table through the course of negotiations.

Arts—Tuggeranong Arts Centre

MR SMYTH: Madam Speaker, my question is to the Minister for the Arts. Minister, your handling of the 55 Plus Club development project in 2011, your last major project in Tuggeranong, was characterised by the president of the club with the following statement: "I'm not complaining but I now have sympathy with elephants; they have to wait 22 months for their babies to be born." Minister, you recently

announced that the Tuggeranong Arts Centre upgrade is underway and due for completion in August this year. Has your management of capital projects within your portfolio changed since the 55 Plus Club project?

MS BURCH: As ever the most gracious question comes from the Canberra Liberals. I am very pleased with the development and the delivery of the Tuggeranong 55 club in Tuggeranong, as are the residents and the locals who use that great facility. I was out visiting the redevelopment of the Tuggeranong Arts Centre just recently. It has certainly been shelled. They are doing all the form work. They are putting in a pit to accommodate the lift to provide good access. I was talking to the builder responsible, who was also on site; he gave me no indication that it would be delivered late.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, what has your department learnt from your experiences with the 55 Plus Club project delays, and what processes have been put in place to ensure there are no repeat delays in other projects?

MS BURCH: I have a lot of confidence in the Community Services Directorate and how they manage capital projects across the arts and across the Community Services Directorate. I think it is most unfortunate for Mr Smyth to take away the good work that they do.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Minister, will you now guarantee the Tuggeranong Arts Centre will be delivered on time and on budget?

MS BURCH: As I have indicated, when I was there recently and speaking with the builder, he gave me all the confidence that it will be delivered on time.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Minister, will you now guarantee that all other projects in your portfolios will be delivered on time and on budget?

MS BURCH: Only if Mr Wall can guarantee it will not rain or hail, or have any bad weather that would impact on any construction project.

Visitors

MADAM SPEAKER: Before I call Mr Seselja—

Members interjecting—

MADAM SPEAKER: Order members!

Ms Burch: Well, they threw it across, Madam Speaker.

MADAM SPEAKER: No, I have asked you to come to order, Ms Burch. I am actually getting a little tired of when I ask members to come to order that you always have to have another word. I called members to order because I wanted to acknowledge the presence in the gallery of the University of the Third Age, who are here on an information session, and I welcome them to the Assembly.

Questions without notice

Macarthur horse paddocks—fire

MR SESELJA: My question is to the Minister for Territory and Municipal Services. Minister, there was a fire at Macarthur horse paddocks on 15 April which took 90 minutes to extinguish and damaged approximately 8,000 square metres of the paddocks. Local residents noted that the fire could have been avoided had the metre-high grass been mown and adequately maintained. A resident advised that he had approached the government on several occasions to get pasture mown but was “handballed from one department to another”. Minister, what changes will you make to make sure that local residents’ complaints are given attention and action before a crisis occurs, rather than after?

MR RATTENBURY: I thank Mr Seselja for the question. I think there are two elements to your question, Mr Seselja. One is the state of the grass and the other is the service response that the residents received. On the first, as you well know, Territory and Municipal Services is responsible for the implementation of the bushfire operations plan. That is a territory-wide strategic assessment of what sort of fuel reduction various parts of the city need. There is a whole range of responses, from the efforts we have seen recently in Namadgi with fuel reduction right down to slashing around the suburbs and creating appropriate abatement zones designed to protect the suburbs.

Certainly, over the summer we have had some good examples where small fires have come to a dead stop where those mown zones have kicked in. I am not aware of the specific details around the area that you have referred to but there is obviously a rating of that area in the context of the bushfire operations plan. All the reports I received over the summer were that the plan was being implemented and there were no concerns from TAMS about delays in implementation of the identified fuel reduction needed under the bushfire operations plan.

On the specific issue of the residents not receiving appropriate feedback or being handballed around, I am disappointed to hear that. The feedback I have generally is that people get a very good response when they contact Canberra Connect. The purpose of Canberra Connect is that people are most often put through directly to the contact officer that they need.

Of course, the system does break down occasionally. I receive complaints from time to time. I will take some advice on what the record was. All calls are recorded and there is generally a record of what has happened to a particular complaint. I will seek some specific advice on this complaint and whether there is a record or records of it.

MADAM SPEAKER: A supplementary question, Mr Seselja.

MR SESELJA: Minister, has your directorate met with local residents and the horse paddock licensee on improving the implementation and management of the bushfire operations plan for the area?

MR RATTENBURY: I am not aware whether the agency has met with the residents and the horse paddock manager, but I will seek information and come back to you with the answer, Mr Seselja.

MADAM SPEAKER: Mr Smyth, a supplementary.

MR SMYTH: Minister, why is it that, although a resident had notified TAMS of the issue of the long grass, your directorate has no record of this complaint?

MR RATTENBURY: This comes to Mr Seselja's earlier question around the service that the constituents received. I have undertaken to seek some further advice and look into the history of this particular issue. I think your question probably sits in that answer, Mr Smyth.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, what changes will be implemented so that records of complaints are at least noted if not acted upon?

MR RATTENBURY: To some extent the answer to that question will depend on the previous answer I have just given, Mr Smyth. But, as I indicated in my earlier answer, there is generally a record of all complaints and issues that come to TAMS. There is a tracking of those complaints or those issues that have been raised. So, subject to finding out what happened in this case, I am not sure that we need changes to the system in the sense that there is a system there already. But if this particular example has highlighted a flaw, then we may need to have a look at that.

Roads—speed limits

MS PORTER: Madam Speaker, my question, through you, is to the Minister for Territory and Municipal Services. Minister, can you advise the Assembly why the government announced the introduction of 40-kilometres per hour speed limits in the city precinct and in the Belconnen and Tuggeranong town centres, and how will these be implemented?

MR RATTENBURY: The 40-kilometres an hour speed limit around the town centres came about originally as a result of a motion passed in the Assembly on 24 March 2009 calling on the government to consult on reducing speed limits around shopping centres and community facilities to 40 kilometres an hour. As a result of that motion, there was a trial of 40-kilometres an hour speed limits in the Gungahlin and Woden town centres. The outcomes of those trials were quite successful.

What we found was that there was a substantial reduction in speed in those areas. I will just find the figures. What we found was that significant speed reductions of up to 10 kilometres an hour in Woden and 16 kilometres an hour in Gungahlin were achieved. Around three-quarters of the community, 74 per cent in Woden and 78 per cent in Gungahlin, supported the reduced speed limit on a permanent basis.

On those grounds, the government has taken a decision to further implement those 40-kilometres an hour zones in Belconnen, the city and Tuggeranong. At the moment, the necessary infrastructure is being installed, which includes a new speed limit sign, some speed-limiting devices and the necessary markings so that motorists are aware.

As members may have seen in the Civic vicinity, right outside the Assembly, and at the other town centres, variable message boards have gone up to advise motorists in the area of the coming changes, and I will issue further media advice when the new zones come into effect so that the community is aware that they are in place.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Minister, what have been other outcomes of the reduced speed limits in Gungahlin and Woden that were implemented last year after the trial?

MR RATTENBURY: As I have already touched on, the main issue, after the trials were evaluated in Gungahlin and Woden, was the significant speed reductions—as I said, up to 10 kilometres an hour in Woden and 16 kilometres an hour in Gungahlin. This is very important in terms of improving the safety of the streets in these busy commercial districts.

The areas that have been chosen are based on criteria of having high levels of pedestrian movement, being within 400 metres of retail and commercial development and being suitable road types, such as local or collector roads. What those technical criteria basically tell you is that this is all about making it safer for pedestrians and also for other vulnerable road users, such as cyclists, and simply making the areas more amenable, which I think has a commercial flow-on as well.

What we know is that moderation of speed is critical in establishing a safer road system. At lower speeds there are fewer crashes because road users, including pedestrians, have more time for decision making and vehicles have shorter stopping distances. Crashes that do occur in these areas result in less severe injuries because of the lower impact energies involved. In this morning's discussion about vulnerable road users I was citing some figures essentially about how much more likely somebody is to survive. At 60 kilometres an hour a person is almost certain to perish in an accident. At 40 kilometres an hour that is reduced down to a 25 per cent likelihood of death. So there are very substantial safety improvements as well in the event of accidents.

MADAM SPEAKER: A supplementary question, Mr Gentleman.

MR GENTLEMAN: Minister, what steps are you able to take in regard to traffic light management within these reduced speed zones to limit any driver frustration?

MR RATTENBURY: Certainly this is an issue that was raised with me in some of the radio talkback at the time that I first announced these changes for the new zones. What TAMS will do as part of the rollout of these new areas is consider issues of traffic light coordination to match the new designated speed limits in the areas. It is not always, of course, possible to get a complete coordination of traffic lights. It is something that often comes up in the context of Northbourne Avenue. It is the nature of cross-streets and the various coordinations. But certainly steps will be taken to ensure that the changed speed limit is potentially reflected in the traffic light coordination.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, given that Roads ACT implement road policy, why is it that the road safety strategy team is in the directorate of JACS?

MR CORBELL: In the portfolio of Attorney-General I am responsible for overall road safety policy. The answer to Mr Coe's question is that TAMS, as the manager of the asset, is responsible for the operations of road safety and implementation on the ground. Policy is set at a whole-of-government level through the Justice and Community Safety Directorate.

Transport—park and ride facilities

MR WALL: My question is to the Minister for Territory and Municipal Services. Minister, Tuggeranong residents have expressed concern that delays to the park and ride in Calwell could put a proposed childcare centre in the area in jeopardy after the contractor to build the park and ride facility went into administration. Minister, what will you be doing to ensure that the park and ride facility in Calwell is completed and when will this occur?

MR RATTENBURY: I thank Mr Wall for the question. I am just seeking some of the information for you. Unfortunately, Tread Lightly Earthmoving has gone into administration. They are the company responsible for the delivery of the park and ride facility at Calwell. I can inform you on this matter that the bus stops on Johnson Drive have been completed. The majority of the earthworks on the site have been completed. Pavements, subgrade and slick layers in the new car park have been completed. So quite a lot of the work has already been done. Unfortunately, an existing high-voltage electricity cable requires relocation by ACTEW to allow the new kerb to be installed. So that has been the source of some delay already.

The fact that Tread Lightly earthworks has now gone into administration has caused some further delay. The project had been scheduled for completion in the week ending 21 June 2013. This will be delayed by approximately six weeks whilst an alternative contractor can be identified to complete the works. So the answer to your question is that we will now find a new contractor to finish the job.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Minister, what assurances has the government provided to the local residents and the childcare investors surrounding this project?

MR RATTENBURY: I think the government's commitment lies in the fact that it has funded the project. The project is going ahead. As I have just outlined, the project is well underway. Quite a lot of it is there, so there is a definite commitment to deliver this. Unfortunately, the company, Tread Lightly Earthmoving, has gone into administration. It is unfortunate that the company has experienced that financial difficulty, but the government is now proceeding to get a new contractor and to get the job done.

MADAM SPEAKER: Supplementary question, Mr Smyth.

MR SMYTH: Minister, when will the new contractor be appointed, and what is the cost of the delay to taxpayers?

MR RATTENBURY: As I indicated, we believe the delay will be approximately six weeks. A new contractor will be appointed as soon as possible. I have not had an update on whether one has been appointed yet, but I do not believe so. And I am not aware of any cost additions. The way these projects work is that they are, of course, paid in milestones. There will be an outstanding sum of funds attached to this project that have not been paid to Tread Lightly because of the work they have not completed. That will be used to fund the remaining works. If there are any cost increases, that is something that will have to be managed.

MADAM SPEAKER: A supplementary question, Mr Gentleman.

MR GENTLEMAN: Minister, how important is it to continue to support sustainable transport options like the park and ride for Tuggeranong?

MR RATTENBURY: I think it is incredibly important, Mr Gentleman. This provides a transport alternative, or will provide, when it is completed, a transport alternative for residents in southern Tuggeranong. I think the significant level of community interest in this project—we have seen some media on it in the past and there has been community representation about it—indicates how supportive the community are of this sort of initiative. For some people it will mean that they can drive down to Calwell, leave their car there, get a bus to the city or Woden and not have to pay for parking and then get a bus home at night, maybe get the shopping and head home in their car. It provides more flexible transport options for the people of that part of Tuggeranong.

Transport—cycling

MR DOSZPOT: My question is to the Minister for Territory and Municipal Services and relates to the condition of bike lanes and cyclepaths. Minister, given the government's considerable investment in cyclepaths and bike lanes throughout the ACT and the desire to encourage people to use cycle lanes to commute, there are bike lanes along main roads such as Hindmarsh Drive continuously in a dangerous state of

maintenance, with broken glass a constant hazard for cycling commuters. Minister, what maintenance schedule does TAMS have to ensure cycling paths throughout Canberra are safe and debris free?

MR RATTENBURY: I thank Mr Doszpot for the question. You may be interested to know that there are 403 kilometres of on-road cyclepaths in the ACT and there is a whole lot of off-road cyclepaths as well—367 kilometres of them. They are swept as required and any maintenance, vandalism or cleanliness issues are addressed as they are found.

On the issue of broken glass, it is a source of great frustration for myself as well. I can only believe, given the amount of broken glass on the cycleways, that some people in our community must see fit to deliberately break bottles in the cycle lanes. The coincidence and occurrence of it is so common that I cannot imagine that that is not the case. Unfortunately, that is happening.

I will have to check on the actual street sweeping timetable. I just cannot remember it off the top of my head. Certainly there is also a mechanism through fix my street or Canberra Connect that if somebody rings up and indicates a particular area of broken glass, TAMS will send a crew out to get it done within a couple of days.

The other part of it is where there is a motor vehicle accident. As part of the process around a significant motor vehicle accident, if there is broken glass on the road, the road surface will also be cleaned by crews from Roads ACT. So there is a proactive approach on that side of the equation.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, is poor maintenance a reason why many cyclists fail to use the bike path on Alexandrina Drive or is it the fact that the path does not run parallel to the road for a significant section? Can you tell us what is being done both to improve the pathway and to look at increasing the length of the usable pathway for cyclists?

MR RATTENBURY: If I understand your question correctly, it is about the cycle path around Alexandrina Drive, the one by the lake. It is one of the more meandering paths in Canberra. I think it is one that is an incredibly popular recreational path and it is the sort of path that is perhaps described as being one that is frequently used by Sunday cyclists. It is very popular for running and as a family route. It is one that probably, from a commuter point of view, people do find a little meandering.

