



Debates

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Tuesday, 13 August 2013

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.

**Justice and Community Safety—Standing Committee
Scrutiny report 10**

MR DOSZPOT (Molonglo): I present the following report:

Justice and Community Safety (Legislative Scrutiny Role)—Standing Committee—Scrutiny Report 10, dated 12 August 2013, together with the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

MR DOSZPOT: Scrutiny report 10 contains the committee's comments on 142 pieces of subordinate legislation and four government responses. The report was circulated to members when the Assembly was not sitting. I commend the report to the Assembly.

**Estimates 2013-2014—Select Committee
Report—government response**

MR BARR (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Sport and Recreation, Minister for Tourism and Events and Minister for Community Services) (10.01): I present the following paper:

Estimates 2013-2014—Select Committee—Report—*Appropriation Bill 2013-2014 and Appropriation (Office of the Legislative Assembly) Bill 2013-2014*—Government response, dated August 2013.

I move:

That the Assembly takes note of the paper.

I present the government response to the report of the Select Committee on Estimates 2013-2014. I thank the committee and its support staff for its report on the Appropriation Bill 2013-14 and the Appropriation (Office of the Legislative Assembly) Bill 2013-2014. I would also like to acknowledge and thank the Centre for International Economics for its efforts and time put into providing an independent view of the 2013-14 territory budget.

The government respects the role that is played by the Select Committee on Estimates in scrutinising its proposed expenditure. However, the government is also disappointed that the recommendations in the committee's main report were unbalanced and unable to provide any useful guidance to the Assembly.

The 2013-14 budget will build and transform Canberra, ensuring a prosperous and sustainable second century. The reforms and funding contained within the budget demonstrate the government's commitment to expand and transform our economy, and to create opportunity and fairness for all Canberrans. This budget will ensure the territory remains a great place in which to live, work, study and do business, and will ensure that we grow and prosper in the long term.

Although this budget continues to restructure our expenditure and revenue bases to make them more sustainable, the government has a clear goal of maintaining quality service delivery. The territory's economy is set on the path for growth, using our solid and sustainable fiscal position as the basis for the funding of large, transformative programs, such as DisabilityCare Australia, the national education reform agreement, the University of Canberra public hospital, capital metro and the city to the lake project. These projects will not only transform how key services are delivered in our city; they will fundamentally alter the way we move around, and they will generate thousands of jobs in the process.

More broadly, the budget will expand service delivery in health, education, emergency and municipal services, public transport, corrections and, importantly, for those in need. The budget also delivers on a number of election commitments and items contained within the parliamentary agreement. In our centenary year, this budget positions the territory to meet the financial and social challenges of the future.

The estimates committee report presents 151 recommendations. In conjunction with the independent adviser's report, it canvasses a significant number of matters contained within the budget. I will not take up the Assembly's time now by working through each of the select committee's recommendations. These are separately discussed in the response document which I have tabled here today.

The government has generally accepted or noted the majority of recommendations included in the committee's report. In our response the government has agreed to 28 recommendations, agreed in principle to nine, agreed in part to two, noted 78 recommendations, and not agreed to 34 recommendations.

With the instances where recommendations were not agreed, the government has taken the time to assess what is being asked. In general terms the government has not agreed to several of the recommendations on the basis that detailed analysis or reviews, including those undertaken by independent bodies, have already been undertaken on the issues raised and, in some instances, this information is already publicly available; the suggested change or service has already been undertaken or sufficiently catered for; additional work or service provision in relation to some recommendations would result in unnecessary duplication of effort, or that existing policies address the issue raised; the recommendation does not align with current legislative practice; the recommendation makes statements or claims that are inaccurate, such as those in relation to elective surgery performance; or the recommendation requests a change that is beyond the remit of an individual's—for example, a commissioner's—or the Legislative Assembly's jurisdiction or capacity. The reasons for each departure from the recommendations are detailed in each individual response.

The government acknowledges the findings of the Centre for International Economics report. I would like particularly to highlight the following findings. In relation to the territory's economic forecasts, I note the centre concludes that the forecasts appear reasonable, including that gross state product, state final demand and employment growth forecasts are considered reasonable, inflation and wage price index forecasts are satisfactory, and the forecasts are justified by key risks to public sector employment and commonwealth government expenditure in particular.

The centre highlighted the significance of taxation reform, which it considered would lead to a more sustainable revenue base in the long run. Specifically, the centre considers that the tax reform package is being undertaken at a moderate pace which enables the government to progressively phase out certain taxes while maintaining strong growth in own-source revenue.

However, the centre's conclusion that the taxation reform package delivers an overall increase in taxation revenue is inconsistent with the revenue neutrality of the government's taxation reforms. The centre's analysis appears to assume that all movement in each revenue line is solely due to taxation reform, whereas many other non-taxation-reform factors, such as wage price indexation, also contribute to revenue growth.

It is also considered that the capital works program remains strong and is stimulatory to workforce participation and indicates that there is workforce supply to help meet demand.

Finally, it notes that each of the savings included in the 2013-14 budget are relatively conservative when compared with the previous year's budget. These findings are a testament to our principle of responsible financial management practices.

The government notes that Dr Bourke and Mr Gentleman have provided a dissenting report containing 575 recommendations, in addition to the estimates committee's report provided by the chair of the committee, which contains 151. The government recognises that committee members have the right to provide additional information or a dissenting report if they so choose. In this particular instance, the government notes that the need for the dissenting report has been driven by the partisan and uncooperative chairing of the committee, and observes Dr Bourke's and Mr Gentleman's concerns regarding the chair's conduct of the committee and the chair's failure to observe parliamentary procedural arrangements. Matters of bullying raised by Dr Bourke and Mr Gentleman are indeed disturbing.

The government has not responded to each individual recommendation of the dissenting report. However, we have provided a broad response to it.

Mr Coe: A point of order.

MADAM SPEAKER: A point of order, Mr Coe.

Mr Coe: Madam Speaker, I refer to the Treasurer's comments when he spoke about the chair's bullying and other misconduct, and I ask for your consideration as to whether that is appropriate.

Mr Corbell: On the point of order, Madam Speaker—

MADAM SPEAKER: On the point of order, Mr Corbell.

Mr Corbell: Mr Barr is making a direct reference to issues raised explicitly in the dissenting report, and there can be no suggestion that he is inappropriately addressing those. He is making reference to a matter that is already on the public record and accepted in a report to this place.

MADAM SPEAKER: Without re-reading the dissenting report from Dr Bourke and Mr Gentleman, I do not have a direct recollection. I will take your word for it that those issues are canvassed in the dissenting report, Mr Corbell. If it is the case—and I will review the report at the break—that those issues were raised there, it probably should have been raised at that time. If it is on the record then the Treasurer is free to recanvass those issues, as long as he is recanvassing them and not making new assertions. So the Treasurer needs to be careful how he frames his comments.

MR BARR: Thank you, Madam Speaker. And, yes, Dr Bourke and Mr Gentleman did raise concerns regarding the chair's conduct of the committee and his failure to observe parliamentary procedural arrangements. The matters of bullying raised by Dr Bourke and Mr Gentleman are indeed disturbing.

The government has not responded to each individual recommendation of the dissenting report. We have, however, provided a broad response to it and thank Dr Bourke and Mr Gentleman for clearly recognising that this budget provides the basics needed to deliver good government for the people of the ACT.

In closing, the report of the estimates committee and its recommendations do not raise any issues at all that would prevent the passage of the Appropriation Bill 2013-2014. On behalf of the government I thank the committee for its consideration of the appropriation bills and remind the Assembly that this 2013-14 budget is about building and transforming Canberra for a prosperous and sustainable second century. I commend the government response to the Assembly.

MR HANSON (Molonglo—Leader of the Opposition) (10.13): I was not intending to speak to the government's response at this stage but I do need to address a couple of issues that were raised by the Treasurer. Firstly, I consider that some of the comments made by the Labor members of the committee need to be addressed. They are playing political games. They are trying to tear down the very legitimate recommendations which were made in the committee report. They are trying to politicise the process. And I understand that. That is one of the consequences of having these committees that are two-all—it lends itself to that.

But let us not have any pretence in this place that there is a highly political estimates report and that there is some noble dissenting report that is fair, just and above politics. I would invite anybody here to read the dissenting report, to read the 575 recommendations of glowing praise of the government, the nonsense that is contained in that report, and I think people will get a very clear idea that there was a partisan

approach to this committee process. You will see, if you read that report, how partisan the Labor members were and what I had to deal with as the chair with their very partisan approach to the hearings. So the sense that there was some sort of partisan approach from one side and not the other is a nonsense.

Secondly, I make no apologies for asking hard questions or being demanding of both ministers and officials, because that is my job, and that is the job of the committee. That is something that we did, I think, diligently throughout the whole process. I understand that at times ministers became uncomfortable, and I understand that at times officials sometimes are uncomfortable. As we know, and as we know based on a 2003 privileges inquiry in this Assembly, this government has form in being evasive when it comes to estimates inquiries.

I refer members to the privileges report of the Assembly for 2003, I think it was, where it was found that a senior health official had distributed a memo across the senior executive of ACT Health instructing them on how to evade questioning from the opposition—how to, essentially, get away with murder at the estimates committee. That went to every senior health official, and no senior health official raised any concern with that. This was the way to do business. In ACT Health, that is the way to do business—to evade, to do what you can not to answer the opposition's line of questioning.

If you read that report, it is damning. It is absolutely damning. So I make no excuse for asking the hard questions. Indeed I would be abrogating my responsibility if I did not. If you refer back to committees chaired by members of the then opposition prior to this government, you will see the same approach, and you see it up on the hill—Liberal or Labor members. As I spoke a little while ago, you can reflect on John Faulkner and the hard line of questioning that he takes, which was respected across the political spectrum.

Let us be honest about what is happening here. We have an entirely partisan approach that has been taken by the Labor members of this committee. The proof, Madam Speaker, is in their report. It is a report with 575 recommendations, and over 500 of the recommendations are simply congratulating the government. I think that is the definitive proof you need that, as chair, it was a very difficult exercise to control two entirely partisan members of the committee.

In responding to another point, as to whether the process, particularly the consideration of the report, was conducted in accordance with the standing orders, I will quote from the advice I received from the Clerk on this matter:

I understand that you have ruled that the draft report be considered paragraph by paragraph and that in accordance with standing order 248 any member objecting to a portion of the report must move an amendment. Unless a member moves such an amendment, the paragraph remains. Standing order 248 could be interpreted in a number of ways, but my advice is that your interpretation of the standing order is one way that the standing order could be interpreted.

Mr Barr: So, in other words, it is inconclusive.

MR HANSON: Absolutely. What he is saying—and I respond to the interjection—is that—

MADAM SPEAKER: You will address the chair, Mr Hanson.

MR HANSON: Madam Speaker, my apologies; I will address the chair. The point is that the standing order says that there are a number of ways that the committee chair can interpret that standing order in the consideration of the report, and the way that I considered the report was the same way that the report has been considered by all of the previous chairs of this Assembly. So there is an established convention in this place as to how those reports are considered, and I followed that protocol that was established by the estimates committee. Once we started the process, they realised they did not like it and tried to cause consternation.

It is just the political noise that surrounds this debate. It is unfortunate that the Labor members of the committee sought to be so partisan in the debate. It is disappointing that they have cast aspersions on the chairing of the committee, because, by doing so, they have actually cast aspersions on, essentially, every other previous estimates chair for having followed the same process.