There is, of course, the alternative option for many people who might use that path and who wish to take a more direct route. Adelaide Avenue, with its quite substantial on-road cycle lane, would provide an alternative. So I think in that part of town we do see a number of issues.

There are some parts of that path that, in recent rains, have had gravel washed across them and that is something, as someone who uses the path, I have noticed. I actually put in a request to TAMS to have it cleaned up. Of course, those issues unfortunately

do arise from time to time and will be picked up in the maintenance program. There are other areas where parts of that path have been resealed in recent years as well. That is the other thing I would add, having noticed the difference.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, who is liable if there is an accident on a bike path due to poor maintenance, and has the ACT paid compensation to people who have suffered accidents?

MR RATTENBURY: Given the very specific nature of the question, Mr Coe, I think it might be best if I take advice on that, both on the legal liability and also on the specific question of whether there are particular recorded matters.

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Minister, could you tell the Assembly about the recent refurbishment of the bike path beside Bindubi Street in my electorate of Ginninderra?

Opposition members interjecting—

MADAM SPEAKER: Order, members! Mr Coe! Mr Rattenbury has the call.

MR RATTENBURY: I have not read the RiotACT article, as it happens; I missed that one. The government does have an ongoing program of upgrading cycle paths around the city. Various sections do get cracked by trees and simple wear and tear over time. I am pleased to hear that the one near Bindubi Street has recently been done. The last time I rode I do not recall it being particularly bad, but perhaps it has deteriorated. It has been a while since I have ridden that section.

One of the things I would mention is that if there are specific areas of concern for either members or constituents that they get in touch with TAMS. Through those reports we can identify areas that need specific attention.

Energy—electricity prices

MR GENTLEMAN: My question is to the Minister for Environment and Sustainable Development. Minister, the Australian Energy Market Commission recently published its report on electricity price trends to June 2015. What does this report forecast in terms of electricity costs for Canberrans?

MR CORBELL: I thank Mr Gentleman for the question. Yes, in March this year the Australian Energy Market Commission released its report, *Possible Future Retail Electricity Price Movements: 1 July 2012 to 30 June 2015*. This report identifies the trends and reports on the drivers of these trends in Australian residential electricity prices. It does this for each jurisdiction and at a national level for the period 2011-12 to 2014-15.

This is the third report that the AEMC has prepared. It is a guide to pricing trends and the components that drive those trends. Therefore, it was very pleasing to see in this report that household electricity prices in the ACT are currently the lowest of any state or territory in the country and that in 2015 the Australian Energy Market Commission anticipates they will still be two-thirds of the average national electricity price. This is very pleasing news, of course, for Canberra households. The ACT is forecast to have the lowest household electricity prices in Australia through to at least 2015.

We know that electricity prices are complex and there are many factors that are driving change in prices. Between 2012-13 and 2013-14 the ACT residential electricity price is forecast to increase by only one per cent, which is less than the current rate of inflation. The forecast increase between 2013-14 and 2014-15 is 4.7 per cent. Both of these increases are less than the recent increases in the transitional franchise tariff, the TFT.

This is a very pleasing indicator for Canberra households. It shows that we continue to see lower demand for electricity in wholesale markets, which is contributing to reductions in cost pressures, but this does not mean that there is not more work to be done. We need to make sure that we continue to assist Canberrans to reduce their electricity use, to use electricity more efficiently, to reduce our greenhouse gas emissions and also to reduce price pressures on Canberra households.

MADAM SPEAKER: A supplementary question, Mr Gentleman.

MR GENTLEMAN: Minister, will the government's new energy efficiency improvement scheme make a difference to electricity prices in the ACT?

MR CORBELL: I thank Mr Gentleman for the supplementary. Yes, it certainly is the case that the energy efficiency improvement scheme will make a difference to electricity bills for Canberra households who participate in the scheme. This scheme, as you know, is going to save households on average, based on the regulatory impact assessment undertaken by the government, \$390 per household over the three-year lifetime of the scheme. This is a very significant saving for Canberra households. They are going to achieve this saving through free energy efficiency services provided by their electricity retailer, who in most instances is going to be ActewAGL, given their level of market share. They will receive free energy saving products such as stand-by power controllers, energy efficient light bulbs and draught stoppers.

These are very efficient ways to reduce energy use in households. You can see that this scheme will help around 70,000 households to achieve these very significant savings on their electricity bill—\$390 per household over the life of the scheme. In addition, of course, we achieve very significant emissions reduction, in the order of three-quarters of a million tonnes over the period of the scheme, which is until 2015.

This government is committed to helping Canberrans to make a real difference with their electricity bills and reduce the costs associated with them. We are very proud that we have implemented this legislation. It is disappointing that those opposite have

opposed this legislation—opposed legislation that reduces electricity bills for households, voting against legislation that eases cost-of-living pressures on Canberra households, voting against legislation that reduces greenhouse gas emissions in the most cost-effective manner. (*Time expired.*)

MADAM SPEAKER: Supplementary question, Mr Smyth.

MR SMYTH: The AEMC electricity trends report also says that from 1 July 2012 to 30 June 2015 electricity prices in the ACT will rise 19 per cent. Why has your government allowed electricity prices to rise by 19 per cent in three years?

MR CORBELL: Electricity prices remain the lowest in the country—the lowest of any state or territory. Yes, there have been price increases; I have never said that there have not been. But the price increases in the ACT have been lower than in any other state or territory and we continue to see the lowest average household electricity cost per annum of any state or territory in the country.

If those opposite are so concerned about price increases, why did they vote against a measure that would see savings in household electricity bills by over \$300 a year? Why did they vote against it? Do they think that Canberrans should pay \$300 more on their electricity bill or are they really seriously interested in helping Canberrans to save money on their electricity bill? The hypocrisy of the position adopted by the Liberal Party is there for all to see. They profess an interest in the cost of living, but when it comes to their vote they vote against measures that cut household electricity bills and save Canberrans money off their electricity bill.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, why did electricity go up 13 per cent in this financial year and is it the lowest increase in the country?

MR CORBELL: In this financial year there were a range of measures that had to take effect in relation to passed-through costs associated with the new carbon pricing arrangements. These were anticipated and recognised by regulators across the country. Nevertheless, what we know is that if you live in Queanbeyan or Jerrabomberra, you pay—

Mr Hanson: On a point of order, Madam Speaker—

MADAM SPEAKER: Mr Hanson, on a point of order.

Mr Hanson: on relevance, the question very specifically was whether it went up by 13 per cent or not and whether that was the lowest in the nation. We do not need the excuses as to why; we just need confirmation of whether that was the case or not.

MADAM SPEAKER: Mr Corbell, the standing orders do require you to be concise and directly relevant, so could you address Mr Smyth's question in relation to a 13 per cent increase?

MR CORBELL: Thank you, Madam Speaker. In relation to the quantum, I will take the question on notice and check the exact figures. But in relation to comparisons with other jurisdictions, I would again make the point that if you live in Queanbeyan or Jerrabomberra, you pay over \$1,000 more on average for your electricity bill than if you live in Fadden, Conder, Banks, Torrens, Rivett or Waramanga.

Mr Hanson: Not for long the way you lot are going.

MR CORBELL: You know what, Mr Hanson, I will take that interjection. You are wrong. The Australian Energy Market Commission itself has confirmed that, according to the period that it forecast, we will remain the lowest jurisdiction in the country. The Australian Energy Market Commission itself has confirmed that we will remain the lowest jurisdiction in the country. This is evidence of good management of our electricity market, maintenance of a competitive environment and, finally, the importance of reducing Canberrans' household electricity bills further through measures like energy efficiency. (*Time expired.*)

Youth justice—system

MS BERRY: My question is to the minister for children and young people and relates to youth justice in the ACT. Can the minister update the Assembly on the implementation of recommendations of the Human Rights Commission's report on youth justice?

MS BURCH: I thank Ms Berry for her question. There has been significant change over the last 18 months to progress systemic and cultural reform of the youth justice system here in the ACT. The Human Rights Commission report made 224 recommendations and to date action on 185, or 84 per cent of those, has been completed or substantially completed, and action on the remainder is underway.

Significant work has occurred to develop an integrated management system at the Bimberi Youth Justice Centre. This project will better connect all aspects of day-to-day operations across youth justice and is substantially completed. Work has also progressed on providing support for young people, including initiatives to address the overrepresentation of Aboriginal and Torres Strait Islander young people.

While individual actions against the recommendations will deliver sustainable change across the youth justice system, the ACT government's key response to the Human Rights Commission report has been the release of the *Blueprint for youth justice in the ACT*. The blueprint has been developed as the strategic plan to reform the youth justice system over the next 10 years. The long-term aim is to reduce the number of young people coming into contact with the justice system.

The blueprint reflects a shift towards addressing the underlying causes of criminal behaviour. It recognises that early intervention, prevention and diversion are the most important factors in building lasting change into the lives of young people and those of their families. A quality youth justice system is underpinned by best practice and innovation. This is reflected in the blueprint through a specific action to bring together youth justice experts to share knowledge and practice.

I am pleased that this month the ACT will be hosting the first-ever Australasian Youth Justice Conference. This conference is a partnership between the Australian Institute of Criminology and the Australasian Juvenile Justice Administrators. It will bring expert academics and practitioners from across the nation and internationally to Canberra to address the most significant issues confronting youth justice. I am pleased that our Attorney-General, Mr Corbell, has agreed to open the conference, and I look forward to seeing the results of its deliberations.

MADAM SPEAKER: A supplementary question, Ms Berry.

MS BERRY: Can the minister point to any recent indicators of success in youth justice in the ACT?

MS BURCH: There has been significant focus on improving outcomes at Bimberi Youth Justice Centre, and I can inform the Assembly that the review of all operational policies at the centre is now substantially complete, resulting in significant improvements in its day-to-day management. A significant focus on training of staff saw 36 youth workers graduate with either a certificate IV or a diploma level qualification in 2012, with 10 staff currently enrolled in certificate or diploma level study. The establishment of the Bendora transition unit is designed to provide individualised support for young people to better prepare them for returning to the community and is having an early impact, with fewer people returning to custody.

All of these changes have had a positive effect on the outcomes at Bimberi. Assaults at Bimberi fell by 65 per cent, from 2010-11 to 2011-12, and this trend continues. The use of force has fallen by 17 per cent over the same period, with this trend also continuing into this year. Young people at Bimberi are achieving recognised qualifications at a greater rate than ever before, and all young people at Bimberi are engaged in education or training.

We have also made significant gains in prevention and diversion, with programs like the after-hours bail service which has diverted 53 young people from custody since its inception in October, and we are on the right track. In 2010 there was an average of 20 young people in detention on any given day. This number is now under 18. I look forward to providing the Assembly with updates on the progress of the youth justice blueprint.

MADAM SPEAKER: Supplementary question, Mr Hanson.

MR HANSON: Minister, do you still deny covering your ears and saying, “La, la, la, la” when you first met with staff at Bimberi who raised concerns with you?

MS BURCH: I have been through that and I have denied it and I have continued to work with all my might to make sure that the young people in Canberra have a positive outcome through the—

Mr Hanson: We dragged you kicking and screaming to that review.

MS BURCH: There was no kicking and screaming for me to be dragged to the Human Rights Commission. Just to remind members of the reality of the history, the reality of the history is that we commenced a change management program before the Human Rights Commission was even commenced. Can I also remind all members here that the former shadow for young people has not set foot in Bimberi and the current shadow for young people has not set foot in Bimberi.

MADAM SPEAKER: A supplementary question, Mr Gentleman.

MR GENTLEMAN: Minister, what actions have you taken to ensure that members of this Assembly are better informed about the work being conducted in youth justice at Bimberi?

MS BURCH: I thank Mr Gentleman for his interest. As members of the Assembly would be aware, I provided an update to the Assembly on the improvements at Bimberi Youth Justice Centre. And as I understand it, the Standing Committee on Justice and Community Safety has also been provided with information. In addition to this, I have recently invited all members of the Assembly to an open day at Bimberi Youth Justice Centre, just last month. I thank the members who attended—Ms Berry, Mr Gentleman, staff from Mr Rattenbury's office and Mr Hanson. I have to say that it was extremely disappointing that, as I have said, neither the former nor current shadow for young people have shown any interest or provided time to—

Mr Hanson: You're lying, Joy. You're lying.

Mr Corbell: Point of order.

MADAM SPEAKER: Mr Hanson, please withdraw the assertion that Ms Burch is lying.

Mr Hanson: Mr Wall is not the shadow, and I will not withdraw until she withdraws the fact that she is—

MADAM SPEAKER: No, Mr Hanson—

Mr Corbell: You will withdraw.

Mr Hanson: You need to correct—

MADAM SPEAKER: Mr Hanson—

Mr Hanson: I withdraw.

MADAM SPEAKER: you need to withdraw.

Mr Hanson: The minister should stop making these allegations in the chamber and withdraw it now.

MADAM SPEAKER: Mr Hanson has withdrawn. Ms Burch.

MS BURCH: I hope he has withdrawn without qualification, Madam Speaker.

MADAM SPEAKER: There was no qualification, and you do not need to chip me about withdrawals, Ms Burch.

MS BURCH: Thank you, Madam Speaker.

Mr Smyth: A point of order, Madam Speaker. Would Ms Burch now withdraw the inaccuracies that she has just presented to the Assembly?

MADAM SPEAKER: I am sorry, that is not a point of order; that is a matter of debate. Ms Burch.

MS BURCH: Madam Speaker, it is my understanding that in the former Assembly Mr Coe was the shadow for young people. It is my understanding that Mr Wall in this Assembly is the shadow for young people. If that is an error, I will absolutely take it is an error and a mistake. But if that is correct—

Mr Hanson: Responsible for youth justice. Be correct with your language.

MS BURCH: Well, it is a matter of language, but it is the shadow responsible for young people. You're a bit touchy, fellas. You should just get out there.

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

Paper

MR COE (Ginninderra), by leave: With regard to a supplementary question posed by Dr Bourke about Bindubi Street in Aranda, I table the following paper:

Resurfacing—Copy of article from The Riotact, posted on 17 April 2013.

Personal explanation

MR WALL: I wish to make a personal explanation.

MADAM SPEAKER: Does the member claim to have been misrepresented?

MR WALL: I do, Madam Speaker.

MADAM SPEAKER: The member may proceed.

MR WALL: Madam Speaker, my portfolio responsibility is as the shadow minister for youth. Mr Hanson, as shadow for family and community services, has responsibility for youth corrections.