In summary, with regard to the government's response—and we will go through it line by line—based on what the Treasurer said and looking at the response to recommendations, it is disappointing. It is clear that the government have chosen to, essentially, ignore the committee's report. That is disappointing. It is perhaps not surprising, and it probably shows this government's disregard for Assembly processes. It would seem that the government are more interested in reading the more than 500 recommendations from their Labor mates on the committee that simply congratulated them.

I look forward to the debate, but what we are seeing here is a very partisan approach unfolding from both the Labor committee members and the government, and that is to the detriment of the people of the ACT.

Debate (on motion by **Mr Smyth**) adjourned.

Construction and Energy Efficiency Legislation Amendment Bill 2013

Debate resumed from 6 June 2013, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

MR COE (Ginninderra) (10.21): The Construction and Energy Efficiency Legislation Amendment Bill amends a number of pieces of legislation that apply to the construction industry. The opposition will be supporting this bill. However, we do have very serious concerns about how it will be implemented. Many of the amendments in this bill are necessary because the certification process in the ACT is poorly managed.

Industry groups have told the opposition that the private certification process is now nearly unworkable and in desperate need of review. However, they have stated that the bill we are debating today is just another example of the government going off with its own agenda, perhaps to the detriment of the industry.

Industry groups share the opposition's concern that some of the amendments in this bill may end up being more red tape to an already convoluted and complex process, and may indeed further discourage people who in fact do the right thing. The challenge, like so many laws and regulations, will be in implementation. If the authorities are reasonable, then the concerns will largely be allayed.

The bill amends the eligibility requirements for registered architects to allow qualifications to be prescribed by regulation and accredited by notifiable instrument. This will provide certainty about the recognition of architectural qualifications across jurisdictions. However, concerns have been raised by industry about the capacity of the registrar to make an assessment of what is an appropriate qualification without consulting the industry first.

The bill prescribes a formal notification of completion of a stage of building works. Notification must be in writing, dated with a notification date, and include statements the relevant stage was reached and the work was in accordance with the plans. While it is important that notification of completion is provided, it is not clear how these requirements will be met. Members of the building industry have informed me that they are yet to be informed about what will satisfy the requirements. They have also raised concerns about the requirement to state that the work was carried out in accordance with the approved plans. I have been informed that it is very rare for work to be strictly in accordance with the plans. Therefore, what discretion will ACTPLA be applying?

The bill contains significant amendments to the way in which licences are granted and renewed. The bill includes provisions that will allow the registrar to refuse to issue a licence on various grounds, including prior occupational discipline. This allows the registrar to consider issues other than mere qualifications when deciding whether to grant a licence.

The bill also allows the registrar to place restrictions on a licence and refuse to renew a licence. The ability to refuse renewal means that the registrar does not have to rely on the disciplinary system to ensure that those licensees who are likely to be a risk to the community do not continue to work as certifiers. However, the opposition does express some reservations about the implementation of this authority. We want to ensure that the power given to the registrar is not abused.

The amendments in this bill also mean that the registrar can deal with a situation in which the applicant, director, partner or nominee of the group that tries to apply for a licence is prohibited from providing a construction service. The registrar is now able to refuse to grant a licence in this situation.

The bill increases the registrar's information-gathering powers. At present, only physical documents can be accessed. As most information held by licensees is held in

electronic records, the ability for the registrar to access information is limited. This bill ensures that information held in electronic form may be accessed. In order to access information, the registrar must have reasonable grounds to suspect the person has the information. We understand that the amendments retain the right of the person not to self-incriminate and to client legal privilege. The information-gathering provisions in this bill are the same as those in the Planning and Development Act.

The bill allows the registrar to determine that further training is required in a certain industry, and all members of the industry will be required to undertake that training. Again, such training opportunities must be reasonable. The bill also requires that apprentices must be supervised at all times as well as being registered. Industry groups have told the opposition that this may not be a workable provision. It appears that this provision may merely provide a further disincentive to employers to take on apprentices. Again, it will depend on how this is actually enforced.

Finally, the bill deals with the notification requirements for changes to standards under the Building Code and Plumbing Code. I understand that the new requirements for notification are already being met, but the amendments will ensure that a minimum notification standard is maintained.

The opposition will be supporting the bill. However, as foreshadowed we do have some concerns about the broad authority given to the registrar under some of the provisions. The Canberra Liberals recognise that construction is vital to Canberra, and we are concerned that this bill could end up being more red tape for an industry that is already very heavily regulated.

We are concerned that the government is seeking to make serious changes to the construction industry, perhaps without proper consultation with the industry. If this continues, the industry may lose confidence in the system, and may lose even more confidence in the system to the detriment of all Canberrans. The opposition will pay close attention to the implementation of the provisions in this bill to ensure that the construction industry is not further crippled by unnecessary regulation.

MR RATTENBURY (Molonglo) (10.26): The Greens will be supporting this bill today. I am pleased to see many of the improvements to the Construction Occupations (Licensing) Act and regulations as well as to other building and construction acts contained in this bill before us today. These are a continuation of improvements stemming from the Building Quality Forum of July 2010 and its subsequent report and recommendations.

I note that ACTPLA spent many years trying to improve the time frames for planning and development, but it seems that the balance fell to the side of simply not enough checks and balances in an industry which was trying to speed up developments and cut corners. Not all developers worked this way, obviously, but the system overall fell down somewhat and some people are still struggling to live in buildings which suffered this fate. This continued work of ACTPLA to now bring this balance back towards the side of ensuring a high quality of building and development is very important.

There are a number of specific improvements in the bill that I would like to speak to. The first is an amendment to the Building Act. This introduces builders' notification to the building certifier of completion of stages. This includes a stage inspection, and needs to include a statement that the stage has not only been completed but that it also accords with approved plans. These stage inspections are an important improvement to our building processes. The statement for this requirement also includes noting whether the building work included any handling or disturbance of asbestos.

Secondly, the bill amends sections of the Architects Act which provide for the declaration of qualifications which are used to establish eligibility to be a registered architect. This means that the Architects Board can keep the list of qualifications up to date via a notifiable instrument.

Next, the clauses around the Building Code of Australia in the Building (General) Regulation are useful in that they clarify that the Building Code is a separate code which applies in the ACT but is not in fact ACT legislation. This also means that the building codes which apply in the ACT automatically change when the Building Code of Australia is updated.

The Building Code and its appendices also contain any jurisdiction-specific variations, including those for the ACT. The Construction Occupations Registrar must notify the ACT public through a notice in the newspaper when the code is updated. It may sound problematic that the code is not in our ACT legislation directly, but it makes sense, as industry stakeholders understand that the Building Code of Australia applies in the ACT and know to look there for current rules.

This bill also makes similar provisions in relation to the Plumbing Code of Australia, which will be applicable in the same way to the ACT as the Building Code of Australia. It is worth noting that the ACT-specific appendices will be available on the ACT legislation register.

Next, it is pleasing to see that this bill describes how any alternative solutions can be allowed to meet performance-based code requirements. This is one issue which I know can be quite frustrating for innovative developers, as sometimes they want to construct something which does not meet a rule, yet is more sustainable. The option of outlining and detailing any alternative solutions and assessment methods which may be used to meet performance-based requirements is an improvement which many architects will hopefully take advantage of.

Some very important elements of this bill relate to construction occupations licensing. The regulations around licensing allow the registrar under the Construction Occupations (Licensing) Act to undertake disciplinary proceedings. I do not think that anyone in this place would disagree that this is an important part of the continuing work of implementing the Building Quality Forum recommendations, as we need to be certain that the workmanship of all construction trades is to a high standard. This includes a huge range of trades, including electrical work, gas fitting, plumbing, draining, building, waterproofing, building surveying and assessment, asbestos assessment and removal, and so forth.

This bill updates some of the disciplinary procedures and clarifies the demerit point system. It is certainly unfortunate that this type of legislation is needed, but I am sure that many people will sleep better knowing that this type of system will help ensure a high quality of building and construction across the ACT, especially seeing as once something is built, it can often be very difficult, and certainly very expensive, to rectify, not to mention the many years of stress for the owners or occupants of the defective buildings.

This bill inserts increased powers for the registrar to refuse to license an applicant if the registrar is not satisfied that the applicant, whether it be an individual, a partnership or a corporation, is not subject to disciplinary action, is prohibited from providing the construction service, or has contravened a court order, a condition of their licence or a rectification order. It also gives the registrar powers to issue licences for shorter periods than the maximum.

Although some of the consequences of having your occupations licence suspended are fairly serious, I believe that this is warranted, given the importance of ensuring a high quality of construction across the territory. The bill also outlines a number of licence conditions, including outlining that suspension of your licence also removes your ability to supervise trainees. There is a new section in this bill which introduces skill assessment of licensees, rather than the registrar having to accept an application on face value. He may now examine the applicant's competence through a record of experience, an RTO test, or a test as approved by the registrar.

This bill outlines and clarifies the responsibilities and powers around compliance auditors gaining access to residences for compliance assessment purposes, and the need for occupiers to consent to the entry. In a similar vein, the bill also outlines powers of the registrar to access information that may be pertinent to construction occupations licensing issues.

There is a new section of the legislation which allows the registrar to determine a course of training for a specific construction occupation or occupation class. This is very important, as one of the findings of the Building Quality Forum was that some of the tradespeople had been trained in their field many decades ago, and some of the information had moved on rapidly. It is very important for the industry to be kept up to date with new standards and new information.

For example, when asbestos is found on building sites these days, I hear it is often the younger workers on sites who notice the asbestos as they have all been trained in how to recognise the various forms it comes in. If you had been through your training many decades ago, you would probably not have had such particular training. There are many areas in the construction industry which have new standards brought in, and it is important that we ensure that people are being kept abreast of these changes, and also have a mechanism to train people in new safety standards to ensure safe workplaces.

The bill brings the Electricity Safety Act into line with other occupations legislation through introduction of a reference to the Construction Occupations Registrar. The

bill also clarifies the process around product approvals processes to ensure that the process for banning products is consistent with those in other jurisdictions.

In relation to the energy efficiency cost of living improvement amendments, they are simply about creating a regulation-making ability to outline eligible activities. However, in regard to the content of the eligible activities, I would like to take this opportunity to reflect the fact that insulation is still not defined as an eligible activity. I think that this is important. It is well recognised as one of the key measures that can be done that makes a difference to the quality of insulation of a property. It is recognised as one of the most cost effective. I look forward to seeing that brought onto the program as soon as is practicable.

Turning to the issues raised by the scrutiny committee, the committee raised two concerns that come about in a number of different clauses in the bill. The first is the community's ability to know what the law is and, secondly, the delegation by the Assembly of a law-making power that it will subsequently have very little control over.

These issues arise at a number of points in the bill and the scrutiny report highlights each of these. Two examples include the reference to the Plumbing Code in clause 83. The Plumbing Code is adopted by this bill, as it is amended "from time to time" and the Energy Efficiency (Cost of Living) Improvement Act 2012 in Clause 77.

Clause 77 seeks to amend the section relating to eligible activities. In the Energy Efficiency Act, a determination of an eligible activity is a notifiable instrument, and is required to include a description of the activity, the minimum specifications for the performance of the activity, the abatement factor for the activity and the time at which the activity is taken to be completed.