Papers

Ms Gallagher presented the following papers:

Building a Strong Foundation—A Framework for Promoting Mental Health and Wellbeing in the ACT 2009-2014—2010-2011 Implementation and Evaluation Report to the Legislative Assembly, prepared by the Mental Health Policy Unit, dated March 2013.

Managing the Risk of Suicide: A Suicide Prevention Strategy for the ACT 2009-2014—2010-2011 Implementation and Evaluation Report to the Legislative Assembly, prepared by the Mental Health Policy Unit, dated March 2013.

Subordinate legislation Paper and statement by minister

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): For the information of members, I present the following paper:

Legislation Act, pursuant to section 64—Financial Management Act—Financial Management (Credit Facility) Approval 2013 (No. 1)—Disallowable Instrument DI2013-40 (LR, 8 May 2013), together with its explanatory statement.

Opposition members interjecting—

MR ASSISTANT SPEAKER (Mr Gentleman): Mr Barr, can you just hold your seat for a moment. Members in the chamber, would you—

Mr Hanson interjecting—

MR ASSISTANT SPEAKER: Mr Hanson! I am addressing you at the moment. Members in the chamber, Minister Barr has the floor. Could you allow him to finish his ministerial statement, please? Mr Barr.

MR BARR: Thank you, Mr Assistant Speaker. I was just about to ask leave to make a statement in relation to the paper.

Leave granted.

MR BARR: Thank you, Mr Assistant Speaker. I present to the Assembly Financial Management (Credit Facility) Approval 2013 (No. 1), Disallowable Instrument Number DI2013-40. This disallowable instrument provides the University of Canberra with a loan via a credit facility from the territory for \$24 million to purchase and redevelop wing 4 of the Cameron Offices in Belconnen for student accommodation. This will result in 131 dwellings consistent with the University's obligations under the commonwealth national rental affordability scheme, NRAS.

UC is aiming to grow student numbers from approximately 10,500 equivalent full-time student load to 16,500 by 2018. This growth in student numbers will increase the number of interstate and international students studying at the university and will in turn increase the demand for student accommodation. To assist with the university's expansion plans to grow enrolments and to add to its existing accommodation stock, I have approved the credit facility from the territory to finance the wing 4 Cameron office project. This project builds on the purchase and redevelopment of wing 5 Cameron in 2011-12 and the on-campus 1 development which commenced last year.

Given the timing and significance of this project in the context of the overall strategy, the credit facility approval process is being pursued outside the forthcoming 2013-14 budget process to enable loan funding to commence as early as this June to allow for delivery of the project within the construction deadline for commencement of enrolments for the commencement of the 2014 academic year. The university's expansion plans are a boost to the territory. They create jobs, help the university grow and further enhance the territory's education sector.

Financial Management Act—instrument Paper and statement by minister

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): For the information of members, I present the following paper:

Financial Management Act, pursuant to section 14—Instrument directing a transfer of funds within the Environment and Sustainable Development Directorate, including a statement of reasons, dated 2 and 3 May 2013.

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

Leave granted.

MR BARR: As required by the Financial Management Act 1996, I table an instrument issued under section 14 of that act. Section 14 of the act, "Transfer of funds between appropriations", allows for the transfer of funds between appropriations, as endorsed by me and another minister. Under the act, the direction and a statement of reasons for this instrument must be tabled in the Assembly within three sitting days after it is given.

This instrument transfers \$631,000 of the Environment and Sustainable Development Directorate's controlled capital injection appropriation to the net costs of outputs appropriation. The transfer relates to three transport planning projects which were originally appropriated as controlled capital injection. I commend this instrument to the Assembly.

Public Accounts—Standing Committee (Seventh Assembly) Report 26—government response

Mr Barr presented the following paper:

Public Accounts—Standing Committee (Seventh Assembly)—Report 26—
*Review of Auditor-General's Report No. 2 of 2011: Residential Land Supply and
Development—Government response.*

Personal explanation

MRS DUNNE (Ginninderra): Mr Assistant Speaker, I seek leave to make a personal explanation under standing order 46 as I claim to have been misrepresented.

MR ASSISTANT SPEAKER: You claim to have been misrepresented. Mrs Dunne.

MRS DUNNE: In question time today Minister Burch said that in the last Assembly the shadow minister responsible for youth justice had never darkened the door of Bimberi. I was the person responsible for youth justice for the Canberra Liberals in the last Assembly. I visited Bimberi before it was populated, before it was officially opened, and on one occasion—my recollection is it was about April 2011—I exercised my rights under the Children and Young People Act, along with Mr Seselja, to visit the Bimberi Youth Justice Centre. On a number of occasions I declined to attend media events organised by Minister Burch because I did not think it was appropriate to use the children and young people in the Bimberi Youth Justice Centre as media props.

Call-in powers—block 5 section 32, Bruce Papers and statement by minister

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): For the information of members, I present the following papers:

Planning and Development Act, pursuant to subsection 161(2)—Development application No. 201222892—Block 5 Section 32 Bruce—

Statement regarding exercise of call-in powers, dated 10 April 2013.

Notice of Decision, dated 10 April 2013.

Members interjecting—

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

Leave granted.

MR ASSISTANT SPEAKER: Members, I could not even hear Mr Corbell ask for leave to be granted because of the loud interjections coming from members of the

opposition. Mr Hanson, I have talked to you already this afternoon once. I do not want to have to raise this again with members on either side. Mr Corbell.

MR CORBELL: On 15 March this year, as the Minister for the Environment and Sustainable Development, I directed under section 158 of the Planning and Development Act 2007 the ACT Planning and Land Authority to refer to me Development Application No. 201222892. The development application sought approval for, among other things, construction of a new four-storey office building on block 5 section 32, Bruce. The proposed office building will be occupied by the Australian Institute of Health and Welfare.

On 10 April this year I decided to consider the application. On the same date I decided to approve the application using my powers under section 162 of the Planning and Development Act. In deciding the application, I gave careful consideration to the requirements of the territory plan, the advice of the Environment Protection Authority, the Territory and Municipal Services Directorate, ActewAGL, the Conservator of Flora and Fauna, the leasing section and transport planning section of my directorate and, as required by the legislation, the Planning and Land Authority. I also gave consideration to the representations received by the Planning and Land Authority during the public notification period for the application that occurred in January this year.

I have imposed conditions on the approval of the development application that require, among other things, surrender of a previous approval granted on the same land, variation of the Crown lease for the subject land, sediment and erosion control, tree protection, verge management, and the development and submission of a temporary traffic management plan.

The act provides for specific criteria in relation to the exercise of this power. In this instance, I have used these powers because I consider the proposal will provide a substantial public benefit, particularly by enabling timely commencement of construction works in excess of \$15 million to proceed without further delay. The use of my power will also provide certainty for the local community about the future development of the site and will provide support to the local building industry.

The proposed development will also enable the Australian Institute of Health and Welfare to relocate their services and staff, currently spread across four tenancies, to a single building, leading to greater efficiency for the services provided by the institute and keeping the institute in the location of Fern Hill in Bruce.

The proposed redevelopment of the site will achieve an object of the territory plan by ensuring continuation of working opportunities in close proximity to existing living opportunities in the suburb of Bruce. The proposed development contributes to the realisation of the long-standing planning objectives for this part of Bruce.

Section 161(2) of the act specifies that if I decide an application I must table a statement in the Assembly not later than three sitting days after the day of the decision. I have tabled that statement today, providing a description of the development, details of the land where the development is proposed to take place, the name of the applicant, the details of my decision for the application and my reasons for the decision.

Papers

Ms Burch presented the following paper:

Cultural Facilities Corporation Act, pursuant to subsection 15(2)—Cultural Facilities Corporation—Quarterly report 2012-2013—Second quarter (1 October to 31 December 2012).

Mr Rattenbury presented the following paper:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2011-2012—Territory and Municipal Services Directorate (2 volumes)—Corrigendum.

Health—nurses and midwives Discussion of matter of public importance

MR ASSISTANT SPEAKER (Mr Gentleman): The Speaker has received letters from Ms Berry, Dr Bourke, Mr Coe, Mr Doszpot, Mr Gentleman, Mr Hanson, Mrs Jones, Ms Porter, Mr Seselja, Mr Smyth and Mr Wall proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, the Speaker has determined that the matter proposed by Dr Bourke be submitted to the Assembly, namely:

The important role that nurses and midwives play in the health and wellbeing of the ACT community.

DR BOURKE (Ginninderra) (3.46): International Nurses and Midwives Week is celebrated throughout the world each year on the anniversary of the birthday of Florence Nightingale, widely regarded as the founder of modern nursing. The week commences with International Midwives Day on 5 May and concludes on International Nurses Day on 12 May. In the ACT nurses and midwives celebrate with a variety of local activities, as well as larger and more inclusive events such as the War Memorial wreath laying ceremony on Tuesday, which the Governor-General attended.

I would like to send a happy International Nurses and Midwives Week wish to all the nurses and midwives in Ginninderra—those working in community health and aged care, the nurses and midwives at Calvary hospital, the nurses teaching and studying at the University of Canberra Faculty of Health, and any other nurses and midwives living or working in my electorate. I also look forward in years to come to wishing the nurses at the University of Canberra public hospital a happy International Nurses Day.

I also note that the Australian Institute of Aboriginal and Torres Strait Islander Studies—AIATSIS—in Canberra is currently running a series of 10 seminars between March and June on “The contribution of Indigenous nurses and midwives to the Australian healthcare system”. The next seminar, on Monday, 13 May with Dr Odette Best and Ms Kath Howey, is called “Finding May Yarrowick: was she the first?” May Yarrowick was an Aboriginal midwife in New South Wales from 1910 to 1940.

More than 500 nurses and midwives from across the ACT will attend the ACT nurses and midwives award night at the Hellenic Club, Woden, tonight. On this night the ACT nurse of the year, midwife of the year, public and private sector teams of the year and several other award recipients are announced. This year almost 100 nurses and midwives were nominated from across the ACT, a testimony that they are very valuable members of the ACT community.

It is important to emphasise the role that nurses and midwives play in the health and wellbeing of the ACT community and that it is constantly evolving as the professions respond to changes and pressures within the health needs of our community. Since their inception, the nursing and midwifery professions have promoted public health, eased pain and suffering, advocated for the weak and the vulnerable and educated the community to achieve a better quality of life.

An ageing population, the complexities of chronic illness, a better informed community with higher expectations about the appropriate level of health care and the use of new technologies and interventions require nurses and midwives to constantly revise, refresh and update their knowledge and skills.

When we think about this in its entirety, the complexity and range of the requirements of these professions is daunting. Nurses and midwives work in collaborative partnerships with other health professionals, which requires skills in the handling of interpersonal and intergroup relations. They require a sufficient knowledge of the principles and concepts of the social sciences, such as economics, social psychology, psychiatry, sociology, as well as political science, plus administration to enable them to handle the complicated demands of their roles.

Nurses and midwives work in every type of health setting, in widely dispersed geographical locations and in every kind of clinical practice area, caring for the health and wellbeing of people for their whole lives, from gestation through to death. They often work unsociable shifts, night duty, weekends, long hours, and with a short turnaround between these shifts. It is both physically and mentally challenging work and it is relentless. But they are uniquely positioned to have a profound impact on the health and wellbeing of the people to whom they provide services because they are at the front line of healthcare delivery.

Almost 5,000 nurses and midwives work in the ACT in nearly all areas where care is delivered. Many work in our large public hospitals in challenging areas like the emergency department, intensive care, operating theatres and in the busy medical and surgical wards.

In private healthcare facilities, nurses and midwives are often asked to maintain skills in several specialty areas to allow for deployment during times when ward occupancy may vary. In the aged-care sector, nurses develop their skills in managing patients with challenging behaviours and are required to display great empathy for the needs of the elderly. In all fields, they also require an in-depth knowledge of complex pharmacology.

An area of growing interest amongst nurses and midwives is in the primary care and the primary healthcare setting, in settings such as the nurse-led walk-in centres and general practice, where nurses and midwives play a key role in supporting patients in the optimal management of their health conditions.

Roles of the primary healthcare nurse or midwife include health promotion, illness prevention, midwifery, antenatal and postnatal care, population and public health, education and research. In general practice in particular, the practice nurse role is expanding to assist in reducing GP workloads and increasing collaborative care between GPs and nurses, and enhancing the quality of care delivered.

Like nurses and midwives working in other settings, primary healthcare nurses and midwives have professional, legal and ethical responsibilities which require demonstration of a satisfactory knowledge base, accountability for practice, and functioning in accordance with legislation affecting nursing and health care.

Community nurses offer a wide range of community and at-home support and treatment services to people with chronic conditions or to those discharged from hospital who have continuing support needs. Community nurses provide an extensive range of nursing services to people in their homes, including intravenous antibiotics, wound management and dressings, catheter management, post-chemotherapy monitoring and central line care, and end-of-life care.

Nurse practitioners, a relatively new area of extended nursing practice which is unique in terms of their specific scope of practice, are now recognised as key members of the healthcare team and collaborate with other nurses and healthcare professionals, including GPs, medical and surgical specialists, physiotherapists, dieticians, occupational therapists, social workers, and many others. They work in a variety of locations, both in hospital and in community settings.

Nurse practitioners require many years of experience in a clinical specialty and a masters qualification. In order to practise at this advanced level, nurse practitioners must develop their own set of clinical practice guidelines overseen by a multidisciplinary advisory committee.

The ACT now has 30 nurse practitioners working in both public and private sectors, with a focus on improving access to treatment, providing cost-effective care, targeting at-risk populations like disadvantaged women, and providing mentorship and clinical expertise to other health professionals.

Midwifery is also a primary healthcare discipline founded on a partnership relationship between women and their midwives, and contemporary midwifery practice is based on a well-health model of care. Midwifery practice includes health counselling and education of not only the woman but also the family and the community.

Midwives work in hospital maternity units, delivery suites, birthing centres, community settings and in group practice and team midwifery models. The ACT is

now educating midwives at both the undergraduate and postgraduate levels. The first group of locally educated Bachelor of Midwifery graduates, a three-year degree program, entered the workforce at the Canberra Hospital and at Calvary Health Care at the start of 2013. They are contributing significantly to the midwifery workforce in the ACT. Many midwives have gone on to complete masters degrees and several are currently enrolled in doctoral studies.