The provisions in this bill in clause 77 allow for a determination to "apply, adopt or incorporate a law of another jurisdiction or instrument as in force from time to time", and make it clear that provisions in the Legislation Act around notifying changes to any instruments will not apply to eligible activities.

In summary, an eligible activity may include reference to an instrument that the Assembly is not notified of, cannot see and cannot change. This is, of course, problematic both because the community should be able to easily inform itself of the law and, secondly, because it is the Assembly's role to make laws and we should be very wary about delegating that function in any circumstance, particularly so when we have no effective ongoing control of what the delegated law will be.

However, noting the Greens' concern about this type of delegation or the absence of publication requirements, in the particular circumstances presented in the bill I accept that the delegation and notification provisions are the most appropriate option available to us. Firstly, the instruments include documents that are highly technical, and there are hundreds of them. The documents in the instruments often cross-refer to other documents, which are developed through national processes. It would simply be impractical and extraordinarily time consuming for the Assembly to consider each and every variation.

The delegations regulate various professional fields that have come to be regulated in a particular way so that those in the field are aware of the laws and understand how to access any changes to those laws. Changes are often relatively minor, and where they are more substantial, information is provided through the relevant professional networks.

Additionally, some of the instruments, such as the Plumbing Code and the Building Code, have a copyright on them and could not be reproduced for the Assembly even if it were practical for that to happen. They are national documents that are updated annually by committees of review in which ACTPLA participates.

In the end, I have been persuaded that allowing for the instruments to operate under the legislation “from time to time” and acknowledging that changes to these instruments will not necessarily be notifiable is the most practical solution in what has come to be a very complicated regulatory field.

I would like to thank the Environment and Sustainable Development Directorate and the minister’s office for providing a very useful briefing to my staff on these concerns last week and again stress that while I am prepared to accept this approach is required in these circumstances, it is a very narrow field in which these arrangements are appropriate.

This bill does many other minor or technical things in relation to building, plumbing and construction occupations which I did not mention, but on the whole the Greens support the bill and look forward to the higher standard of workmanship across the construction sector as a result.

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) (10.38), in reply: I thank members for their support of this bill.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

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) (10.39): by leave: I move amendments Nos 1 to 15 circulated in my name together [*see schedule 1 at page 2945*]. I also table the following papers:

Revised explanatory statement to the Bill and a supplementary explanatory statement to the Government amendments.

Today I have moved a number of minor and technical amendments that respond to concerns raised by the scrutiny of bills committee. In its report the committee made a number of comments about this bill, and I thank them for their consideration. I have responded directly to all of the committee's comments, and I am happy to provide that response to other members. There are three main comments that I wish to address in relation to these amendments today: the committee's comments on rectification orders, comments on the delegation of legislative powers and comments on issues around access to law.

The scrutiny report included comments about proposed provisions for rectification orders under section 38 of the Construction Occupations (Licensing) Act. These provisions inserted words to clarify that the stated action under a rectification order could include the provision of written information as part of rectifying work. The committee was concerned that the clauses could be read to provide no limitation to the information that could be required. Clauses 1 and 2 of the amendments address this comment and further clarify, as outlined in the explanatory statement, that written information would relate to any work required to be done under the order. The amendments affect clauses 31 and 32 of the bill.

The committee also raised questions about the appropriateness of delegation of legislative power. In this context I make the following observations: any legislation that provides regulation of work is likely to include powers for certain entities to manage aspects of the legislation rather than all instruments having to be made by the Assembly. This is a practical arrangement that draws on the skills and resources of the various entities that are better placed to determine certain regulatory requirements on behalf of the Assembly.

In the case of the legislation covered by amendments in this act, this includes the minister, the Architects Board and statutory office holders, such as the Construction Occupations Registrar. Logically, regulations for construction or other work will rely on a number of technical standards and documents describing how that work should be done. Regulations should provide for evolving standards of work, materials and equipment as practices and performance requirements shift over time. This may be by applying or adopting an external technical document.

In recognition of this, a number of proposed sections provide that a specific regulation or instrument may apply, adopt or incorporate a law of another jurisdiction or instrument as in force from time to time. The current method of adopting documents as in force from time to time means industry are aware that documents will be used on an ongoing basis and it is less likely that different documents will be used from one period to the next. A minor amendment to one of the many standards used by the industry should not require the making of a new instrument each time. This is not only unwieldy but impractical.

When new legislation is made, it is prudent to consider whether instruments adopted in the ACT legislation should be caught up in force from time to time and what powers, should, in effect, be delegated. There will naturally need to be a balance

between complete control of all documents and the responsiveness of legislation to new developments in qualifications and technical standards.

The recent Statute Law Amendment Bill 2013 amends references to Australian standards to align them with the latest drafting practice. This affects a small number of provisions in this bill, so it is necessary to make minor, technical amendments to provisions in the Water and Sewerage Act and the regulation to reflect the new manner of referencing the Australian-New Zealand standard 3000, plumbing and drainage. These amendments do not alter the intent of the affected provisions. I commend the amendments to the Assembly.

Amendments agreed to.

Bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

Estimates 2013-2014—Select Committee Statement by Speaker

MADAM SPEAKER: I would like to draw the attention of members, and especially Dr Bourke, to the transcript of the estimates committee, page 1264, of 28 June, where Dr Bourke said in relation to evidence given by the Speaker:

Given that you have already misled us about the matter of a disagreement—

And Dr Bourke was then cut off. I ask Dr Bourke to withdraw the assertion that the Speaker misled the estimates committee. Dr Bourke.

Mr Corbell: On the point of order, Madam Speaker—

MADAM SPEAKER: It is not a point of order; it is—

Mr Corbell: Can I seek your guidance, Madam Speaker? It is perhaps one of procedure. I note the comment was made in relation to evidence that you gave. Is it a matter for you, given that you were a witness before the committee at that time, to make a ruling on what people say about your appearance, or is it more properly a matter for the chair of the committee to determine that? And can such a ruling be made retrospectively well after the event?

MADAM SPEAKER: Mr Corbell, the matter is on the public record; it is the record of the Assembly. It is disorderly to accuse someone of misleading any part of the Assembly, except by substantive motion. It has been drawn to my attention that this is what Dr Bourke said, and I am asking him to withdraw.

DR BOURKE (Ginninderra): I would like the opportunity to see the transcript myself, Madam Speaker.

MADAM SPEAKER: I just read you the transcript, Dr Bourke. The transcript says—and I will repeat it:

Given that you have already misled us about the matter of a disagreement—

It is disorderly in any circumstances to accuse a member of having misled the Assembly or having misled the estimates committee. I ask you to withdraw.

DR BOURKE: I withdraw.

MADAM SPEAKER: Thank you.

Standing orders—suspension

Motion (by **Mr Corbell**) agreed to, with the concurrence of an absolute majority:

That so much of the standing orders be suspended as would prevent order of the day, Assembly business, relating to the Government response to the report of the Select Committee on Estimates 2013-2014, being called on and debated cognately with orders of the day Nos. 2 and 3, Executive business (Appropriation Bill 2013-2014 and the Appropriation (Office of the Legislative Assembly) Bill 2013-2014).

Question resolved in the affirmative.

Appropriation Bill 2013-2014—allotment of time

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) (10.47), by leave: I move:

That:

- (1) the total time allotted for the debate on the detail stage of the Appropriation Bill 2013-2014 be set at no more than 16 hours; and
- (2) at the conclusion of the time allotted, the Speaker shall put all remaining questions on the Bill, without debate.

MR SMYTH (Brindabella) (10.48): This matter was raised in government business last week and the minister tabled a timetable that allocated certain amounts of time for each of the various lines in the budget, for instance, health, I think, got an hour. When you added them up, the timetable as presented came to 15 hours and 45 minutes. I suggested that, rather than have a set timetable, we accept that about 16 hours is probably a reasonable time to debate the budget. We will agree with the motion on the understanding that it is quite clear that it is flexible inside the timelines. But when we get to about 16 hours, it is probably reasonable to call it a day, a night or a very long week.

Question resolved in the affirmative.

Appropriation Bill 2013-2014

[Cognate bill:

Appropriation (Office of the Legislative Assembly) Bill 2013-2014

Cognate papers:

Estimates 2013-2014—Select Committee report

Estimates 2013-2014—Select Committee report—government response]

MADAM SPEAKER: I remind members that, in debating order of the day No 2, executive business, they may also address their remarks to executive business order of the day No 3 and to the government response to the report of the Select Committee on Estimates.

Detail stage

MADAM SPEAKER: Standing order 180 sets out the order in which the bill will be considered. That is, in the detail stage:

... any schedule expressing the services for which the appropriation is to be made shall be considered before the clauses and, unless the Assembly otherwise orders, the schedule shall be considered by proposed expenditures in the order ... shown.

With the concurrence of the Assembly, I am proposing that the Assembly consider schedule 1 by each part, consisting of net costs of output, capital injection and payments on behalf of the territory.

Is this the wish of the Assembly? That being so, schedule 1 will be considered by each part, consisting of net costs of output, capital injection and payments on behalf of territory, then the clauses prior to schedule 2 and the title.

Schedule 1—Appropriations.

Proposed expenditure—Part 1.1—ACT Executive—\$7,151,000 (payments on behalf of the territory), totalling \$7,151,000.

MR SMYTH (Brindabella) (10.51): I move:

That debate be adjourned.

Question put:

That debate be adjourned.

The Assembly voted—

Ayes 8

Noes 9

Mr Coe
Mr Doszpot
Mrs Dunne
Mr Hanson
Mrs Jones

Ms Lawder
Mr Smyth
Mr Wall

Mr Barr
Ms Berry
Dr Bourke
Ms Burch
Mr Corbell

Ms Gallagher
Mr Gentleman
Ms Porter
Mr Rattenbury

Question so resolved in the negative.

Treasurer

Motion of no confidence

MR SMYTH (Brindabella) (10.54): Madam Speaker, I seek leave to move a motion of no confidence in the Treasurer due to his failure to disclose key elements of the ACT budget impacting on the territory's true financial status.

Leave granted.

MR SMYTH: I move:

That this Assembly no longer has confidence in the Treasurer, Mr Andrew Barr, due to his failure to disclose key elements of the ACT Budget impacting on the Territory's true financial status, namely:

- (1) the refusal to release the Government's 20 year modelling of the impact on residential and commercial general rates in support of its tax reforms;
- (2) the failure to present an amended appropriation bill and relevant documents detailing the effect of the ICRC determination on the ACTEW water dividend and balance sheet in time for the Territory's appropriation debates;
- (3) the Government's inability or reluctance to demonstrate the financial impact of its light rail project on Canberra households; and
- (4) the expectation that this Assembly vote on the 2013-2014 Budget without knowing the true impact of the Government's reforms and initiatives on the Budget.

I move the motion of no confidence today because of the sheer negligence where the minister is asking us to vote on the 2013-14 budget without knowing the true impact of the government's reforms and initiatives on the budget. In doing so, the minister may be asking all members in this place to breach the territory's Financial Management Act.

Section 11(6)(f) of the territory's Financial Management Act states, under the principles of responsible fiscal management, that the budget papers must give "full, accurate and timely disclosure of financial information about the activities of the government and its agencies". We know that we do not have a full disclosure of the financial information. We certainly do not have accurate disclosure of the financial information, and we do not have timely disclosure of financial information about the activities of the government and its agencies. It would, therefore, be negligent for this debate to occur.