Education requirements for nurses and midwives continue to increase, with enrolled nurses now requiring diploma entry level to the profession. Similarly, registered nurses require a minimum three-year undergraduate degree, and many nurses go on to gain graduate certificates, diplomas and masters qualifications in areas of clinical specialty such as emergency nursing, critical care and mental health nursing—often studying while working full time and managing the demands of a family.

The ACT has a highly skilled nursing and midwifery workforce with more than 30 per cent having achieved higher qualifications to better prepare them for the challenges of today's health system and ensuring that they are adequately prepared to work in such a diverse range of healthcare settings.

The contribution of good health to the social and economic attributes of the ACT community cannot be underestimated. All members of the community hope to remain free from illness or suffering, and governments must act to produce social and public policies to ensure optimum health and wellbeing for individuals. As the largest health profession in the world, the work of nurses and midwives is integral to achieving those aims.

Once again, congratulations to nurses and midwives and best wishes for International Nurses and Midwives Week.

MR HANSON (Molonglo—Leader of the Opposition) (3.57): I thank Dr Bourke for bringing this matter of public importance before the Assembly today, and I would like to add my voice to acknowledge publicly the vital role nurses and midwives play in the health and wellbeing of the ACT community.

All Canberrans are in the debt of our professional and compassionate nurses and midwives. At difficult times when we or our loved ones are at their most vulnerable, nurses and midwives are there tending to us. When we experience the joy of new life, engage the challenges of sickness or face the sadness of death, nurses and midwives are there administering to us with skill and compassion.

It is true that modern medical practice requires teams of medical, scientific, administrative and support professionals. However, it is usually the case that it is the nurses and midwives that are the human face of health care when all around is strange, unfamiliar and even frightening.

The Australian Health Practitioner Regulation Agency records that the ACT has over 4,300 practising nurses and midwives. Many work in our hospitals and clinics, but many also work as community nurses, in doctors' surgeries and in schools. Nurses and midwives deliver care in private businesses and in government departments.

Importantly today, nurses and midwives also increasingly work in areas of primary health care and education. They are working to help us not get sick and making sure we live healthier lives.

I acknowledge the vital work all Canberran nurses and midwives play in the health and wellbeing of every member of our community. On a personal note, I have been very fortunate on many occasions to have had an association with the professional organisations which support our health practitioners. I have, for example, on a number of occasions attended the Australian College of Midwives ACT annual oration during international midwives week. I am normally the only bloke there. Last year the annual oration was the occasion for Christina Wilson to be awarded the Australian College of Midwives ACT midwife of the year for 2012. I was able to share insights with Christina as well as author Rhodanthe Lipsett OAM, who is a legend amongst midwives and has over 50 years experience in caring for newborn babies and mothers. She very generously signed and gave me a copy of her book. Listening to the views of such respected professionals has been a personal pleasure and education for me.

I have also engaged very positively over the last four and half years with the Australian Nursing Federation locally. Jenny Miragaya from the ANF has attended all of the opposition's health forums that we have conducted and has been a great assistance to me personally in helping to shape our health policy and develop my understanding of the role that nurses and midwives play within our complex health system. The modern role of a nurse or midwife is complex.

The professionalism of nurses and midwives who work in the community is evidenced by their role to—and I quote from the Health Directorate—take a leading role in implementing the principles of primary health care; have a unique knowledge of the specialty areas in which they work; have the capacity to practise autonomously within a diverse setting; work in partnership with clients and their carers in planning their care and helping them to achieve an optimum level of health and wellbeing; recognise there are multiple social determinants of health and, therefore, valuing cooperation with other health professionals and multi-sectorial collaboration; and demonstrate a strong sense of compassion and dedication.

While applauding the great service of our health professionals, it would be disingenuous of me not to reflect a little bit on the way this Assembly influences the capacity of our nurses and midwives to deliver their best. We need to deliver good public governance so that our nurses and midwives can continue to deliver good health outcomes. Our health professionals should expect to be able to work in an environment that promotes strong work ethics and a healthy culture. We need to ensure that bullying, nepotism and fear of failure due to pressure from disjointed or ambiguous management do not undermine an otherwise strong and vital profession. We need public policy which supports and enhances their professional capabilities.

With this in mind, I ask whether the Labor-Greens government have learned from the way they have treated our nurses and midwives in the wake of issues like the maternity bullying that we saw in the lead-up to 2010, the data doctoring and other issues at the Canberra Hospital in the last years, and particularly the pressure that nurses and midwives have been put under with the poor management of the new women and children's hospital and the way that has been delivered.

Nurses are the professionals that 90 per cent of all Australians believe are the most respected professionals in the country. Nurses have a great sense of social justice and know more than anyone about customer focus and the needs of their patients. To truly respect our nurses and midwives it surely matters how we treat them and what they think. What they think would be exposed in the Canberra Hospital cultural satisfaction surveys, and I again call on the government to release the full outcomes of the cultural surveys.

On reflecting on the roles of nurses and midwives as part of strong medical teams, we need to heed a note of caution in considering new health delivery initiatives. And I would like to mention two in particular—the proposed stand-alone birthing centre and the nurse walk-in centres.

Firstly, the issue of the study for the new stand-alone birthing centre, ACT Labor and the Canberra Liberals have agreed that the separation of a proposed new centre away from a major health facility is not good public health policy. I agree 100 per cent with Katy Gallagher that we should not be doing that, and it is distressing to me to see that the new Labor-Greens alliance has revived a proposal, a Greens election policy, for a birthing centre not connected to a hospital. The proposal has been given funding in 2013.

That indicates one of two things: that the government is seriously considering implementing what would be a very poor piece of public policy and one that the government has already articulated it does not support, or Katy Gallagher and the Labor Party are simply wasting that money that could be better spent elsewhere within the health system. One of those two is correct. I will be interested to hear Katy Gallagher, if she is going to speak, indicate to this place whether she will countenance a separate birthing centre away from the major hospital or whether this is an exercise in futility and is just simply part of the negotiations to get the Greens' support for the government.

Further, I would like to raise the issue of the management of the nurse-led walk-in centres. It is important that emergency departments are able to provide care in life-threatening emergencies and other cases requiring urgent care. But a number of issues have been raised about the walk-in centres, and I cite the Health Directorate's own strategies. Walk-in centres are not expected to produce any improvement in performance and will not target the majority of triage category 3 and 4 patients that are the clear group requiring intervention. They should not be regarded as a strategy that will contribute to ED performance and are likely to create demand. And that is what we have seen. Indeed, the AMA said that unless doctors and nurses work collaboratively, you are just going to get a worse outcome. Indeed, this is my point.

As I have said, I have the utmost respect for the work that our nurses and midwives are doing, and when you talk to nurses and midwives and other health professionals, they agree they work best in a team. Indeed, I recall that a significant point made by the GP task force was that health professionals, be it doctors or nurses, always work best in a team. That is why separating one group of health professionals—in this case, nurses—to work in a stand-alone facility does not make sense.

I reiterate my call for that model of care to be changed to one that reflects the urgent care clinic. International studies have shown that an urgent care clinic model involving doctors and nurses working in cooperation is more likely to succeed. The study has shown up to 27 per cent of visits to the emergency department could be better treated in an urgent care clinic. They have been rolled out in places like Victoria, Northern Territory, the US, the UK, Canada and New Zealand.

But none of those observations draw away from the great work that our nurses and midwives are doing. Their profession has undergone enormous change, and nurses and midwives have adapted with that. I wish all the nurses and midwives nominated for awards every success tonight. I am disappointed I did not get an invitation to that event. I never have received an invitation to that event. I would love to come along. It would be great to show my support for our nurses and midwives at that event, and I hope that in future years I receive an invitation so that I can attend the event and congratulate the recipients of those awards and all the other hard-working nurses and midwives we have in our community.

MR RATTENBURY (Molonglo) (4.06): I am pleased to be able to speak on this issue today. I note that this week is 2013 International Nursing and Midwifery Week, and that the ACT nursing and midwifery awards will be awarded tonight to acknowledge the dedication, hard work and commitment of every nurse and midwife in the ACT. I understand that there have been a large number of nominations across many categories, and I congratulate every one of those nurses and midwives who have been nominated on their hard work over the past year—and, of course, the many years before this one.

Although this is only one week, this is the one time of the year when we pause to reflect on the ongoing good work of our nurses and midwives in the ACT. The smooth functioning of our health system on a daily basis in Canberra is something that most Canberrans take for granted. Nurses are like the glue in our hospital system: they play one of the key roles which go almost unnoticed if things go well. We rely on nurses in the emergency department, to care for us in hospital when we are suddenly ill or to support us through planned operations. We need nurses when we skin our knees at school or when we break our legs as adults and later in life. We also rely considerably on nurses at the later end of our lives, when we spend much more time in and out of hospital or require regular home nurse visits. And nurses are an invaluable part of our advance care planning.

In Canberra we can be proud to boast of the nurse-led walk-in centre, currently situated at the Canberra Hospital, which shows the importance and value of our nurses and the essential role they play in the medical and health sector.

We also rely on nurses and midwives when mothers give birth. Many mothers' fondest memories of the birthing process are of the support they received from their midwives. And midwives of course play an especially integral role in our birth centre at the new Centenary Hospital for Women and Children, and previously at the TCH.

I think that overall everyone in this place would agree that the service and treatment that patients receive in our hospitals and schools—in fact, everywhere there are nurses—are excellent.

The role of nurses has changed dramatically since the first birthday of the ACT. We have seen changes in tools, training and the practice of nursing. It is now no surprise to see a male nurse attending our patients, and there is a much broader scope of practice that dictates the type of care they can provide. In more recent times we have seen a welcome focus on recognising the skills of nurses, and their expanded job description recognises this. New training and qualifications are on offer, and the benefits are clear to see for patients, doctors and other health professionals, as nurses fulfil greater duties.

The Greens have a great understanding of and respect for the role of midwives in the birth process and the importance of allowing a broad range of choices for mothers-to-be. For non-complex needs cases, many parents choose to give birth solely with the support of midwives. The birth centre at TCH offers this option. But there is further demand for a stand-alone, publicly funded birth centre which is not located at an acute hospital site. For this reason there is an independent feasibility study to look at this, and it is well worth having a look at these things in light of the comments that Mr Hanson made. One can only draw a final conclusion when one looks at the studies.

We understand that at least 400 women per year miss out on access to the birth centre, solely because it does not have enough beds. To get a booking in time for your birthing you need to book before you are about 10 weeks pregnant or you miss out. That is a lot of planning ahead and is perhaps not possible for many mothers.

Unfortunately the midwifery program which used to be run from the birth centre, and which allowed people to have home births, is no longer in operation, so a birth centre is the best and most affordable option for most mothers to have a natural birth with little or no intervention.

It is also important to note the important role that midwives play in the postnatal period, when first-time mothers are settling into life with a new baby and important things like breastfeeding, feeding and sleeping patterns and suchlike need particular attention.

There are still some issues to be addressed in the area of midwifery registration and qualifications. I understand that this is a complex area for universities and peak bodies. I trust that these issues will be addressed in time and will allow a broader base for this vital and important service to be tailored to parents' wishes, choices and, of course, a child's wellbeing.

Nurses are one of the professions which we rely on heavily, but which are generally underpaid and undervalued—until you suddenly get sick and end up in hospital; then you realise the fantastic role that nurses play and the service you get.

Now that we have all talked about how much we need and rely on our nurses, I would like to raise a few issues around how we support them. I recently met with the nurses federation, and I understand that they have a range of issues that they feel, if addressed, would better reflect the importance of their work. Some of these, of course, relate to wages, but it is not all about money; it never is with people who care and follow a vocation of caring for others. They also want to have clear career paths provided for. This means that if nurses are working for many decades and become more experienced, they will have jobs to move into where their expertise is valued. If there are no clear career paths, many nurses unfortunately leave the profession to work in areas that pay better. This is clearly not an ideal outcome for the healthcare sector or for our community. And they want greater certainty about the future of their conditions, something I am sure we can all appreciate.

Another issue we need to address, and it has been raised before, is how to reduce the pressure on our hospitals—in particular, the number of people using our emergency departments. This is something which clearly involves nurses, and is an area which would also benefit patients, the health budget and other staff in emergency departments. Many of the solutions to this involve the use of nurses in regular check-ups and early intervention. This could be through increasing people's use of the walk-in centre or increasing the number of walk-in centres in Canberra, just by way of a couple of examples.

Let me conclude by saying that nurses and midwives live and breathe our triumphs and failures. They are there from the beginning to the end and they do an extremely hard job well, in often adverse conditions. I take my hat off to them every time I need their services, and I applaud them here today for all the times when they are hard at work and I do not see it. Let us never forget the very important role that they play.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (4.13): I thank Dr Bourke for bringing this matter of public importance here today, recognising the work of nurses and midwives, not just here in the ACT but nationally and internationally.

International Nurses Day will be celebrated on Sunday, 12 May and has been an important day in the health calendar, celebrated by the International Council of Nurses since 1965. It is a day for the community to acknowledge the work that nurses and midwives do across the community, to thank them for their efforts in looking after us when we need it and to promote the work that nurses and midwives undertake.

In the ACT this week the Nursing and Midwifery Office has organised a range of activities that allow nurses and midwives to celebrate their profession collectively, such as the awards ceremony tonight and, additionally, locally, morning teas, barbecue lunches and a range of other activities. Indeed, I think the Governor-General was at the nurses memorial earlier this week, recognising the work that nurses and midwives have done in time of conflict. Tonight the ACT Nurse of the Year, Midwife of the Year, public and private sector teams of the year and a number of other awards will be given out.

We have just under 5,000 nurses working across the ACT. The scope of the work is very diverse. They work in mental health. Yes, some work in the emergency department. But the health system is bigger than that. There is community health. There are nurses in drug and alcohol services, in women's health and in aged care. The scope of work they undertake is very diverse. We have nurses that specialise in chronic disease management or population health. They will undertake health assessments, provide immunisations, provide care in relation to men's health and provide wound management.

ACT Health employs 2,579 nurses out of a total workforce of 6,228, from the 2011-12 annual report. So you can see that they make up a considerable part of the ACT Health Directorate. One of the things I have learnt about the nurses in my time as health minister is that no one day is a normal day at work for a nurse. And they work under incredible pressure. Not only are they often responding to people who are unwell and dealing with their families, but the demands on their work and their work time have continued to grow year on year.

One of the areas that we are focused very heavily on at the moment is attracting and retaining nurses and midwives in the system. We have a number of new programs, graduate programs, for both enrolled and registered nurses and midwives. We have also implemented scholarship schemes for nurses to go on and access higher education. We have got return to practice programs for nurses and midwives re-entering the workforce. There is financial support for enrolled nurses upskilling qualifications in medication administration; there are travel scholarships for nurses and midwives attending interstate and overseas conferences; and there are clinical fellowship and nursing leadership grants. We also provide support for the inaugural nurse practitioner doctorate at the University of Canberra, where 14 nurse practitioners are currently enrolled.

There are new and emerging roles in nursing, and Mr Rattenbury mentioned some of these, around the scope of practice and being able to have career progression. Important roles like advanced practice nurses, nurse practitioners and advanced scope of practice for enrolled nurses are ensuring that we are able to offer nurses continued improvement and promotion through their career, should they undertake particular training.

In relation to the walk-in centre, the government is very proud of the work that the nurses do, and we believe it is important that it remains a nurse-led model. From its opening in May 2010 to March 2013, a total of 48,978 people attended the walk-in centre at the Canberra Hospital, and in the first nine months of this financial year almost 15,000 people presented to the walk-in centre. One hundred per cent of those were seen within four hours, which is the new national target in relation to emergency departments. So we have seen 1,600 people visiting the walk-in centre every month and being cared for by nurses. In March 2013 the median time for treatment from arrival was 19 minutes, and the feedback we are getting from people who are accessing the nurse-led walk-in centre is extremely positive.

As part of our election commitments, we are committed to extending the availability of walk-in centres, and we will be opening new centres in Belconnen and Tuggeranong as per our commitment. This will ensure that people on the north and south of Canberra will have easy access to a highly skilled nursing service seven days a week and outside of hours.

In relation to midwives, midwives work in partnership with women to give them the necessary support, care and advice during pregnancy, labour and the postnatal period. And, of course, they are there to conduct births within the midwife's own scope of responsibilities. All the feedback we get from women around the care with midwives is that they really support the continuity of care program. That is, they would like to stay with the midwife through their pregnancy. That is what has made the birth centre model so popular. Part of it is that relationship that you create with the midwife who will be providing care when your baby is born. We have sought to replicate that with a continuity of care program which can provide pregnancy care visits from the initial contact at between 12 and 16 weeks of pregnancy and throughout, modelling that whilst not necessarily accessing the birth centre.

During the election campaign we did commit to a birth centre at Calvary public hospital for women living in Canberra's north; we are rolling that out and discussing that as part of the budget cabinet.

I think this should possibly have been an MPI where everybody could have spoken positively about nurses and the role they play without perhaps turning it into another political barb across the chamber, but Mr Hanson does not appear to be able to do one speech without doing that.

Mr Coe: What are you doing now?

MS GALLAGHER: There we go. Make a comment, and then Mr Coe and Mr Hanson—it does not take them long to get going.

But one thing I will say, Mr Assistant Speaker, is this. For the biggest bully in this place to give a lecture about how distressed he is at the concept of bullying in other workplaces—if it is so distressing to him, he should reflect on his behaviour in this house in the last week, where he has continuously, and in an unprovoked sense, bullied individual members of this place.

Mr Hanson: That is outrageous.

MS GALLAGHER: No, it is not outrageous. You have. You are the biggest bully in this place, and you have consistently attacked individual members this week.

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

MR ASSISTANT SPEAKER (Mr Gentleman): Mr Hanson. Stop the clock, please, Clerk.

Mr Hanson: I would like you to rule on a point of order as to whether the allegation, calling someone a bully, is unparliamentary.

MR ASSISTANT SPEAKER: I have not seen any ruling on that word itself, Mr Hanson. In regard to the standing orders—

Mr Hanson: I am asking you to rule.

Mr Coe: On the ruling, I do believe that the aspersions that the Chief Minister is casting are in effect tarnishing Mr Hanson's character and therefore should be ruled unparliamentary.

MR ASSISTANT SPEAKER: Ms Gallagher, it has been ruled before or has been asked to be withdrawn. I ask you to withdraw that.

MS GALLAGHER: "Bullying" has been as a term?

MR ASSISTANT DEPUTY SPEAKER: Yes.

MS GALLAGHER: So "bullying" is not a word that is allowed to be used in this chamber?

MR ASSISTANT SPEAKER: Not when you refer to another member as a bully—

Mr Hanson: When you're calling someone a bully, as you were—as you know you were.

MR ASSISTANT SPEAKER: Mr Hanson! Would you mind.

MS GALLAGHER: On your ruling, Mr Assistant Speaker, I withdraw.

MR ASSISTANT SPEAKER: Thank you. You still have a few minutes left.

MS GALLAGHER: I have finished.

MR ASSISTANT SPEAKER: Thank you. Ms Porter.

MS PORTER (Ginninderra) (4.22): In the few minutes that are left, Mr Assistant Speaker, I would like to thank Dr Bourke for bringing this matter before the Assembly today. As a former registered nurse and midwife, I would like to add my congratulations and best wishes to all nurses and midwives. It was through my personal experience of nursing as a child that I decided to join their ranks. Ms Burch, I know, is also a former registered nurse and I am sure that she would join others in this place if she had the time available today.

I would like to thank, in particular, nurses and midwives who dedicate themselves to educating others who wish to join these fine professions. It is the nurses and the

midwives whom we have to thank for much of our health prevention, acute and chronic care and mental health care, as well as the very important care provided at the beginning and the end of our lives.

I would also like to recognise remote area nurses. I was one of those for many years. I spent 12 years in the remote areas of the Northern Territory. I know that those nurses and midwives have particular challenges in their work, and I would like to recognise that work, especially today.

We rely on their skill, their expertise, their care and their compassion on a daily basis. However, until we come into daily contact with them, they go about their work quietly without fanfare. I thank them all and I am glad of the opportunity today to do so in this place. I am sorry I am unable to attend the event this evening. I wish them all well in their great professions.

Discussion concluded.

Adjournment

Children and young people—services

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) (4.24): I move:

That the Assembly do now adjourn.

I want to speak briefly on the work of community partnerships in the ACT. Across both the government and the non-government sector we have some challenging work that needs doing, and we know there are members of our community that need that support in their day-to-day lives. The ACT government is committed to supporting not only the vulnerable in our community but also our community organisations that undertake this complex work.

In Canberra, the community sector and ACT government agencies continually look at how we can, as a community, better support the most vulnerable. I would like today to acknowledge the successful partnerships within the child, youth and family services program through the Community Service Directorate. The CYFSP started a new model of delivery in March last year. The government has been working closely with the community sector to promote an extensive range of services to Canberra families.

There are currently 26 community partners who deliver a wide range of services under the child, youth and family services program, including youth engagement, group programs, case management activities and therapeutic services for children and young people and their families. The CYFSP also assists the peak bodies, such as Families ACT and the ACT Youth Coalition.

The program is a great example of how collaborative and integrated practice is occurring here in the ACT with great outcomes. Services can be accessed through the

recently established Child, Youth and Family Gateway, which began operation in December last year and is delivered by a consortium of highly respected service providers led by Barnardos, in partnership with Woden Community Service, the YWCA and Belconnen Community Service. The gateway is a primary point of contact for referrals and receives referrals from a wide range of services. By working closely together, the government and community sector can ensure that there is minimum overlap and duplication of services and that families only have to tell their story once.

In March this year, in recognition of the success of this collaborative work, the 26 child, youth and family services program providers signed a partnership agreement with the Community Services Directorate. The partnership agreement formalises a shared commitment, a common purpose and a consistent approach between all agencies involved in the delivery of the child, youth and family services program. The agreement affirms the commitment to work together to assist the territory's most vulnerable children, young people and their families.

The partnership agreement articulates the following: the shared vision is to improve the lives of the most vulnerable members of our community so they can reach their potential, participate and share in the benefits of our community. Our goal is for a robust sector with strong and resilient working relationships where debate and dialogue are valued and diverse views enhance the richness of the sector and that our clients are at the centre of this.

This partnership agreement provides a mutual understanding of respect across all our partners. I would like to acknowledge the 26 partners: Anglicare ACT, Barnardos, Belconnen Community Service, Communities@Work, Gugan Gulwan Youth Aboriginal Corporation, Woden Community Service, the YWCA, Youth Coalition, Families ACT, Canberra PCYC, CatholicCare, Companion House, Migrant and Refugee Settlement Services, Multicultural Youth Services, Northside Community Service, Relationships Australia Canberra and Region, Society of St Vincent de Paul, the Smith Family, UnitingCare Kippax, the Duke of Edinburgh's Award, the Girl Guides Association—ACT Branch, Lone Fathers Association, Majura Women's Group, NAPCAN ACT, Scout Association of Australia—ACT Branch and Tuggeranong Community Arts.

Australian War Memorial

MR COE (Ginninderra) (4.28): I rise today to speak about the Australian War Memorial. The War Memorial is a unique part of Canberra and the nation's cultural fabric. It is a shrine, a museum and an archive to commemorate the sacrifice of those Australians who have died in war. It also helps Australians to remember, interpret and understand the Australian experience of war and its enduring impact on Australian society.

The vision for the Australian War Memorial came from Charles Bean, Australia's official historian of the First World War. Bean became Australia's official war correspondent in 1914 and stayed at Gallipoli throughout the campaign. He continually sent back stories to Australia and filled notebooks with stories he had

collected. His bravery was mentioned in dispatches, and he refused to leave, even though he was injured. Bean noticed that Australian soldiers had started collecting battlefield souvenirs, and this inspired his idea of a museum to display objects from the war. After witnessing the carnage on the Western Front, Bean expanded his idea of a museum to also include a memorial to those killed in the war.

Bean put his suggestion of a national museum and memorial to the Australian Minister for Defence, Senator Pearce, in 1916, and urged the systematic collection of war records. The Australian War Records Section was set up in 1917 under Lieutenant John Treloar to begin collecting accounts and artefacts from the war. In 1919 Bean returned to Gallipoli to collect relics and obtain Turkish accounts. When he returned to Australia, he moved into Tuggeranong Homestead to work on the official history of World War I. Over the next 23 years Bean wrote six volumes of the official history and edited the remaining six.

The Australian War Memorial was opened on 11 November 1941. Under the leadership of the new director, Dr Brendan Nelson, and in preparation for the centenary of the Gallipoli campaign in 2015, the War Memorial is currently undertaking an extensive renovation of the First World War galleries. The Sinai-Palestine, Western Front and Gallipoli galleries will all be refurbished and a temporary exhibition, *Anzac Voices*, will be opened in December this year to display soldiers' letters and diaries.

Other upgrades to the War Memorial will include an Afghanistan gallery and an upgrade to the memorial's website to allow access to the digitised collection of the private records of officers and soldiers.

Dr Nelson has also recently implemented a Last Post ceremony at the close of each day at the memorial. The ceremony includes the Australian national anthem, a Lament during which visitors are invited to lay wreaths beside the Pool of Reflection, a short account of the life of one of the people on the memorial's Roll of Honour, the Ode, and the Last Post. The Last Post ceremony was inspired by the Last Post ceremony at the Menin Gate memorial at Ypres.

On Anzac Day the War Memorial hosted the very successful dawn service and national ceremony. Each event was attended by record crowds. I would like to commend the Council of the War Memorial, including the chairman, Rear Admiral Ken Doolan AO RAN, Air Marshal Geoff Brown AO, the Hon Graham Edwards AM, Peter FitzSimons AM, Vice Admiral Raymond J Griggs AO CSC RAN, Air Vice-Marshal Julie Hammer AM CSC, Dr Allan Hawke AC, Jane McAloon, Lieutenant General David Morrison AO, Wendy Sharpe, Major General Paul Stevens AO, Kerry Stokes AC, and Kevin Woods CSC OAM.

I would like to commend the management, including the director, Dr Brendan Nelson; the council secretary, Gerard Pratt; National Collection Branch—Peter Pedersen, Ryan Johnston, Barbara Reeve, Rebecca Britt, Janda Gooding and Robyn van Dyk; the Corporate Services Branch—Rhonda Adler, Stewart Mitchell, Leanne Patterson, Daryl Winterbottom, Sharmaine Lock and Mark Small; and the Public Programs Branch—Linda Ferguson, Marylou Pooley, Sarah Hitchcock, Ashley Ekins, Katherine McMahon and Anne Bennie.

I congratulate all at the War Memorial, including the many volunteers, on the superb work they do to promote our proud history. For more information about the memorial or to conduct research, visit www.awm.gov.au.

Canberra Institute of Technology

MR GENTLEMAN (Brindabella) (4.32): I rise tonight to congratulate Canberra's Institute of Technology on picking up a new training program for the ACT—that is, the electric vehicle training program for Nissan Australia specialising on the Nissan Leaf. The program used to take place in Victorian TAFEs, and Nissan have now brought their technicians all the way to Canberra for their full training. CIT sent their instructors over to the USA to complete some special modules earlier this year and they have come back now to teach other technicians.

All Nissan mechanics hoping to work on electric vehicles now come to the ACT and are trained in new modules and upgrades over a two-week period. The training does not end there though. Using all Nissan materials, they get a taste of how amazing these electric vehicles are. The skills can be transferred to other electric vehicles, therefore, training in the future will expand into other areas.

I think this shows that industry has great faith in Canberra's education system, especially our Institute of Technology. I have been able to have a look at the modules being delivered at CIT at the Fyshwick campus. I watched some of the technicians from interstate actually working on a Nissan Leaf and its battery pack. It is a very safe environment; all of the OH&S practices have been put in place, and they are using new technologies and new equipment to work on these vehicles.

In conclusion, this is another great sign that CIT are a nationally recognised training organisation with industry trusting their groundbreaking work. I understand it is their intention to try and move into international training on electric vehicles. The ACT should feel very proud that we are leading the way on electric vehicles through training at CIT.

I would like to make some acknowledgements: Colin Prest, the head of automotive at CIT; Mick Doyle, who was instrumental in obtaining the service for Nissan Australia; Richard Saberton, who took over my former job with the Motor Trades Association, Nissan Australia, of course; and CIT.

Unfortunately there is one sad story to this. Whilst the ACT has done very well in obtaining the training provision, there has been a direct cut to TAFE colleges right throughout Victoria in the last year and a bit. It appears now, according to the *Australian*, that the Victorian government has sacked 10 chairpeople from the TAFE boards and severely cut funding for those TAFEs. So while we benefit here and we provide an excellent service, it is a sad reflection on how Liberal governments are dealing with technical and further education colleges in other states.