The act makes it quite clear what the minister must do. Indeed, the act says in section 11(5) what must happen if you want to depart from the principles of responsible financial management. It says:

The proposed budget may depart from the principles of responsible fiscal management, but if it does ... the Treasurer must present to the Legislative Assembly, when the first Appropriation Bill for the financial year is presented to the Legislative Assembly, a statement ...

That was not done.

We have a bill that is in conflict with the Financial Management Act and a Treasurer who asks all members in this place to, I suspect, breach the law. That would be inappropriate.

How do we know this, Madam Speaker? We know that we do not have full and timely disclosure of the financial information about the activities of the government and its agencies because the minister himself has said that he cannot or will not tell us what the impact of its rate and tax changes will mean over the next 20 years; will not tell us what the real cost of the capital metro project will be and what effect it will have on the cost of living and on the budget; and, of course, cannot, will not or simply refuses to tell us the effect of the ICRC's decision on the dividend that ACTEW gives that forms an important part of this budget in the budget documents as presented, about \$100 million a year for the next four years.

I for one will not be breaching the Financial Management Act, and I suspect most members here would have very serious concerns about being asked to pass a bill that does not comply with the law. That is what this minister is asking us to do today. How do we know this? Because he says to us, "I'll tell you in February." In February 2014, seven months from now, he will tell us what the impact of the ICRC decision will be. I do not believe that that is timely disclosure of financial information. On that line alone, this bill should be delayed.

We are not asking for the bill to be adjourned until February, when the minister will make this disclosure. And we are not blocking supply. Indeed, we are 44 days into the new budget, we are 44 days into the new financial year, and everything is going as it should. The government has supply, under both the law and conventions. If the minister doubts that, he can read the act, which he clearly has not done. What we should do is put this debate off until such time as the minister can meet the requirement of section 11(6)(f) and give us full, accurate and timely disclosure of the financial information.

Section 11(6) looks at the principles of responsible fiscal management. It sets out the principles. It is almost a no-brainer to expect that the documents would be full, accurate and timely. But apparently those opposite, with the support of Mr Rattenbury, believe that that is not so. Mr Rattenbury talks about the four pillars that the Greens rest upon—how wonderful they are, how the old parties are doing it wrong and how the new party will lead to more openness, more accountability. Let us see if the new party has the ticker to do what it should do—put off this debate until next month. That is what should happen. We know from ACTEW's statement of intent that it is anticipated that ACTEW will provide revised financial forecasts in late August 2014.

Let us get the full picture here. Supply is not being blocked. The government is not about to run out of money. It can continue its projects in accordance with the principles laid out in the Financial Management Act, and things will pretty much continue as they are. We are simply saying that it is negligent to bring this debate on today when we do not have the full information. If those opposite are happy to do so, good luck to them: people will know them for what they are—people who do not stand up for openness, transparency and accountability.

Remember that the Chief Minister in her first speech laid out her brand-new era of openness and accountability. She said that as a government they would be about “transparency, participation and collaboration”. There is no transparency in this budget, in these budget outcomes we are dealing with today. We do not know what the full effect of the tax reforms are on rates. It is quite clear that they triple over the next 11 years. The Treasurer said in estimates, “I have done the numbers,” but he refuses to reveal them.

It is about participation. It is impossible for those of us who do not have the full story to participate fully in this debate today. We should have the full story. In many ways this is the most important bill of the year. It is the bill that gives the government the finances to continue their agenda. They are entitled to supply or they should go. We are not blocking supply. The government will continue if this debate is put off for a month. It will continue as per the rules, the rules which I suspect the Treasurer has broken by bringing this debate on today.

The Chief Minister talked about collaboration—collaboration, working together. Well, let us work together. Here is a test for you, Chief Minister. You can stand up when I finish and adjourn the debate. You can stand up and adjourn the budget debate until such time as we have got the full picture. That would be collaboration. Instead, you are ramming it through, for God only knows what reason. What are you trying to hide?

Last week, the Treasurer said that in some cases the revenues have gone up from the GST. The net result may be a better outcome. We are not worried by that. We would look at that and say: “Okay, you have got some more GST revenue. That offsets what has happened to ACTEW.” Fantastic. That would be a good outcome. When the pre-election update comes out today, we may see a difference in revenues. We do not know. But what we do know is that we do not have the full story today; and pushing this debate through today, in contradiction of the code of transparency, participation and collaboration as set out by the Chief Minister, is not the way that it should be done.

As I have said, we deserve full, accurate and timely disclosure of the financial information about the activities of the government and its agencies. If we do not have that, we should all vote against this bill today, and we should all vote in favour of no confidence in a Treasurer who seeks not to comply with the law.

This motion is moved because of the sheer negligence of the Treasurer in not doing his job and expecting that we, as members of this place, will acquiesce and just say,

“Oh, he is the Treasurer: it is his bill; it must be good.” Well, it is not. It is not. Last week I moved a motion where I asked for this material to be provided; the Treasurer simply said, “No; you can have it in February.” February is a long time from now, and a lot may happen in that time. Voting on an inaccurate bill at the start does not bode well for the future of the finances of this territory for the coming year.

Throughout the estimates process, we repeatedly asked the Treasurer to show us the 20-year modelling for rate increases, but Mr Barr declined. Throughout the estimates process, we repeatedly asked the Treasurer to detail the impact of the ICRC’s water pricing determination on the territory’s budget, but he was either unable to do so or not inclined to do so. And throughout the estimates process we repeatedly asked the Treasurer the actual cost of the capital metro project, but yet again Mr Barr was unable or reluctant to do so.

What we do know is that this budget is not accurate. It is not reasonable to debate a budget on hypothetical assumptions and faith. It is the crux of this no-confidence motion in the Treasurer for insisting that this budget should proceed even though Mr Barr can give no concrete assurance as to whether or not the government’s tax reform will lead to a tripling in general rates for households. The ICRC’s water and sewerage price determination would invariably lead to a multimillion dollar black hole in the territory’s budget. We know that the dividend is 100 this year, and approximately 400 over the four years are in jeopardy. And what is the true impact of the first stage of the government’s \$416 million light rail project on Canberra households.

It is a sad indictment on a government, in an era when the Chief Minister promised, in her own words, “openness of the way we govern, encompassing transparency, participation, and collaboration”. We can see recommendations by the Select Committee on Estimates advising that:

... the Budget not be passed because of its lack of delivery, high levels of deficit and deceitful plan to massively increase commercial and residential rates.

And we see a recommendation that:

... the Appropriation Bill debate not be brought on until such time as the Treasurer has presented an amended bill and relevant budget documents detailing the effect of the ICRC determination on the ACTEW Water dividend and balance sheet.

We just need to look at what was asked, particularly, for instance, on tax reform. There was a question from Mr Coe:

Have you actually done the work for 20 years?

Mr Barr said:

I refer you to the Quinlan tax review.

That was in June 2012. We have got a Gallagher quote from September 2012:

There is no plan to triple rates—that's a lie.

We have got it in *Hansard*:

... at no point did I deny there would be pain.

The government claim that they have done the modelling. When we had estimates on 17 June this year, Mr Barr said:

I know exactly what the effect of my reforms will be.

Good. Share what exactly the effect of your reforms will be. If you know it and you have it, you have an obligation to make it public.

Let me say that again. On 17 June this year, in the estimates, there was this exchange:

Mr Barr: I know exactly what the effect of my reforms will be.

THE CHAIR: You have done modelling, surely?

Mr Barr: Yes, there is a variety of modelling.

So we have done modelling. What we are afraid to do is show that modelling. This whole debate on the rates, and whether they triple or not, could have been finished the day Mr Barr tabled that modelling. The fact that he will not table it says simply one thing, members: “Your rates, and the rates of all Canberrans, will triple.”

When asked to release the rates modelling over 20 years, Mr Barr responded: “No, because there are a number of variables that we will consider as we go through each round. I know. You are not allowed to.” So much for openness! So much for transparency! So much for participation! So much for collaboration! Call it what you like. What is going to happen is that rates will triple. We see it in the figures. The budget has indicated it. Rates will triple in just over 11 years.

No-confidence motions are serious motions. The Financial Management Act is a serious piece of legislation. We know from the act that the minister has an obligation to abide by the principles of responsible fiscal management or tell the Assembly, when he tables the bill, why he will vary from that path. He did not tell us that when he tabled the bill in June this year.

He is obliged under the law to comply with the act. The act says that he must, when he tables the budget, give “full, accurate and timely disclosure of financial information about the activities of the government and its agencies”. If he does not, we are obliged to move no confidence in a minister who is not complying with the law—the law that he is responsible for the good administration of. He is responsible for ensuring that the law is met. If it is not met, he must go. If he seeks to push the budget through today in this way, he should go.

Members, if you have not checked it online, I would urge you to. It is on page 10 of the Financial Management Act, headed “Budget management: Appropriations and

budgets”, part 2, division 2.1, section 11(6)(f) in relation to principles of responsible fiscal management. I will read it one last time: the budget must give “full, accurate and timely disclosure”. We do not have full disclosure. We do not have accurate disclosure. We do not have timely disclosure.

The insistence today that this be rammed through in this way has only one conclusion: that the minister is not up to the job. The minister should go. I urge all members to vote for this motion of no confidence in this Treasurer, who breaches the Financial Management Act.

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) (11.09): What a sad, pathetic little effort that was. That would be the most absurd no-confidence motion ever brought to this Assembly. What an absurd motion. Clearly the opposition is embarrassed by their pathetic performance during the estimates committee and their third-rate estimates committee report, and they are simply relitigating the same issues we debated last Wednesday and last Tuesday. It is the same old, same old from the opposition—nothing new to contribute. You could predict the opposition would oppose the budget because they oppose the government's policy direction. I can say with confidence now that the opposition will oppose this budget, next year's budget, the budget the year after and the fourth budget of this parliamentary term. It is entirely predictable.

The only thing that is perhaps a little unexpected in this no-confidence motion today is that it was moved by the third in line—the demoted former deputy leader—and not by the Leader of the Opposition himself. He clearly lacks the ticker and lacks the leadership to bring forward this motion. He was the chair of the estimates committee. He is the one who so passionately believes in his own partisan report, but clearly not enough to move this motion today. The opposition are embarrassed the government has produced a budget that delivers for Canberrans. They are embarrassed we have a clear path to surplus and that we are delivering high quality services to the people of the ACT.

This is a budget that delivers on the key national reforms—the national education reform agreement and the national disability care reform agreement—which the Liberal Party have opposed. But in the heat of the federal election campaign we see the backflips coming thick and fast from the Liberal Party. We are delivering DisabilityCare Australia in the ACT through this budget. It is an important measure that delivers for the most vulnerable in our community, and those opposite want to delay its implementation. We are working to deliver on our strong commitment to public health in this city with additional hospital beds, expanded emergency care and increased capacity at the Centenary Hospital for Women and Children.

This budget that should be debated today will help grow and diversify the territory economy and will provide key support in areas of jobs growth such as tourism and higher education and, importantly, it boosts our construction sector. It sets out the first key steps to build and transform our city in our second century. It starts the design work on the University of Canberra public hospital. It starts the important preparatory work on the city to the lake and the Australia forum projects. It establishes the Capital

Metro Agency to start the important work for this project. This is a project that will not only deliver rapid transit to residents along Northbourne Avenue and Flemington Road in Gungahlin but it is a major urban renewal project for the territory.

The budget delivers on initiatives the government took to the election last year. We have been able to achieve this by undertaking reasonable savings. The opposition is embarrassed the government can deliver this budget with one of the lowest debt levels in Australia and with a public service that will not shrink in size.

Mr Hanson: On a point of order, Madam Deputy Speaker, I ask if you could rule on whether the Treasurer is being consistent with the debate. The motion that was moved by—

MR BARR: Can we stop the clock?

MADAM DEPUTY SPEAKER: Yes, stop the clock, please.

Mr Hanson: The motion that was moved by Mr Smyth is very clear about the fact that we do not have information to debate the budget; it is not about the merits of the budget itself. At some stage we will debate the budget. Whether the budget debate is adjourned to a later day or whether we debate it today, we will talk about the merits of the budget. But the motion is very specific about this government and this Treasurer's failure to provide the full picture. That is the subject of the motion and the subject of this vote of no confidence that Mr Barr must address—that is, why has he not provided the necessary information as opposed to the information he is trying to present in terms of the substantive debate on the budget. He needs to address the vote of no confidence.

Mr Corbell: On the point of order, Madam Deputy Speaker, first of all, this is a no-confidence motion in the Treasurer. The Treasurer is entitled to use whatever arguments he believes are appropriate—

Mr Doszpot: Even lies?

Mr Corbell: to address a no-confidence motion, which is the most serious motion that can be brought.

MADAM DEPUTY SPEAKER: Mr Corbell, sit down for a moment. Mr Smyth, I think I heard you say, "Even lies?"

Mr Smyth: No, I did not, Madam Deputy Speaker You misheard.

Ms Burch: It was Mr Doszpot.

Ms Gallagher: Mr Doszpot did.

Mr Doszpot: I cannot tell a lie; it was me, Madam Chair.

MADAM DEPUTY SPEAKER: Was it you, Mr Doszpot?

Mr Doszpot: Yes.

MADAM DEPUTY SPEAKER: You will withdraw that, please.

Mr Doszpot: I will withdraw it.

MADAM DEPUTY SPEAKER: Thank you very much. Mr Corbell.

Mr Corbell: Madam Deputy Speaker, a no-confidence motion is the most serious motion that can be moved against a member in this place, and the member is entitled to use whatever arguments he believes in this case are relevant to address those points.

Secondly, it has always been accepted in this place that a no-confidence motion is a wide-ranging debate, and this motion goes centrally to whether or not this budget is a credible budget. The Treasurer is directly addressing all of those matters. There is no point of order.

MADAM DEPUTY SPEAKER: Thank you, Mr Corbell. There is no point of order. Mr Barr.

MR BARR: Thank you, Madam Deputy Speaker. The government is delivering an important budget for the territory at this time. It is very clear that those opposite would have a different approach. They would follow the approach of other conservative state and territory governments. And let us look at that record: in Queensland they cut 12,800 public service positions, in New South Wales, 10,000; in Victoria, 4,200; in WA in their budget just in the last week, another 1,000 public sector jobs went. That is the Liberal Party's record. That is the position. That is their alternative view. And true to form, they want to sack 12,000 public servants federally in Canberra. Joe Hockey has recently said—

Mr Smyth: A point of order, Madam Deputy Speaker—you might stop the clock as a courtesy to the Treasurer.

MADAM DEPUTY SPEAKER: Please stop the clock. Mr Smyth, have you got a point of order?

Mr Smyth: Yes, I accept the notion that debates are wide ranging, but they must also be relevant. There are four points in my motion: Mr Barr's modelling, the need for an amended appropriation bill, the effect of the light rail on Canberra households and the fact that we are debating a budget on which we do not have all the details. He must address those at least vaguely or come to them at some stage, and I ask you to call him to order and ask him to be relevant.

Mr Corbell: On the point of order, Madam Deputy Speaker, Mr Smyth is simply seeking now to interrupt the Treasurer in his defence. You have previously ruled that this is a wide-ranging debate and the Treasurer is entitled to assert why the budget is appropriate and why his management of it is appropriate. That is exactly what he is doing. The opposition may not like that, but now they are simply trying to interrupt his speech and his defence against this motion, and there is clearly no point of order.

MADAM DEPUTY SPEAKER: I do not believe there is any point of order. Mr Barr.

MR BARR: Thank you, Madam Deputy Speaker. As Joe Hockey recently said:

If you want to start with cuts we have said we will cut 12,000 public servants out of Canberra, that is the starting point.

That is the Liberal way. That is their alternate budget strategy—to cut to the bone, to cut deep and to cut hard. We have seen exactly what they have done in other parts of this country.

The Labor way is to deliver quality services in a responsible way and to ensure our path back to surplus is responsible. The opposition are clearly embarrassed by the government's budget and economic strategy and they have pulled this ridiculous stunt today. They are embarrassed that Canberrans are going to get a reduction in their water and sewerage bills under this government.

On the issue of the water dividend, I remind the Assembly that the budget we are scheduled to debate today and on Thursday will deliver around \$4.5 billion in expenditure—\$4,500 million. We have estimated that the dividend in the first year in terms of an impact from the ICRC determination will be in the order of around \$20 million to \$25 million. We will get final confirmation of that once the audited processes have been concluded. That will take some time, but the impact is estimated to be in the order of \$20 million to \$25 million. So members are aware of the estimated impact for two years. What happens in the final two years of the budget forward estimates will, of course, be contingent upon future regulatory decisions by the ICRC.

To put this in perspective, the great concern of the shadow treasurer equates to just around half of one per cent of all revenue. As such, the pricing impact is not material. It would, therefore, be inappropriate to hold up the debate of the Appropriation Bill for consideration of this matter at this time. The government has been open and transparent with this budget. In fact, there is no doubt that the ACT has the most transparent budget reporting process in Australia. The FMA requires a high standard from the executive when reporting to the Assembly. In 2012-13 there were three comprehensive budget reports because of the election year. This year there will be two—that is two opportunities for the government to present the complete set of numbers for the territory. The ACT public service spends months working on the document to table to the Assembly to ensure that the budget complies with these appropriate standards.

The budget represents expenditure and revenue as it stands at the time the budget is issued. In between the tabling of documents there are always going to be changes in some items. For example, today—this morning—the commonwealth Treasury secretary and the secretary of the department of finance released the pre-election economic and fiscal outlook. This will have an impact on our budget. Every month revenue is monitored by the ACT Revenue Office. This, too, impacts on the budget. Small changes can and do occur from time to time, and our process is open and transparent.

Quite simply, due to the regular variations that may impact on the budget, it would be impractical to delay passing the budget because of one particular item. There would always be something new, a new piece of information that is coming or is anticipated at any point in the calendar or fiscal year. There will always be updated information.

In relation to the dividend from ACTEW Corporation Ltd, I have informed the estimates committee and the Assembly of the estimated impact, I have come back with officials to the estimates committee for a special hearing to examine those matters. In light of the ICRC's determination on water and sewerage pricing, ACTEW is now analysing the impact the determination will have, and that information will be publicly available and will be fed into the next budget update.

I have asked for the preliminary analysis which I have shared with the estimates committee and with the Assembly. Now, if Mr Smyth is suggesting that somehow ACTEW and the Auditor-General should be rushing to produce numbers, he is either a fool or he does not understand how a business or corporation law works. We are being transparent. I have given an indicative figure to the committee and to the Assembly on the impact of the cut in water and sewerage bills for Canberra households. To suggest that the budget needs to be completely rewritten and updated is simply overkill. It is a stunt designed to attract, albeit limited, media attention today, because most people are aware of just how much of a stunt this is. The motion should be rejected for what it is.

In relation to the specific elements of Mr Smyth's motion, I refer him to the government's response to recommendations 2 and 7 of the estimates committee report. In relation to the light rail project, I refer him to the government's response to recommendations 93 through 108. They provide the government's response on all of those matters. The budget is before the Assembly to debate over the next 16 hours. We should get on with that debate and not indulge this pathetic stunt from the shadow treasurer. It is simply wasting the Assembly's time.

The appropriation bills need to be debated this week. The government would like—and so would the community—to see the new initiatives within this budget get underway. New initiatives are not covered by the supply period. New appropriations, new projects, require the authorisation of this Assembly to commence. The government wants to get on with the delivery of those new initiatives. We will not support this no-confidence motion today.

MR COE (Ginninderra) (11.24): I, too, want to express extreme concern with the Treasurer's presentation of the 2013-14 territory budget. Consistent with the Liberals' philosophy is the notion that money collected by the government through taxation is not the government's money but is in fact taxpayers' money. As such, there should be considerable responsibility and caution when the government spends this money. We have heard from Mr Smyth about some of the issues with this particular budget and why it is that the opposition does not have confidence in Mr Barr's ability to accurately demonstrate the status of the territory's finances.

Of particular concern to my portfolio interests is the government's mismanagement of the light rail proposal. The government has not made the financial case as to why the ACT needs this project. At best, all we get are some ideologically driven hunches from Minister Simon Corbell that the project has "the best overall outcome". Quite simply, the government's selling of the light rail project to the Canberra community has been appalling. However, that is not a surprise given, I imagine, there is a broad spectrum of views within cabinet on the light rail project. Does the Treasurer actually support the light rail project? Is he really an advocate for spending \$614 million on the light rail project? Is it true that there are very senior bureaucrats in the ACT who are also very concerned about this project? I wonder whether we do, in fact, have a divided cabinet on the light rail proposal.

All of these questions, in addition to the ones about the substance of the actual light rail proposal, need to be addressed in order for ACT taxpayers to have confidence in the 2013-14 budget. How is it that the ACT government can plan to have a light rail project under construction in less than three years, yet there is no money in the budget for construction of this project? If the ACT government has financially committed to constructing light rail, it has an obligation to include that liability in the territory budget. I say that again: if the ACT government has financially committed to constructing light rail then why is that liability not included in the 2013-14 budget?

The government has not articulated why we need a \$614 million light rail project. It will be the largest single infrastructure project an ACT government has ever committed to—bigger than the Cotter Dam. I believe there is extreme concern about the project in the community, and the government is not allaying those concerns.

Of course, concern is not limited to the Canberra community; it goes far and wide, especially to Infrastructure Australia. In June 2013, just a couple of months ago, the national infrastructure plan was released with some fanfare. The peak infrastructure body suggested for the ACT that we go ahead with buses—that we do not do light rail but go ahead with buses. In the 2012-13 assessment brief on the ACT government's light rail proposal, the Infrastructure Australia body rated the proposal in the following way:

This project was first submitted in 2011 and not recommended for inclusion on the priority list as there was limited evidence to demonstrate a nationally significant problem.

It went on to say:

The proponent has not demonstrated the scale and impact of the problem, taking into consideration the decision to proceed with construction of the Majura Parkway, a largely parallel corridor on Canberra's east which is likely to redirect at least some traffic from the Northbourne Avenue corridor.

And then:

It is not clear how shortlisted options were selected from the list of potential options. There is limited information on the rationale for excluding options, and

inadequate consideration of reform options such as reform of parking provision and pricing, reallocation of road space to bus/high occupancy vehicle lanes (i.e. T2 and T3 lanes) and other bus priority measures.

And further:

The case for favouring light rail over bus rapid transit has not been strongly made, especially when the submission itself points to the stronger economic performance of a bus rapid transit option.