Multiculturalism

DR BOURKE (Ginninderra) (4.36): Tonight I want to highlight multiculturalism and respect for each other in our community. When I have a speaking role at public events I acknowledge the traditional custodians or owners and pay my respect for the ongoing contribution they make to the life of our city and region. I often explain the importance of acknowledgements and welcomes to country and that it is about the future, about how we can all learn from that Indigenous knowledge. It is about respect for the first Australians. And in the larger sense, it is also about respect for our common humanity, respect for our fellow human beings and what we all bring to our community.

This is something I have been talking about at Harmony Day and citizenship ceremonies. I am prompted to talk again about this today by reports last month of racial abuse on a bus, this time in Canberra. We must take a stand against this crude kind of racism, but we also have to be aware of more subtle racism based upon stereotypes and a lack of respect for our common humanity.

Today we celebrate and embrace the diversity of Australia's many cultures that have come together to form our nation. Given human nature and the constant search for an identity, this has taken time. It has not been easy and we are not perfect. I like to ask, "What is Australia's greatest achievement?" I cannot say it is in the sports, sciences or the arts because these are largely the success of a few individuals.

Mr Assistant Speaker, what success can we point to which is of the people and by the people, a success which we have all contributed to? I believe it is our embrace of multiculturalism as a national philosophy. From many cultures, from many lands, we have created a nation with many stories.

Earlier this year the National Multicultural Festival in Canberra had over 250,000 visitors. Probably most of Canberra turned up. It included huge Chinese New Year celebrations here in Civic, and Canberrans of all backgrounds celebrated too. Yet 150 years ago, a Chinese New Year celebration on the main street of any Australian town would have caused a riot. It was still unthinkable 100 years ago when many Australians promoted a white Australia policy.

Australia has a 40,000 year history of multiculturalism with different, distinctive Aboriginal and Torres Strait Islander cultures of saltwater, river and desert. We have added the rich diversity of the background of migrants over the last 200 years. People from many cultures have arrived in Australia seeking a better life, perhaps as refugees from their homelands, escaping war, oppression, famine or grinding poverty.

Australians have changed and can change some more, and we can learn from our newest Australian citizens. That is our deal—you can become an Australian—and what being an Australian means can change as we who were here before you take on the ideas that you have brought to our country. Together we have built a new nation we can be proud of and all of us a part of—living in harmony. But the work must always continue and we can never take it for granted.

Belconnen skate park

MS BERRY (Ginninderra) (4.40): I rise this evening to talk about an oft-maligned sport but one that provides a great outlet for young people, especially in Belconnen—the local skateboarding and BMX scene.

Ms Burch: Do we ever see you on a skateboard?

MS BERRY: I will get to that. I know that the kids and teens who get around the Belconnen skate park will think this speech is a little bit “hesh”, which for those uninitiated in the language means “uncool”, but as a parent of a nine-year-old boy and a six-year-old girl, I think it is worth highlighting the good things about this subculture.

On 23 March I took my kids down to the Belconnen skate park—the largest skate park in the southern hemisphere, and, according to Skateboarding Australia, the only skate park that can be seen from outer space—for the Skateboarding Australia streetwise clinics. These clinics are all about getting beginners into skateboarding and developing the skills of those already riding and they are taught by dedicated local skateboarders.

I was pleased to see in 2012 as part of the sportenary program that the funding for the ACT hub was doubled by the ACT government so that the hub could expand their streetwise and cruiser clinics. This decision by the ACT government was pretty fresh, and I hope to see that this kind of funding is continued into the future. The guys responsible for the upkeep of the local skate parks are a fantastic group of volunteers who are really great with young people. They show them all the tricks, the importance of safety and how to negotiate the parks when older skaters are using them.

Luke Brown is the ACT skate hub manager and he has been, and continues to be, a fantastic ambassador for the sport here in Canberra. Luke was responsible for getting the community together to secure a federal grant of \$2 million and an ACT government grant of \$2.2 million to rebuild the Belconnen skate park and establish a new skate park in Woden. Luke is a local public servant and I think he displays the values that make us proud of our public servants here in the ACT.

Mr Assistant Speaker, my own efforts in the privacy of my backyard would never be described as “steazy”. Nonetheless, I will continue to give it a go. The ACT skate hub has a great program of activities, and I highly recommend all my Labor colleagues and, indeed, those in the opposition who might be game enough to give it a go, to take part in a game of skate at the Tuggeranong skate park, which will be happening this Saturday afternoon as part of the sportenary program in the ACT.

Question resolved in the affirmative.

The Assembly adjourned at 4.43 pm until Tuesday, 14 May 2013, at 10 am.

Answers to questions

Canberra Stadium (Question No 82)

Mr Seselja asked the Minister for Tourism and Events, upon notice, on 19 March 2013:

- (1) Where is the Government at with regards to its plans to redevelop Canberra Stadium.
- (2) Does the annual report, on page 140, note that "... any future redevelopment of the existing Canberra Stadium would need to be a rebuild"; if so, why does it need to be a complete rebuild.
- (3) Where is the Government at with its initiative to seek a naming rights sponsor for Canberra Stadium.
- (4) How long has the Government been looking for a sponsor.
- (5) What is the Government offering prospective sponsors.
- (6) Who has the Government approached.
- (7) Where is the Government at regarding its negotiations with the Australian Sports Commission regarding long-term ownership arrangements for Canberra Stadium.
- (8) Were 500 local residents letterboxed regarding traffic arrangements for scheduled football games; if so, what feedback has the Government received with regards to traffic arrangements for sports events at Canberra Stadium.
- (9) What will the Government be doing to address these issues and how much did this initiative cost.

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

- (1) The Economic Development Directorate (EDD) is undertaking an engineering feasibility and urban design study investigating the linking of the City to Lake Burley Griffin. This study includes consideration of the Australia Forum, the options for the existing Convention Centre site and options for locating a sports stadium in this part of the city. Co-location benefits of integrating a stadium with convention facilities and accommodation will also be investigated.
- (2) Infrastructure analysis undertaken as part of the Canberra Stadium Master Plan in 2009 showed that it would be more cost effective to replace the stadium rather than to redevelop the current stadium. Conservative estimates are that it would cost nearly \$79m (estimated in 2011 dollars) to bring the stadium up to modest current standards and nearly \$111m (estimated in 2011 dollars) to make it comparable to competitors in other cities. In any event, continuing to upgrade the existing facility would not extend the useful economic and base infrastructure life of the stadium.

There are also options for a staged rebuild of each of the stands. However, the cost of this is comparable, if not more expensive than rebuilding the current stadium due to the need to merge old and new structures as well as the impact on the playing season and the disruption costs involved. A redevelopment of the Meninga (West) Stand would be the highest priority in terms of a staged rebuilding process.

- (3) The Government is yet to find a naming rights sponsor.
- (4) The Government has been seeking a naming rights sponsor since a formal Expression of Interest process closed on 11 August 2011.
- (5) Any arrangement would be negotiated with the naming rights sponsor. In general, sponsors are usually seeking promotion of their brand through naming rights, signage and media exposure. Corporate hospitality arrangements are usually also included.
- (6) This information is deemed to be Commercial-in Confidence.
- (7) The Territory and the Australian Sports Commission (ASC) are continuing to discuss in good faith the issue of the long-term ownership arrangement for Canberra Stadium. EDD provided a briefing recently to the new CEO ASC and a member of the ASC Board on the City to the Lake project which includes the plans for a new city-based stadium. Both parties will meet in the next month or so to continue discussions which will explore solutions for both the period between 2010 (when the peppercorn rent concluded for the Stadium) and 2024 when the current lease concludes, and the period beyond 2024.
- (8) Residents surrounding Canberra Stadium are annually provided with details of game-day event traffic and parking arrangements through letter-box drops prior to the season commencement. It is understood that in 2012, two residents of the Proximity Apartments complained about not being able to access the visitor parking in their complex via Braybrook Street. It is further understood that these matters were resolved after venue staff discussed alternate access arrangements with the residents.
- (9) Refer to the above response.

Economic Development Directorate—Territory Venues & Events (Question No 83)

Mr Seselja asked the Minister for Tourism and Events, upon notice, on 19 March 2013:

- (1) What is the cost of delivering the events of (a) New Year's Eve, (b) Australia Day, (c) Canberra Day, (d) Canberra Nara Candle Festival, (e) Lighting of the Christmas Tree, (f) Enlighten, (g) Celebrate in the Park, (h) Symphony in the Park and (i) the Balloon Spectacular.
- (2) What is the direct revenue impact to the Territory of the events referred to in part (1).

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

- (1) The operational costs of delivering the above events for the 2011-12 financial year are set out in the table below. Note: these figures do not include employee expenses.

Event	Operational Cost
New Year's Eve (2011)	\$225,000
Australia Day (2012)	\$159,000
Canberra Day (2012)	\$51,000
Canberra Nara Candle Festival (2011)	\$63,000
Lighting of the Christmas Tree (2011)	\$51,000
Enlighten (2012)	\$1,248,000
Celebrate in the Park (2012)	\$376,000
Symphony in the Park (2012)	\$73,000
Balloon Spectacular (2012)	\$193,000

- (2) The direct revenue impact to the Territory for Enlighten 2012 was \$0.3m. Ernst & Young was commissioned by Australian Capital Tourism to estimate the economic impact on the ACT as a result of staging ENLIGHTEN 2012 as well as reporting on market research performed on patrons that attended the event. A copy of this report is attached for information. Direct revenue impact to the Territory is not measured for the remainder of events listed above, given their community nature and focus.

(A copy of the attachment is available at the Chamber Support Office).

Stromlo Forest Park (Question No 84)

Mr Seselja asked the Minister for Tourism and Events, upon notice, on 19 March 2013:

- (1) What additional commercial options is the Government considering for Stromlo Forest Park.
- (2) What new initiatives are being implemented.
- (3) How much will these initiatives cost.
- (4) What is the anticipated value of these initiatives.

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

- (1) Future commercial options are being considered through master planning currently being undertaken but could include low-cost accommodation, adventures rides, retail and other tourism activities.
- (2) Funding of \$2.8m has been allocated in the Capital Works Program to undertake design work at Stromlo Forest Park. The purpose of the work is to design service infrastructure into Stromlo to support future developments and to allow integration of services with the surrounding Molonglo developments. This work also includes design work to establish district playing fields within the park.
- (3) The current funding is \$2.8m (refer to above). The estimate of the cost of constructing the supporting infrastructure is currently being prepared as part of the design works. There is potential for future commercial initiatives to be wholly funded by the commercial sector or to include a contribution by the Government.

- (4) The agreement with the ‘adventure ride’ operator provides the Territory with an annual fixed fee and a sliding percentage of turnover depending on the number of patrons.

Health Directorate—savings (Question No 85)

Mr Hanson asked the Minister for Health, upon notice, on 21 March 2013:

- (1) Was the Directorate successful in meeting the prescribed savings outlined in the 2011-12 Budget.
- (2) How much did the Directorate save from (a) travel and accommodation, (b) printing and stationary, (c) consultants and contractors, (d) recruitment and training and (e) electricity usage.
- (3) What is the Directorate’s progress in achieving the savings for the 2012-13 financial year and how much has been saved to date.

Ms Gallagher: The answer to the member’s question is as follows:

- (1) The Health Directorate achieved an overall result in 2011-12 of an improvement to the budgeted deficit of \$9.448M.
- (2) After allowing for indexation, ACT Health spent less in 2011-12 than in 2010-11 for (a) travel and accommodation (\$139,000) (b) printing and stationery (\$238,300) (c) consultants and contractors (\$18,000) (d) recruitment and training (\$675,100) and (e) electricity (\$454,600).
- (3) ACT Health is on track to under spend against the overall expenditure budget in 2012-13. After allowing for indexation, ACT Health has spent less across the five categories identified in Question 2 in 2012-13 than in 2011-12 by \$20,354.

It is difficult to demonstrate prescribed savings in these categories because the services and workforce are growing as facilities are opened and demand for services grows. The 2012-13 year to date figures reflect that while we are making prescribed savings, costs are higher for budgeted increase due to the opening of new facilities and growth in services. For example, expenditure on electricity is higher following the commissioning of new facilities (Centenary Women and Children’s Hospital – Stage 1, Gungahlin Health Centre, Adult Mental Health Facility).

Health—funding (Question No 86)

Mr Hanson asked the Minister for Health, upon notice, on 21 March 2013:

- (1) Did the Commonwealth Government revise funding to the States and Territories under the National Health Reform, in October during the Mid-Year Economic and Fiscal Outlook, due to changes in population estimates from the Australian Bureau of

Statistics; if so, (a) what was the impact of this change on the ACT for each budget year, including this year and over the forward estimates and (b) as a result, have there been any changes to scheduled health services for the 2012-13 year.

- (2) If funding decreased in 2012-13, has the ACT Government made up this funding gap to allow services to be delivered.
- (3) If funding has decreased, has the Minister made representations to the Federal Health Minister regarding any loss of funds.

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

- (1) There were revisions in funding through the National Healthcare Specific Purpose Payments due to changes in population estimates by the Australian Bureau of Statistics. a) The impacts are: a reduction of \$1.844 million in 2012-13, which includes an adjustment of around \$0.6m in relation to the 2011-12 Financial Year; a reduction of \$1.290 million to the published 2013-14 estimate and increases to the 2014-15 and 2015-16 published estimates of \$0.730 million and \$3.129 million respectively. The overall adjustment to the ACT is positive over the four years to 2015-16. b) There is no change to scheduled health services in 2012-13.
- (2) ACT Health and Treasury will work together to ensure that the appropriate level of funding is available in 2012-13. Historically increases or reductions to national agreements have not been routinely on-passed to directorates.
- (3) The forward estimates are positive over the four year period. I have discussed this matter with the Federal Minister for Health.

Taxation—stamp duty (Question No 89)

Mr Smyth asked the Treasurer, upon notice, on 21 March 2013:

In relation to the ACT Supreme Court's recent ruling on the Government's application of stamp duty under its affordable housing schemes, can the Treasurer provide details on (a) how many people could be entitled to a similar stamp duty refund as a result of the recent ACT Supreme Court ruling, (b) what were the causes of conflicting advice being given to eligible concession homebuyers, (c) what is the potential impact to the Territory's finances should the Government decide to refund eligible homebuyers, (d) when did the Government begin applying stamp duty to the land and house components of affordable housing schemes and (e) which affordable housing schemes was stamp duty applied to both land and house values.