If Infrastructure Australia, the experts in this space, do not support it, who will? On 3 July this year on 2CC, the Chief Minister said:

We're not relying on Infrastructure Australia's support for light rail. We would like Infrastructure Australia's support for it and we would like Commonwealth funding but the project is not contingent on it.

This means that if the commonwealth does not support the project, it is highly unlikely that the private sector will invest, given recent changes to tax laws. On 18 April this year the commonwealth Assistant Treasurer announced the following:

We are removing tax disincentives to encourage more private sector investment in infrastructure projects ... Projects will need to be included on Infrastructure Australia's ... Priority List ...

Whilst private sector investment in the ACT's light rail project was always going to be difficult, if investments in projects elsewhere around Australia receive tax concessions and ours does not, it is highly unlikely that Canberra will indeed attract private sector investment.

This means that the project will either not go ahead or that ACT taxpayers will have to pay for the whole project—that the ACT taxpayers will have to take on all the risk. Therefore the more than \$600 million price tag for the project will have to be carried by ACT taxpayers, which equates to \$4,419 per household, whether they use light rail or not. This information should be included in the budget.

However, the issues do not stop with the price alone. In an answer to a question on notice from estimates, Shane Rattenbury, the number one proponent of the project and member of the cabinet subcommittee on light rail, admitted:

I have seen a summary of the cost benefit analysis but not the original, complete cost benefit analysis.

This is a worry. What governance arrangements are in place for this project if a member of the territory's executive has not seen the full case study or the full case and cost-benefit analysis for the project?

However, we now know why Minister Corbell was not using the cost-benefit study as his main weapon: it showed a stronger return for bus rapid transit over light rail. In fact buses scored 4.78 and light rail was less than half, at just 2.34. However, I think

there are still further questions about this cost-benefit study which the opposition will be investigating.

There are many problems with the light rail project and, in fact, the government's mismanagement of infrastructure projects across the territory. Who will have confidence in the light rail project, given the recent case studies like Tharwa bridge, the GDE, the Cotter Dam and others?

I do not have confidence in the Treasurer. As the chief financial controller for Canberra's taxes, he should not be endorsing this reckless approach to the expenditure of over \$600 million. The full impact of the light rail project should be included in the budget.

I support Mr Smyth's motion and urge all in this place who care about financial responsibility to put a stop to this irresponsible management.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (11.33): I rise to support the comments already made by the Deputy Chief Minister and Treasurer. The government will not be supporting this motion and this motion should be seen for exactly what it is—an attempt to delay, an attempt to distract and an attempt to spoil. I think we have seen some of that since the election in October and my expectation is that we will see about another 3½ years of it from those on the opposition benches.

We had an almost hysterical speech from the shadow treasurer. One might have presumed there was a TV camera in the chamber—and shock, horror, there was, right behind me. He tried to allege very serious allegations around misconduct in relation to the Financial Management Act. This came from the only surviving member of the only government that has been found to have breached the Financial Management Act. I draw members' attention to the history involved in that and the history of Mr Smyth's involvement in that.

Mr Smyth would understand that is a very serious allegation that he has made this morning. He has alleged that all members in this place are going to breach the Financial Management Act should they support this. My challenge to Mr Smyth regarding the allegations he has made about the Treasurer is: go outside and read that speech, Mr Smyth. Go outside and read that speech word for word—that the Treasurer is “breaking the law”—I think those were words you used—and that other members in this place are breaking the law as well. My guess is you will not do it because you know it is not true, but you used the protections of this place in order to make those allegations. We should be better than that. One would assume that allegations like that should not be made frivolously, as they were this morning.

Mr Smyth also makes great noise on issues of openness and transparency. I would say that this bill, out of all the pieces of legislation that come to this place, is the most transparent of all decisions that this place makes in terms of the time allocated to it for scrutiny. I think we have had a month of estimates processes, we have 16 hours—and we can probably add another four hours to that with this motion today—to scrutinise

and debate the budget. We have had hundreds of questions on notice. We have had all the ministers appear.

Mr Smyth: This is appropriate.

MS GALLAGHER: I agree that it is all appropriate, but to then come in here and hysterically claim that the budget is going to be rammed through and that it is some great slight on an openness and transparency agenda is simply not true.

Mr Smyth made the claim a number of times that we are going to seek to ram this bill through. After the six weeks that have elapsed since the budget was tabled, we now have the dedication of this entire sitting week to present debates for and against the budget.

The process for the budget is the same as it has always been. There is a very comprehensive set of papers that accompany the bill, including very detailed descriptions of the financial position of the territory and all of its directorates, of the appropriations made to date, of the appropriation for this year and some estimates going into the outyear. These will be updated in the budget update to be presented in accordance with the Financial Management Act, just as it has been done every single year. Changes reflected from the moment in time when the budget was tabled to the moment in time when the budget update is released will be clearly outlined in that document. That is no different from the case in every other budget year.

They make great claims around capital metro. The capital metro appropriation is dealt with in full for the appropriations sought by this Assembly. There will be further appropriations sought for capital metro as those costs are agreed to and more detail can be provided in further appropriations, as is the case for many of the large projects. For example, the Health infrastructure works are appropriated each year as the projects reach the point where funding can be allocated. So with respect to the claim that there is a lack of detail about the costs of capital metro, the costs of capital metro, to the point that those costs have been agreed, are detailed in the budget papers and any further appropriation that is sought by this place will be dealt with in exactly the same way as the appropriation for that project is being sought, through the appropriation bill that is before the Assembly today.

What the Liberals are trying to say is that they want more time. I do not know why they want more time. Maybe we can debate it in September. Maybe Mr Smyth will be ready then; who knows? But there is no logical argument to not debate the budget today, other than that the opposition, for some reason or another, during the winter recess have not had the time to get ready to debate the budget and now they are trying to make it the Assembly's problem.

The Assembly is ready to debate the budget. We stand here ready. Yes, on the other side of the chamber stands a tired and directionless opposition with no ideas other than to spoil, distract and delay. We will see another three years of it, and we are ready for it, but in the meantime, whilst that is the approach you take, we are ready. We stand here with all the debates ready to go, to deliver on the commitments we

made to the people of the ACT in October last year, and for those commitments to start rolling out.

That is what the people of the ACT expect. They do not expect this parliament to sit around and navel-gaze about whether the opposition is ready or not to debate the most important bill on the sitting calendar. We all know—and thank you, Mr Coe, for enlightening us again today—that the Liberals do not like capital metro. We know that, so thanks again for that contribution. But that is not a reason to delay the budget: Mr Coe does not like capital metro and Mr Smyth does not like tax reform; therefore the budget should not proceed. We have had those debates, and that is why we are on this side of the chamber and you are on the other side of the chamber.

The debate has been had in October, and more than 50 per cent of the population voted for capital metro and tax reform, and that hurts. We know you have not really come to grips with it, but those are the facts. We are here ready to make the appropriation debate occur, have the budget pass, and deliver on what we need to deliver on to the people of the ACT.

Mr Smyth will also say, “But it has no material impact at all because supply keeps going. You can keep doing what you need to do.” Well, no; it does not allow us to do that. It allows for a continuation of some appropriation, as detailed in the Financial Management Act, up to a certain point, but it does not allow us to implement the new initiatives that are contained in the budget—important new initiatives like seven per cent growth in health funding to allow us to open extra beds, staff those beds and create new services; extra money going to government and non-government schools; extra support for people with a disability to actually get the care that they need. These are the priorities that we have put.

A significant capital spend to allow confidence in our local economy at a time when we have businesses letting us know that they want the ACT government to continue to invest in the local economy and ensure that confidence is maintained: that is what this budget does. And that is what the spoilers, the wreckers, delayers and the distracters over there do not want to see happen.

We know why you do not want to see it happen, because you do not actually want us to get on with our agenda. We understand that. That is the game we play in this house. But we are ready to get on with it. There is no reason to delay, and there is absolutely no reason for the Assembly to support this no-confidence motion today.

MR RATTENBURY (Molonglo) (11.42): I will not be supporting this motion today. I think what this motion really speaks to is the fact that the Liberal Party disagree with the budget and the policies contained in it. That is their position. That is fair enough and that will be discussed in the course of the next few days as we debate the appropriation bills. I think it is fair to say that the budget has a considerable process of scrutiny already in place. We had the in-principle debate back in June when the budget was tabled. We had considerable media discussion. We have, of course, had the estimates process and we have had some reflection on that in the past week as well. We have now got the 16 hours of debate set aside over the coming days for the scrutiny of the budget. I think that those are matters that are to be debated.

One of the key concerns this morning is that the budget is not up to date, that it does not contain all of the information. I think that the budget does contain a very large amount of information. I think both the Labor Party and the Greens, as part of the executive, have made very clear the intent and the direction of the budget, and there is considerable detail in there. Mr Smyth has specifically raised concerns about the ICRC in his motion. I think that the Treasurer has addressed that point very effectively, particularly in the context of the quantity involved in the overall percentage of the budget. This is obviously an issue that the government needs to monitor, but there is of course a series of moving parts in the budget that will mean that it is always evolving.

We have seen that again with the release of federal figures both 10 days ago and again with PEFO today. There are a series of external factors that will continue to shape the ACT budget and that the government must monitor and respond to as they arise. That is the responsibility of the government, to take those things into account. I think that the government has been very clear in its fiscal strategy. Certainly, as the representative of the Greens in that government, I have been very clear about the Greens' position. I both support the intended return to budget balance and budget surplus in the timetable set out in the budget.

The Greens' position at a macro level—the fiscal strategy—is also very clear. We do need to have a balanced budget over the economic cycle. The government is in a phase now where there has been a deficit run, but there is a clear intent to return that to a budget surplus over time. We need that for simple sustainability. That is a clear position. That is a clear intent of the government. Whilst there will be adjustments along the way, whilst the budget will change and evolve—some figures will go up, some figures will go down—that commitment is very clear in the budget papers, and I think that that is something that the Canberra community can have confidence in.

Turning to the comments about light rail, again this has been discussed at some length previously. I discussed it last week in the context of Mr Smyth's motion last Wednesday on private members' day about the budget when he again raised this point. I think members will recall that in February this year the Assembly passed a motion committing to transparency on light rail, to releasing the documents either that are available or as they become available. That is something that I stand very strongly by. I think it is important that the community does have that information.

It may be that Mr Coe disagrees with the light rail project and that is his prerogative. But that does not mean that the fact the information is out there is not valid. There is plenty of information out there. In the discussion last week, in response to Mr Smyth's motion, I reeled off a series of documents that the Greens have used to form our view and to form our position on light rail. Of course, this is a project that has still got work going on on it. There is a detailed costing that is available. It sets out a quite considerable level of information. Mr Coe and his colleagues are free to go through that at any time. Perhaps they will at some point.

I think the comments about Infrastructure Australia are very interesting. I note that Infrastructure Australia—I paraphrase slightly—has said that light rail was not a

national priority. That may be the case. It may be that in the case of all of Australia there are other projects. When it comes to what ranks highly in terms of what the federal government should spend money on, it may be that there are other areas that have more pressing problems. I think anybody who goes to Sydney will see that they have bigger congestion problems than Canberra has.

That does not mean that this project is not important for Canberra. It just means that the federal government does not have it at the top of its priority list. But I think the residents of Gungahlin, who have to deal with congestion, know that something needs to be done about the Northbourne Avenue corridor. They will welcome this. They know that we need to take action, that we cannot just sit back and wash our hands of it, that we have to actually deal with the congestion issues that are facing Canberrans. That does not mean that it is high up the federal government's priority list, but it is a priority for the ACT government to deal with. That is why I am committed to getting on with light rail, because we have to start to address the congestion that is building in this growing city.

This city, for better or for worse, is growing rapidly. There are more cars on the road now than there were if you go back a decade. Anyone who has lived in this city for a while knows that Canberra is becoming more congested. We need to take action. That does not mean that the federal government is going to have it at the top of their list, but the ACT government should be taking it seriously. That is what this government is doing in partnership. We are getting on with dealing with the congestion issues that Canberra faces.

I think that there is plenty of scope to debate the budget over the coming days. This motion simply reflects the fact that the Liberal Party disagree with the budget. I agree with the budget. I think it delivers many of the things that Canberrans need. I have spoken about it. I spoke at the in-principle stage about the broad Greens' view on that. In the coming days as the responsible portfolio minister I will address the areas that I have responsibility for during the debate. But this is a budget that starts to set Canberra up for the future in some of the key infrastructure projects we need, as well as delivering the day-to-day services this city needs on an ongoing basis.

With those few remarks, and mindful of the fact that we are about to spend a whole lot more time on the budget, I simply indicate that I will not be supporting the motion today, and that I do have confidence in the Treasurer's delivery of this budget.

MR HANSON (Molonglo—Leader of the Opposition) (11.49): I would like to commend Mr Smyth for bringing this motion before the Assembly. It is, everybody would agree, a very important motion, and Mr Smyth has made the case. He focused on the substance of what is being debated today and avoided the sort of personal smear that we saw from the members of the Labor Party, which was quite disappointing. I would also like to commend Mr Coe. As the Chief Minister says, the opposition does have significant concerns with light rail. I think that Mr Coe has articulated those well. It is up to the government to make the case for light rail and to date they have failed to do so.

The nub of Mr Smyth's motion is not about the merits of the budget. We will debate that at some stage. Whether it is today or whether it is another day, we will go through it line by line. We are ready to do that. This is not about avoiding time; this is about trying to get the information because we in the opposition have a responsibility on behalf to the community to make sure that their money is spent wisely by this government on their behalf. It is impossible for this Assembly to make some of those decisions without the relevant information. The point is that the government has not provided the relevant information when it comes to some extremely substantive elements of this budget totalling hundreds of millions of dollars.

The concern has also been raised about whether what we are doing today is in breach of the FMA. The points have been made with direct quotes by Mr Smyth, but the nub of it comes down to what the government is required to do—to give full, accurate and timely disclosure of financial information about the activities of the government and its agencies. As Mr Smyth and Mr Coe have articulated, the government has failed to do that.

Turning firstly to the issue of rates, the government has touted this and the Treasurer has touted this as the biggest tax reform in history in the ACT. That may well be the case. If it is the case, it would require, in order for this side of the Assembly to agree to it, our seeing all of the modelling. We would need to see all of the evidence. As we found out during the estimates committee process, the government has done that modelling. The government has the information. The government understands the impact of their rates reform, but it is refusing to give that to the community. They are drip-feeding it. They are drip-feeding it, Madam Deputy Speaker. They are giving it in four or five-year chunks.

When you look at those four-year chunks, when you look at what is in the budget—this budget we are going to be asked to vote on—rates are going up at a rate of 10 per cent a year. When you extrapolate that, rates will triple in just over 11 years. Based on the information that the government will give us, rates triple in 11 years. The government had the information that they could present to this Assembly to refute that that is going to happen. But they refuse to do so. We must have asked the government and this Treasurer to table that dozens of times in this place. It has been the subject of motions; it is in the estimates committee report.

Why will he not do that? The only conclusion that can be reasonably drawn is that he knows that the modelling he has will show exactly what we are saying and exactly what is in the budget, and that is that your rates will triple. We have a duty on behalf of householders to make sure that when we are debating these issues, when we are being asked to vote, we understand the full implications of that reform, and he is refusing to give it to us. That is why this minister does not have our confidence.

When it comes to the issue of light rail, the argument for light rail is contrary to the evidence that has been provided. Mr Coe showed that quite clearly. But importantly, this is not just about the start of a debate. What today will do if we decide that we are going to go on with the budget—this mob opposite, with the support of Mr Rattenbury, are going to support it—is lock us into light rail. It is quite clear, because the

Treasurer said that he is going to build it at any cost. In a committee hearing, when asked, "Is there any cost that is too great for light rail?" he said, "No."

So it is quite clear that the mob opposite are going to do it regardless of the cost. That means that the decisions that are going to be made in this Assembly over the next three days are going to lock this Canberra community into the biggest infrastructure project in Canberra's history and that is just phase one. Remember that this is a government that talks about a multi-phase approach to light rail. This is not just the next decade or the line between Gungahlin and Civic. This is multi-billions of dollars that we are going to lock into when we vote on this budget. They are asking us to do that without all the information and with the evidence that has been provided that basically says, "Do not do it."

That is not the Canberra Liberals arguing that. That is Infrastructure Australia. That is a pretty authoritative body that said, "No, we do not like your homework. Go away and do it again." That is what we are saying: "Show us the evidence". We are not saying in this budget today that we are not supporting light rail. We are saying what Infrastructure Australia are saying, and that is: show us more detail; show us more evidence; show us the cost-benefit analysis. Get them out on the table before you ask this community to sign up to hundreds of millions of dollars, if not billions of dollars, as you roll out light rail.

The other issue is that of ACTEW. We have raised some substantive concerns with the whole process with regard to ACTEW in this Assembly over the last month. But what has become apparent is that there is a significant hole in this budget, possibly \$25 million a year, that is simply missing because the government has not updated the budget. A simple deferral of the debate would enable ACTEW to do that and provide the necessary information in the budget. But again, the government does not want to do that. It is ironic that in the middle of wage negotiations where Katy Gallagher is threatening job losses for the public service, is trying to negotiate a pay deal that is potentially below CPI, she is trying to do that without the full impact of the budget being exposed.

The opposition has argued against big infrastructure projects before and has argued that we have not had all the evidence before on other matters. I would take you all back to the great big government office building. Members will recall that one. That was touted by the other side of politics as a must-have. We were told that all the evidence was there, that we had all the information we needed, that all of it was ready to go. They spent \$5 million of our taxpayers' money on that. But they forgot to give us the evidence. It was only when the opposition said, "Show us the evidence; show us the cost-benefit analysis," and when we went through this in detail when we finally did get that—I would like to point out that that was on a single A4 piece of paper in about font 14—that we actually found it did not stack up—

Mr Coe: Double spaced.

MR HANSON: Double-spaced, Mr Coe reminds me. It did not stack up and the whole thing fell over, did it not? It was very embarrassing for those opposite who backed it then, just like they do for light rail and tax reform now when they say, "This

is a must-have; trust us. We are not going to show you all the detail.” When they did, it all fell over. So this mob have learned from that. What they have learned is, “What we will do is come up with these schemes, but rather than show the opposition the detail so that our house of cards will collapse, we will just hide the detail from them. Then they cannot pull it down. The community cannot see how we are wasting millions of dollars of their money, potentially, or how we are doing a tax reform that is disingenuous.”

They have changed their approach. Their approach is, “We simply will not show you the detail.” That is what we are saying today: let us have the debate with the evidence. Let us have the debate with the detail. What the government is asking us to do is to sign off on a budget, vote on a budget, debate a budget, that is deceptive, that is inadequate, that simply does not have the detail. That is not by accident. That is because this mob do not want it in there because they know that if it is in there, we will show the community—be it with ACTEW, be it with light rail or be it, most particularly, with the tax reform—that it does not stack up, that it is not good value for them. That is what we are about here today.

I commend Mr Smyth’s motion. We do not have confidence in this Treasurer because he is deceiving the community. It is quite clear that that is the strategy of this government: withhold information, hide the facts, do not present the modelling, sign off on things for political expediency regardless of the cost to the community. As a result, we have no confidence in the Treasurer. I commend Mr Smyth’s motion to the Assembly.

MR SMYTH (Brindabella) (11.59), in reply: What an interesting defence we have had from those opposite. Ms Gallagher thinks that because she is on that side of the chamber everything is okay; she won; therefore she can do what she wants. No, that is not so. Yes, you are on the government benches; yes, this is your budget; and yes, we will hold you to account.

The speeches from the government all start with the personal slur and the personal attack. You know Mr Barr is in trouble when he goes straight to the slur and stares steely eyed at the person sitting in the chair, because he knows that what he is saying is not relevant to the debate.

We had an expose on the budget. Good luck to you. We had an expose on what other states and territories have done in their budgets. Good luck with that. None of it was relevant and none of it went to the case. I will make it clear again: we are not saying, “Do not pass the budget.” We are not saying that we want to block supply. We are just saying, “Give us the details, as you are obliged to do under the act.”

Ms Gallagher made an interesting point. She said, “Yes, but if we delay it then of course the new initiatives cannot go ahead.” So based on that, if Ms Gallagher wants, she can have leave to stand up and say that not a single cent has been spent from 1 July until today on any of her new initiatives or projects because obviously they have not had the money appropriated for it. And that, I suspect, is patently untrue. I am sure people are working to implement the government’s agenda, as public servants should.

But you are saying that not a cent is being spent and therefore no activity has occurred, and that I suspect is untrue.

So we get to the nub of the matter, and the nub of the matter is information. Mr Rattenbury seems to think, "We have had enough questions. Let's get on with it. You have had your go. It's okay. Let's go." But it does not matter whether you think there have been enough questions asked. You said there is a large amount of information in the budget, Mr Rattenbury. Yes, there is. But is all of it relevant and is all of it the information that is required by the law?

Do we have all of the detail, for instance, as Mr Coe has so well pointed out, on what is the real cost of capital metro? What are we actually being asked to sign up to here? In years to come, people will come back and say, "You voted for that first budget," or, "It was voted for in the 2013-14 budget; therefore it was okay to get on with it." Tell us what the liability may be. No-one has been able to tell us what the subsidy would be to keep capital metro afloat. These are all things that impact on the budgets that come and if you have done your work and you are convinced of your case rather than saying, "No number is too high," then you would be able to make a coherent case. And all we are saying is that we have not heard that coherent case.

Ms Gallagher is saying, "You are hysterical." It is a serious issue and if you want hysteria, just go to Mr Barr's speech where he is saying, "Mr Smyth wants us to rewrite the entire budget." I have never asked for a rewrite of the entire budget. That is hysteria. What I have asked is that we get an update in the relevant sections and, if necessary, that amendments come forward.

It has been done before. Mr Humphries and Ms Carnell both brought forward amendments to their budgets when things changed in the period in which the budget was under consideration. Previous treasurers have been able to do it. Why cannot this Treasurer do the same? It is not unreasonable to have amendments and to have an update.

Indeed, this afternoon, I see on the blue sheet, we are going to get the update to the quarterlies. We will get the last quarter of the last financial year and we will have an even bigger understanding and knowledge, and perhaps that could be incorporated. It is not unreasonable, in the context of when the debate is active, that we get the information that informs the debate. And that is what we are asking.

We know the government has the information. We know the government has the information on the rates. Mr Barr told us so. He just does not want to tell everybody else what is the full impact of his rates reform. Our numbers say that it means tripling your rates. He can finish this argument today. So does the Quinlan review say that the rates will triple. So did the author of the document who said, "Yes, they will have to increase substantially but we are not going to tell you how much."