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

- (a) There are currently 2 legal representations before the ACT Revenue Office in relation to this issue.
- (b) It is unclear what conflicting advice is referred to in the member's question.
- (c) The exact financial impact of the ACT Supreme Court decision is still being investigated.

- (d) The application of stamp duty to an affordable housing scheme depends on the contract and settlement arrangements. Therefore, it is possible that some affordable housing schemes will attract duty on the house and land. However, under the 'declared affordable house and land packages' and 'OwnPlace' affordable housing schemes, duty was specifically only imposed on the land component of the purchase. Notwithstanding whether duty is applicable to the land only or the house and land, the Home Buyer Concession Scheme could provide a significant duty concession for eligible applicants.
- (e) The ACT Supreme Court's recent ruling is in relation to particular contracts in Crace, where duty was applied to the combined land and building value due to the interdependency of the contracts. Duty is applied to affordable housing schemes in accordance with the Duties Act and with regard to eligibility for home buyer assistance schemes, such as the Home Buyer Concession.

Transport—bicycle storage lockers (Question No 91)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 9 April 2013:

- (1) How many secure bicycle storage cages have been built.
- (2) What was the final handover cost of each.
- (3) What is the (a) location, (b) capacity and (c) annual maintenance cost of each cage.
- (4) How many registered users are there for each cage.
- (5) What is the average daily occupancy rate for each cage.
- (6) If the data referred to in parts (1) to (5) is not collected, why not.
- (7) How many banks of bicycle storage lockers have been supplied and installed.
- (8) How many lockers are in each bank.
- (9) What was the supply and installation cost for each bank.
- (10) What is the (a) location and (b) annual maintenance cost of each bank.
- (11) How many registered locker users are there.

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

- (1) Four secure bicycle storage cages have been built.
- (2) Bicycle storage cages cost approximately \$100,000 each.
- (3) (a) Bicycle storage cages are located at four locations: Belconnen Community Bus Station, Harrison (Flemington Road), Lyons (Melrose Drive), and Mawson (Athllon Drive).

- (b) Each bicycle storage cage has a capacity for 24 bicycles.
- (c) The cost of maintenance specifically relating to bicycle storage lockers is not identified separately from other public transport asset maintenance.
- (4) As at 31 March 2013, a total of 127 MyWay cards have been programmed allowing users access to all four bike cage facilities via independent security systems.
- (5) Occupancy rates for bicycle storage cages is not currently collected.
- (6) In relation to part (5), to date there has been no bicycle storage cage occupancy rates collected. While the security system provides access to the bicycle cages, it does not record occupancy data.
- (7) Bicycle storage lockers have been installed at seven locations.
- (8) A total of 69 bicycle storage lockers have been installed. The number at each location is:
- City: Mort Street – 16 lockers
 - Belconnen: Belconnen Community Bus Station – 10 lockers
 - Woden 1: eastern end of footbridge – four lockers
 - Woden 2: northern side of Bowes Street – eight lockers
 - Tuggeranong: southern side of Pitman Street – 10 lockers
 - Gungahlin: northern side of Hibberson Street – two lockers
 - Mawson: corner of Athllon Drive and Beasley Street – 19 lockers
- (9) The average cost for the supply and installation of the bicycle storage lockers was approximately \$2,500 per locker.
- (10) The cost of maintenance specifically relating to bicycle storage lockers is not identified separately from other public transport asset maintenance.
- See response to part (8) for the locations of the bicycle storage lockers.
- (11) As at 31 March 2013 there are 34 registered bicycle storage locker users.

Roads—Hindmarsh Drive (Question No 92)

Mr Seselja asked the Attorney-General, upon notice, on 9 April 2013 (*redirected to the Minister for Territory and Municipal Services*):

What was the total number of crashes recorded on Hindmarsh Drive between Yamba Drive and Dalrymple Street in (a) 2008, (b) 2009, (c) 2010, (d) 2011 and (e) 2012.

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

- (1) The total number of crashes recorded on Hindmarsh Drive, between Yamba Drive and Dalrymple Street, inclusive of crashes at the intersections of those roads with Hindmarsh Drive are provided in the table below.

Year	Number of crashes recorded
2008	102
2009	110
2010	78
2011	97
2012	84

Transport—disabled people (Question No 95)

Mr Hanson asked the Minister for Disability, Children and Young People, upon notice, on 10 April 2013 (redirected to the Minister for Environment and Sustainable Development):

- (1) Has the Government undertaken a study on the relationship between transport corridors and people with a disability in the ACT; if so, when was this study conducted and what were the overall findings of this study.
- (2) What is the current relationship between transport corridors and the (a) known postcodes of (i) women and (ii) men with disabilities residing in the ACT and (b) location of disability services in the ACT.

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

- (1) No. However, the Government has an ACT Accessible Public Transport Action Plan (Plan) identifying areas for improvement on access to public transport. The Government will continue to implement this Plan.
- (2) *Transport for Canberra* released by the Government in March 2012 shows the relationship between public transport services and the location of socially disadvantaged populations (refer page 30, *Transport for Canberra*, http://www.transport.act.gov.au/policy_and_projects/transport_for_canberra_policy).

Employment—skilled migration (Question No 96)

Mr Smyth asked the Minister for Economic Development, upon notice, on 10 April 2013:

- (1) In relation to Employer Sponsored and Skilled Identified Migration Programs, did the half-yearly report note that employer sponsored migration decreased by 40.4%, and skilled identified migration decreased by 18.4%; if so, what consultations did the Government have prior to the 1 July 2012 Commonwealth visa category reforms.
- (2) How much prior notice did the Government receive before these changes were implemented.
- (3) How did the Government change their skill migration attraction programs accordingly to accommodate these changes.

- (4) Was this change considered in the Skilled and Business Migration Program Review, June 2011; if so, why; if not, why not.

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

- (1) The half yearly performance report for the period 1 July-30 December 2012 noted a decrease in Employer Sponsor certified by 40.4% and a marginal decrease of 18.4% for Skilled Independent certified. The drop in certification was largely associated with Commonwealth Government reforms to various visa categories. The Department of Immigration and Citizenship conducted extensive consultations with the State and Territory Governments about the reforms through the consultation mechanisms that exist for this purpose. Prior to 1 July 2012, the number of employer nominations through the program increased significantly in the lead up to the introduction of the reforms.
- (2) Our records indicate that the ACT Government received approximately:
 - nine months notice about the general intent of the Commonwealth changes;
 - 4-6 weeks notice of the content of Commonwealth legislation underpinning the changes; and
 - continued updates at the quarterly Commonwealth State Working Party on Skill Migration (CSWPSM) about changes to visa categories.
- (3) The Government has not, to date, changed its skill migration attraction program to accommodate the 1 July 2012 changes.
- (4) The changes were not considered in the Skilled and Business Migration Program Review, June 2011, as the details of the Commonwealth reforms underpinning the changes were not developed at that time.

Business—red tape reduction (Question No 97)

Mr Smyth asked the Minister for Economic Development, upon notice, on 10 April 2013:

- (1) When was the Red Tape Reduction Panel established.
- (2) Who are the members that make up the Panel.
- (3) How many meetings has the Panel had, and when.
- (4) Can the Minister provide a list of red tape that the Panel identified including (a) date identified and (b) value of red tape.
- (5) Can the Minister provide a list of red tape removed including (a) date identified and (b) value of red tape.
- (6) What methodology does the Government use to measure the value of identified red tape.

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

- (1) The Red Tape Reduction Panel was established following the release of *Growth, Diversification and Jobs – A Business Development Strategy for the ACT* in April 2012.
- (2) The Panel is comprised of industry representatives from the ACT Chamber of Commerce and Industry, the Canberra Business Council, and the Council of Small Businesses of Australia. For the next 6 months, ClubsACT will also be represented on the Panel. It also includes representatives from the Economic Development Directorate and the Office of Regulatory Services. I am the Chair of the Panel.
- (3) The Panel has met four times since it was established on 12 July 2012, 26 July 2012, 30 August 2012 and 12 December 2012. The next meeting will be held in May 2013.
- (4)(a) During 2012, the following reforms and areas of reform were identified:
 - Provision of an online feedback tool designed to give individuals a mechanism to identify any ‘red tape’ that affects or impedes their ability to do business in the ACT.
 - Abolishing motor vehicle registration stickers.
 - eLodgement of rental bonds.
 - Extending various licences from annual renewals to longer terms wherever possible.
 - Streamlining signage requirements for business.
 - Minimising the need for multiple police checks.
 - Streamlining approvals and licensing processes for outdoor dining areas.

For the balance of 2013, the Panel is focusing its attention on red tape within the clubs and hospitality sector, the real estate industry and the tertiary education sector.

- (4)(b) At this early stage of a long-term reform agenda, the focus of the Panel has been on improving efficiencies in response to concerns raised by industry, rather than quantifying the exact value of the red tape being removed.

As of March 2013, all new policy and/or policy changes will be subject to a triple bottom line assessment, as per the ACT Government’s Triple Bottom Line Assessment Framework.

It is also worth noting that the Productivity Commission is undertaking a benchmarking study into regulator engagement with small business. It is anticipated that this study will result in a recommended national approach to quantifying the financial impact of ‘red tape’ and its removal.

- (5)(a) The status of the reforms identified at 4(a) are as follows:
 - The ‘Fix my Red Tape’ portal went live in January 2013.
 - Registration labels will not be required for light vehicles from 1 July 2013.
 - Work is continuing on the eLodgement of rental bonds.
 - The first tranche of proposed extended licence terms will be introduced to the Assembly in the coming months.

- Investigations are progressing on streamlining signage requirements for businesses and police check requirements.
- Proposed amendments to approval and licensing processes for outdoor dining areas will be introduced to the Assembly by the end of the year.

(5)(b) Please refer to (4)(b).

(6) Please refer to (4)(b)

Government business portal—redevelopment (Question No 99)

Mr Smyth asked the Minister for Economic Development, upon notice, on 10 April 2013:

- (1) When was the existing Government Business Portal established.
- (2) What is the status of the redevelopment of this portal.
- (3) How much funding has been identified for this initiative.
- (4) What is the source of allocated funding.
- (5) Will this initiative be implemented by InTACT or by an external provider, and why.
- (6) What is the identified Web 2.0 platform that the existing business.act.gov.au website will be developed on.
- (7) Will the website be accessible to individuals with disabilities; if not, why not.
- (8) How will social media be incorporated into this portal and what elements will be included.

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

- (1) The redeveloped Government Business Portal was launched in March 2013.
- (2) See (1) above.
- (3) \$19,775 has been spent on this initiative.
- (4) Internal agency resources.
- (5) Shared Services ICT implemented the redevelopment using the Single Public Face templates in line with the current policy.
- (6) Web 2.0 platforms allow for user interaction. The Portal features a blog, which will soon provide the ability for users to interact with content posted. As part of the portal redevelopment, social media capability has been established on Twitter and Facebook.

- (7) The Portal has been built to comply with the current requirements under the Website Content Accessibility Guidelines 2.0. These guidelines ensure that website content is accessible to as many people as possible, including individuals with disabilities.
- (8) As identified in the answer to (6) a blog is delivered within the portal, and Twitter and Facebook profiles have been implemented. Users also have the option to subscribe to RSS feeds and an eNewsletter.

Government—procurement (Question No 100)

Mr Smyth asked the Minister for Economic Development, upon notice, on 10 April 2013:

- (1) In relation to Growth, Diversification and Jobs Business Development Strategy—Local Small and Medium Enterprises (SME) Procurement, did the Government plan to implement “a weighting against whether the tenderer is a local SME and/or their involvement with local businesses”, what consultations has the Economic Development Directorate had with Procurement Solutions with this matter and what was the advice that was provided to the Directorate.
- (2) When will this initiative be implemented.
- (3) How is this initiative consistent with the Government’s procurement policies.
- (4) How is this initiative aligned to the (a) Australia-New Zealand Government Procurement Agreement, (b) ASEAN-Australia-New Zealand Free Trade Agreement, (c) Australia-Chile Free Trade Agreement, (d) Australia-United States Free Trade Agreement, (e) Malaysia-Australia Free Trade Agreement, (f) Singapore-Australia Free Trade Agreement and (g) Thailand-Australia Free Trade Agreement.
- (5) What is the Government’s definition of “local” and how is this in line with the agreements referred to in part (4).

Mr Barr: The answer to the member’s question is as follows:

- (1) As per the *Growth, Diversification and Jobs Business Development Strategy*, the Government plans to introduce a new evaluation criteria for goods and services tenders that puts a weighting against whether the tenderer is a local SME and/or their involvement with local businesses. A preliminary meeting has been held between the Economic Development Directorate and Shared Services Procurement, in which advice was shared by both directorates regarding the joint development of the initiative, which is yet to be finalised.
- (2) The date of implementation of this initiative is yet to be finalised.
- (3) In pursuing value for money in its procurements, the Government considers factors such as probity and ethical behaviour; management of risk; open and effective competition; optimising whole of life costs; and anything else prescribed by regulation, which are then assessed against appropriate criteria. This initiative will add a new criterion to the existing set and will be weighted in such a way so as not to negate consideration of the other factors outlined above.

- (4)
- a. An objective of the ANZGPA is to ensure the absence of inter-state and trans-Tasman application of preference schemes and other forms of discrimination in government procurement according to place of origin of goods and services. SMEs are a distinguishable category of business not determined by place of origin.
 - b. The ASEAN-Australia-New Zealand Free Trade Agreement (FTA) does not contain a government procurement chapter.
 - c. The Australia-Chile FTA Chapter 15, Section 7 states: “This chapter does not apply to any form of preference to benefit small and medium enterprises”.
 - d. The Australia-United States FTA Chapter 15, Section 7 states: “This chapter does not apply to any form of preference to benefit small and medium enterprises”.
 - e. The Malaysia-Australia FTA does not contain a government procurement chapter.
 - f. The Singapore- Australia FTA Chapter 6, Article 16 states: “Nothing in this chapter shall prevent the Parties from using government procurement to promote industry development including measures to assist small and medium enterprises (SMEs) within their territory to gain access to the government procurement market”. The Singapore-Australia FTA does not apply to subsector entities.
 - g. Chapter 15 of the Thailand-Australia FTA makes no reference to preferencing SMEs.
- (5) The definition of the term “local” in this context is subject to finalisation but will be consistent with established regional agreements.
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Employment—skilled migration (Question No 101)

Mr Smyth asked the Minister for Economic Development, upon notice, on 10 April 2013:

In relation to Skill and Business Migration, what migration attraction programs has the Government hosted/participated in over the last four years and can the Minister include (a) location of the event, (b) cost of participation, (c) number of staff and position titles and (d) numbers of migration applications generated.

Mr Barr: The answer to the member’s question is as follows:

- (1) (a)
Since 1 July 2009 skilled migration attraction activities have been conducted in New Zealand; United Kingdom; Ireland; the Netherlands; and South Africa.
- (b) and (c)
Please refer to Table 1 below for a summary of international campaigns conducted over the last four years, noting international campaigns were not conducted in 2009 due to the GFC. The internal policy is for a minimum of two officers to accompany each offshore in market campaign, based on both delivery efficiency and personal safety considerations.

Table 1: Summary of International Campaigns since 1 July 2009

In Market Activity	Date	Cost	Staff Members Participating
South Africa	6 to 18 May 2010	\$32,130	2 x SOGC
New Zealand	16 to 19 July 2010	\$10,050	1 x SOGC; 1 x ASO5
United Kingdom	8 to 21 September 2010	\$36,000	1 x SOGC; 2 x ASO5 ¹
United Kingdom; Ireland; the Netherlands; and South Africa (combined campaign)	9 to 28 February 2011	\$38,300	2 x SOGC
New Zealand	10 to 15 February 2011	\$18,960	1 x SOGA; 1 x ASO5
United Kingdom	31 May to 14 June 2011	\$25,500	1 x SOGC; 1 x ASO5
New Zealand	11 to 13 November 2011	\$12,150	1 x SOGC; 1 x ASO5
United Kingdom	21 February to 7 March 2012	\$30,350	2 x SOGC
New Zealand	11 to 13 May 2012	\$11,500	1 x SOGC; 1 x ASO5
New Zealand	15 to 18 March 2013	\$11,700	1 x SOGC; 1 x ASO5
1. In September 2010 three officers participated in the campaign to the United Kingdom due to its length and complexity.			

1. In September 2010 three officers participated in the campaign to the United Kingdom due to its length and complexity.

(d) It is not possible to determine the specific number of applications generated directly from these campaigns given the visa processing pipeline can take several years. Table 2 below shows the top five countries for application approvals over the last four years, with both the United Kingdom and South Africa featured. There is a strong relationship between in market programs and subsequent application activity. Activity from New Zealand is less visible because visa processes are generally not involved.

Table 2: Top five countries for application approvals since 1 July 2009

Top 5 Countries of origin	Number of applications approved from highest ranking	Percentage of total approved applications
United Kingdom	339	18%
India	307	16%
South Africa	276	15%
Sri Lanka	130	7%
Iran	84	4%

Business—buy local campaign (Question No 102)

Mr Smyth asked the Minister for Economic Development, upon notice, on 10 April 2013:

- (1) What is the status of the Social Media 'Buy Local' Campaign initiative.
- (2) When will this initiative commence, if not already.

- (3) How much funding has been identified for this initiative.
- (4) What is the source of allocated funding.
- (5) Will this initiative be implemented by InTACT or by an external provider, and why.
- (6) How will this initiative be managed.
- (7) What elements and platforms will be included in this social media campaign.
- (8) Will this campaign accommodate individuals with disabilities; if not, why not.

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

- (1) The initiative is currently in the final stages of planning.
- (2) The initiative will commence in mid-2013.
- (3) Funding of \$40,000 has been identified for the initiative.
- (4) The initiative is being funded as part of the *Growth, Diversification and Jobs* business development strategy for the ACT.
- (5) The initiative will be implemented by an external provider with expertise in utilising social media for business promotion.
- (6) The initiative will be managed by the Communications and Media Team within the Economic Development Directorate as part of the *Growth, Diversification and Jobs* strategy.
- (7) The initiative will employ a number of social media platforms including Twitter and Facebook, as well as other website and smart phone apps. The core elements of the initiative will be a citizen-centric business promotion campaign and social media training for local business operators.
- (8) All online materials produced by the Economic Development Directorate comply with the W3C Web Content Accessibility Guidelines, so as to accommodate individuals with disabilities.

Employment—skilled migration (Question No 103)

Mr Smyth asked the Minister for Economic Development, upon notice, on 10 April 2013:

- (1) What sponsor needs has the Government identified as a result of the establishment of the State Migration Plan with the Commonwealth Government.
- (2) How does this relate to the decreased Employer Sponsored and Skilled Independent figures for the half-yearly report.

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

- (1) The State Migration Plan (SMP) with the Commonwealth Government identifies 1,100 ACT nomination sponsorship places per annum for the General Skilled Migration visa stream only. A requirement of the SMP is that the ACT Government conduct a skills audit to identify the skills needed in Canberra. The audit enables the ACT to target and sponsor skills in demand in the ACT to establish sponsorship target numbers. The occupations listed do not relate to a specific job vacancy, nor represent a guarantee of a job in a specific occupation.
- (2) The sponsor needs identified as a result of the establishment of the State Migration Plan has no relation to the decreased Employer Sponsored and Skilled Independent figures for the half-yearly report. This decrease is related to the Commonwealth Government's 1 July 2012 major reform changes to visa categories which has seen an initial drop in all certification numbers as they moved to an online expression of interest registration process for all intending migrants. In addition a higher than average number of Employer Sponsored visas were certified prior to these 1 July 2012 reform changes which has resulted in reduced Employer Sponsored numbers post 1 July 2012.

Business—National Broadband Network (Question No 104)

Mr Smyth asked the Minister for Economic Development, upon notice, on 10 April 2013:

- (1) What was/is Business Development's role in supporting NBNC0 in the rollout in the ACT.
- (2) How did it assist with logistics.
- (3) What advice did it give.
- (4) What engagements with local communities did it have.
- (5) When will the network be extended to other northern suburbs.
- (6) Which suburbs will this include.
- (7) Did the 2011-2012 annual report note that the National Broadband Network (NBN) will be extended to "nearly all of the remaining suburbs of Canberra within three years"; if so, which suburbs will not be getting NBN connectivity and why.

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

- (1) Business Development established an NBN Implementation Taskforce comprising relevant Directorates and functional areas within Government who could assist with rollout logistics. The Taskforce provides a single entry point to Government for NBNC0 and its contractor Silcar.
- (2) The Taskforce has met with NBNC0 representatives and its contractors a number of times and Directorates are assisting NBNC0 and its rollout contractor Silcar on an issue by issue basis. The issues covered are diverse and include matters such as planning and access arrangements and community consultation.

- (3) See (2) above. Additionally, Business Development provides advice on relevant contacts within ACT Government Directorates and Community Councils who can assist in facilitating the rollout.
- (4) Business Development has worked closely with representatives of the Gungahlin Community Council.
- (5) Within the next two years.
- (6) All of the northern suburbs including Dickson, Watson, Hackett, Downer, Turner, Braddon, Lyneham, Campbell, Reid, Ainslie, O'Connor.
- (7) The three year rollout plan includes providing connections to 135,300 homes and businesses across all Canberra suburbs. There may be some homes and businesses in outlying parts of the ACT that will require wireless or satellite NBN connections.

ACT public service—Aboriginal and Torres Strait Islander staff (Question No 107)

Mr Wall asked the Minister for Aboriginal and Torres Strait Islander Affairs, upon notice, on 11 April 2013:

How many employees in the ACT Public Service, who have identified as Aboriginal and Torres Strait Islander, are currently employed in frontline service delivery roles in each ACT Government directorate.

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

1. As at 27 March 2013, the number of ACT Public Servants who have identified as Aboriginal and Torres Strait Islander employed in each ACT Government Directorate is at **Attachment A**.

The HR System does not contain sufficient information to identify if a position is a frontline service delivery role. The only feasible way to identify the number of Aboriginal and Torres Strait Islander staff working in such roles would involve producing a list specifically identifying the staff and a manual review of the list by a person with knowledge of the roles (such as Business Managers in line areas). Specifically identifying staff who have volunteered equal employment opportunity information on such a list would contradict the commitment made by the Government that the data collected will not be used to identify people and will only be used for statistical purposes.

Reporting Agency	Total Headcount	Total ATSI Headcount	ATSI % of Workforce
ACTION (TAMS Directorate)	923	11	1.2%
Auditor General's Office	39		0.0%
Canberra Institute of Technology	953	20	2.1%
Chief Minister and Treasury Directorate	318	2	0.6%
Chief Ministers Office	36		0.0%
Commerce and Works Directorate	103		0.0%
Community Services Directorate	1304	39	3.0%
Cultural Facilities Corporation	1		0.0%

Economic Development Directorate	222	3	1.4%
Education and Training Directorate	5866	56	1.0%
Environment and Sustainable Development Directorate	487	12	2.5%
EPIC (Economic Development Directorate)	13		0.0%
Gambling and Racing Commission	30	1	3.3%
Health Directorate	6478	66	1.0%
Justice and Community Safety Directorate	1882	26	1.4%
Land Development Agency (EDD)	96	2	2.1%
Long Service Leave Authority	10		0.0%
Shared Services (Commerce and Works Directorate)	972	11	1.1%
Territory and Municipal Services Directorate	1109	11	1.0%
ACTPS Total	20842	260	1.2%

Construction industry—complaints (Question No 109)

Mr Doszpot asked the Minister for the Environment and Sustainable Development, upon notice, on 11 April 2013:

- (1) When a Controlled Activity / Construction Occupations Complaint Form has been submitted to the ACT Planning and Land Authority in relation to the proposed demolition of a site, are stop work orders issued whilst an investigation is undertaken.
- (2) How many Controlled Activity / Construction Occupations Complaint Forms have been submitted in the last 12 months.
- (3) What is the average timeframe for these complaints to be resolved.

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

- (1) Stop work notices are issued if there is evidence at first appearance of a breach of the *Building Act 2004*. If there is evidence at first appearance of a breach of the *Planning and Development Act 2007* a prohibition order can be issued. Both the *Building Act 2004* and the *Planning and Development Act 2007* require evidence of a breach of the law before those powers can be exercised. A complaint is not grounds for issuing a stop work notice.
- (2) Every financial year the Directorate tallies the number of complaints made to the regulator. The 2011–2012 Annual Report recorded 684 complaints received in that financial year. In that same year the Investigation Team completed 647 investigations, 365 related to planning law and 303 related to construction laws.

Approximately 15 to 25 statutory complaints are registered every week with ESDD. Consequently, cases are not completed within financial year reporting times. Categorisation of the type of case also occurs after investigations are underway, or complete, as complainants are often not aware of all of the laws engaged when they lodge a complaint.

- (3) There is no average timeframe for complaints of similar ilk to be resolved. All complaints are investigated to establish whether there is evidence to demonstrate an

offence or other breach of the relevant laws. Investigations will often involve differing accounts of events, lack of full disclosure of documentary evidence and a range of lines of enquiry and defences that need to be explored.

In matters where all parties cooperate and fully disclose information, matters can be resolved in a relatively short period. However, in many cases investigators have to use formal information gathering powers, take witness statements, interview persons of interest, undertake recorded inspections etc to fully investigate matters.

Once investigated, decisions are made as to how best to enforce the law and in some cases rectify unlawful work. This in turn requires a show cause process to people and entities who have allegedly breached the law and final orders made and/or prosecution briefs prepared. In turn, enforcement functions are also reviewable by ACAT and the Supreme Court.

Questions without notice taken on notice

ACTEW Corporation Ltd—managing director

Mr Barr (*in reply to a supplementary question by Mr Smyth on Thursday, 21 March 2013*): Mr Sullivan has been the Managing Director of ACTEW Corporation since 2008. In setting his remuneration the ACTEW Board engaged the services of Egan Associates to provide professional advice on an appropriate remuneration package. In providing that advice Egan Associates benchmarked his position against 70 companies of a comparable scale and concluded that as a government owned business enterprise the package should be contained below the market median. According to advice provided by ACTEW, 90% of the Chief Executives included in the sample of 70 companies are paid more than Mr Sullivan.

The remuneration of the other ACTEW senior executives and management team are determined by the Managing Director with guidance from independent external reviews and in accordance with the *Territory-owned Corporations Act 1990* are reported in the ACTEW Annual Report.

ACTEW Corporation Ltd—management

Ms Gallagher (*in reply to a supplementary question by Mr Seselja on Wednesday, 10 April 2013*): Since I became a Voting Shareholder in the ACTEW Corporation in 2006, and apart from the normal Annual General meetings, there has been only one other General Meeting of ACTEW members which was held on 8 August 2012.

The topics on the Agenda for that meeting were:

1. Notice of Meeting.
2. Minutes of the Seventeenth Annual General Meeting held on 19 September 2011.
3. Special Resolution to amend the Constitution to increase the number of Board members from seven to eight.
4. Other Business.

The outcome of the meeting was that the Voting Shareholders agreed to the Special Resolution to amend the constitution to increase the maximum number of members on the ACTEW Board from seven to eight.

Disability services—funding

Ms Burch (*in reply to supplementary questions by Mrs Jones and Mr Coe on Wednesday, 10 April 2013*): The Commonwealth will provide the ACT Government with \$10.6 million to assist in delivering enhanced services and to provide support to assist in the preparations for the launch of the National Disability Insurance Scheme (NDIS).

The Commonwealth has also agreed that an additional \$12 million of Commonwealth funding will be spent in the ACT, to deliver a national strategy for the sector and workforce development.

The Pre-Election Budget Update estimated an additional annual recurrent cost to the ACT Government of around \$40 million for the full roll-out of the NDIS. This figure was a preliminary estimate and is being further refined, taking into account the actual services to be included under the NDIS.

The Commonwealth is currently finalising its additional financial investment for full roll-out which is over and above the services it currently funds.

The commitment to launch the NDIS in the ACT was formalised at the 7 December 2012 meeting of the Council on Australian Governments (COAG) through the signing of the *Intergovernmental Agreement for the National Disability Insurance Scheme (NDIS) Launch*.

The agreement notes for the ACT that the first stage of the NDIS will commence in July 2014. Both the Commonwealth and the ACT will contribute to the costs of the launch site including the costs of individual support packages.

The agreement also acknowledges that further work needs to occur in order to finalise the balance of cash and in-kind contributions.

Estimates of the additional funding required by the ACT Government for the NDIS will be included in the 2013-14 ACT Budget.