Mr Barr has that knowledge. He could end the debate today, but he refuses to do so. He has that information clutched tightly to his chest because he does not want the public to know exactly what is going to happen to their rates. If it was as beneficial as he lays out and claims, he would have had that document out in the public realm last

year. But here we are, 14 months after the original reforms were put in place, and we still do not have the data.

The act says, according to section 4, that the proposed budget must be prepared taking into account the principles of responsible fiscal management. And in defining the principles of responsible fiscal management it says “giving full, accurate and timely disclosure of financial information”. We have never had full, accurate and timely disclosure of the effect of the tax changes on the rates for the people of the ACT. Never. We do not have it now.

But again we are being asked to pass the bill that does not comply with that statute. We do not have full, accurate and timely disclosure of the financial information about what will happen to the ACTEW dividend. We can, in about two weeks apparently; so I do not see why there is the need to rush through it today when we could reasonably have this debate in September, with full, accurate and timely disclosure.

We certainly do not have full, accurate and timely disclosure of the financial information about capital metro. It was not, Mr Rattenbury, in the budget delivered in June. So right from the start, the budget has not complied with the law. We know that we did not get the information on rates changes in last year’s budget either.

So we have the standard discourse in this place where the Treasurer jumps up and starts to slur, the Chief Minister backs him up on the slur and keeps going. She says, “No confidence is serious. Go outside.” I am quite happy to go outside and say, “Here is the law. You make your own determination as to whether or not the Treasurer has complied with that law.” And I do not believe you have, and I am quite happy to say that outside. So there you go.

Then their slur was that we are not ready to debate. We disagree on a lot of things in this place but I think people would give me some credit that, whatever the subject you want to debate, I can probably at the drop of a hat debate most things. If you want to overturn Mr Corbell’s 16-hour time limit on the debate, I am happy to go for as long as it takes and debate—

Ms Gallagher: I think we have done that already.

MR SMYTH: There you go. You cannot say on one hand, “You are trying to stop the debate,” when you have put the limit on it. And you know that it is simply not true. At least the Chief Minister has got the grace to laugh now. She knows that she has been a little caught out.

So the problem is that the Chief Minister said we would have a new era of transparency, we would have a new era of participation and we would have a new era of collaboration. The only problem for her new era is that, of course, it does not extend to the opposition and it does not extend to the people of the ACT because they do not have the full data, which Mr Barr keeps clutched very closely to his chest, on the impact of the rates reforms. We do not have the knowledge of what will happen with the ACTEW dividend and we do not have the full knowledge of what the true cost of capital metro is.

For those reasons and those reasons alone, let alone many other things that have been said today, this motion should be supported by this Assembly.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 8

Noes 9

Mr Coe
Mr Doszpot
Mrs Dunne
Mr Hanson
Mrs Jones

Ms Lawder
Mr Smyth
Mr Wall

Mr Barr
Ms Berry
Dr Bourke
Ms Burch
Mr Corbell

Ms Gallagher
Mr Gentleman
Ms Porter
Mr Rattenbury

Question so resolved in the negative.

Estimates 2013-2014—Select Committee Statement by Speaker

MADAM SPEAKER: I would like to go back to an item that arose this morning. I want to make a statement concerning the use of unparliamentary language, particularly that which occurred in the dissenting report and subsequent discussion in speeches in the Assembly. Standing order 54 states that a member may not use offensive words against the Assembly or any member of the Assembly, and standing order 55 says that all imputations of improper motives and all personal reflections on members shall be considered highly disorderly.

I note that the word “bullying” has been previously ordered to be withdrawn on numerous occasions in the Assembly by numerous Speakers. Consistent with previous rulings, I believe to call a member a bully, even through the device of a dissenting report, is unparliamentary, and I call upon Mr Gentleman and Dr Bourke to withdraw the imputations.

Mr Gentleman: I withdraw the imputation.

MADAM SPEAKER: Thank you, Mr Gentleman.

Dr Bourke: I withdraw.

MADAM SPEAKER: Thank you, Dr Bourke. I also draw members’ attention to page 514 of *House Of Representatives Practice*, to which we are linked. It says a member is not allowed to use unparliamentary words by device of putting them in somebody else’s mouth or in the course of a quotation. As such, Mr Barr quoted the dissenting report and, therefore, I call on Mr Barr to withdraw the imputation.

Mr Barr: I withdraw.

MADAM SPEAKER: Thank you, members.

Appropriation Bill 2013-2014

[Cognate bill:

Appropriation (Office of the Legislative Assembly) Bill 2013-2014

Cognate papers:

Estimates 2013-2014—Select Committee report

Estimates 2013-2014—Select Committee report—government response]

Detail stage

Schedule 1—Appropriations.

Proposed expenditure—Part 1.1—ACT Executive—\$7,151,000 (payments on behalf of the territory), totalling \$7,151,000.

MR HANSON (Molonglo—Leader of the Opposition) (12.11): One could question whether we are getting good value out of our executive for that amount of money, but I will not go to the detail of that. The estimates committee looked at the executive in some detail, and there are a couple of recommendations as a result. Recommendation 12 of the committee report is that the Assembly move immediately to pass legislation to provide for a sixth minister, and recommendation 13 is that after legislation providing for a sixth minister is passed, the Chief Minister immediately appoint a sixth minister.

Looking at the government's response to those two recommendations, one sees they have been rejected by the government. I think that is disappointing, and I will go to the specific language the government has used:

A recommendation that the Assembly move to pass legislation is a matter for the Assembly.

Well, yes, but the government adjourned that bill. I moved the legislation, or the legislation was tabled, and the government, including the Greens minister, adjourned it. It is really a matter for the government to debate it. It is a little bit disingenuous to say, "Well, you know, that's a matter for the Assembly," when it was actually the government that did not want to debate it.

As to the second recommendation that the Chief Minister should then immediately appoint a sixth minister, the government does not agree, saying the appointment of a sixth minister is not a role for the committee. That is like saying that nothing is the role of the estimates committee. Of course it is. The estimates committee is there to look at the effectiveness of the executive and provide recommendations as to how the executive could be made more effective and more efficient. So making this recommendation, of course, is within the purview of the committee. To try and bat it away by saying, "Well, it's not for the committee to look at," is an absolute nonsense.

The point about the sixth minister—I refer people to my speech when I tabled the legislation a couple of months ago—is that things can be done right now to enhance the executive. The Chief Minister has articulated the need for a larger Assembly, and I

note that. That is an ongoing conversation; that is a matter for debate at some stage, no doubt, in this Assembly. But that is something that cannot take effect until after the October 2016 election. The government is essentially saying. “We’re going to sit on our hands and not do anything for over three years.” The government is out there and the Chief Minister has said repeatedly, using things like the Hawke review to back her up, that the size of the Assembly needs to be reviewed and the ministry is too small. I accept that; I agree with that. It seems to me that the ministry would be enhanced by the appointment of another minister. So why will the government not do that?

Various arguments have been put forward by the government with regard to the backbenchers being too busy. Again, I think that is a bit of a nonsense. The members here can draw their own conclusions about why the Chief Minister does not want to appoint a sixth minister. The conclusion that we have drawn on our side is that she has not got anyone on the backbench who is capable of being a sixth minister. That is a problem for the government, but it should not stop the government from legislating for it and finding the best of a bad bunch and getting on with the business of appointing one of those four as a minister. I am not picking favourites here—that is a matter for the Chief Minister to determine. I accept it is a challenging proposition for the Chief Minister and it causes her and her backbench some embarrassment, but it should occur.

I commend the two recommendations of the estimates committee to the Assembly. Ironically, they were not supported by Mr Gentleman and Dr Bourke who would be the direct beneficiaries of that. But that is probably a matter for another day. I commend the work of the estimates committee to the Assembly and I again call on the government to appoint the sixth minister.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (12.17): As I said, this part relates to funding for the ACT executive. The funding outlined in the budget provides for five ministers and their staff, including staffing for the crossbench member’s work in the government’s executive. I note the points made by Mr Hanson and his very significant interest and concern in matters that really are up to the Chief Minister to decide. That is outlined in our response to the estimates report.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.2—Auditor-General—\$2,598,000 (net cost of outputs), totalling \$2,598,000.

MR SMYTH (Brindabella) (12.18): The funding of the Auditor-General is, of course, very important money given the valuable work that the audit office does. As I have said in this place many times before, the standard overseas and certainly in Australia is that for every dollar you spend on the Auditor-General’s office there is a tenfold return which goes into either savings or better service delivery or greater efficiencies. The shame of this year’s appropriation for the Auditor-General is that it does not see any increase at all relative to the importance of the job. There is some adjustment for CPI, but what it means is the Auditor-General is now locked into a position where the

attempt to reach the target of equal expenditure on both performance audits and the financial audits is again delayed, and it is delayed significantly through the outyears.

There was some tripartisan agreement when Mr Hargreaves and Ms Le Couteur were here and members of the PAC. We said there should be a path that would see an extra performance audit or two done every year. Building up to about 16 would be relative with the cost of running the financial audits. That, of course, has now been reneged on. Additional funding or projected funding has disappeared, and I think that is a shame. The audit office needs to be properly funded, particularly in this jurisdiction where we only have a one house parliament. In that case officers like the Auditor-General and the Auditor-General's Office become very, very important.

It is interesting in the light of the fact that we passed amendments just last week to the Auditor-General Act that gives her more power and potentially tasks her with doing combined inquiries with state and federal governments and, indeed, doing audits of government moneys that have been handed over to non-government organisations. We have asked her to take on a bigger role, but we have not given her the resources to do that should it be required. I think that is a shame. That said, the opposition are very supportive of the line and very supportive of the Auditor-General's Office.

MR HANSON (Molonglo—Leader of the Opposition) (12.20): I will speak briefly to this line. I think the idea that the funding be essentially set by PAC is a good one. Despite the rhetoric from the Chief Minister and the government that this is an open and accountable government and it wants transparency, it is clear that that is not the case, and you could argue that in any number of areas. I think we just went through that this morning with the vote of no confidence. The Auditor-General is an individual, but the resources she has in terms of legislative powers and staff are invaluable for this community to scrutinise the government. A number of the reviews she has done—certainly the ones I am aware of—have had significant effect in improving what this government is producing.

I particularly reflect upon the review she did of elective surgery. I think that was a very useful review and very useful audit. It provided a number of good initiatives for the government. She also has a job to do where things go wrong with this government, and we saw that with the Auditor-General's review into the ED doctoring, where somebody has to go in there and ask the hard questions. It is really only the Auditor-General who has the ability to do that sort of work.

If the government is essentially setting the parameters on how much the Auditor-General gets, then, no doubt, the government is going to screw that down and make sure the Auditor-General is not doing as many reviews as she could—which is what is occurring—whereas the Assembly would, I imagine, have a different view.

I will quote from my budget reply speech:

That is why we should do everything we can to make sure that scrutiny and accountability of this government is maximised. In response to the government's malaise, today I call for the funding to the Auditor-General to be increased so that the number of performance audits she conducts is doubled by the next election in 2016.

I repeat that that is what this government should be doing. Instead of trying to prevent the Auditor-General from doing more reviews, the Chief Minister should be encouraging and supporting and funding. As Smyth pointed out, there is actually a cost benefit to that. Because of the recommendations for enhancements and improvements to government that will be made, you actually get bang for your buck out of that. As the opposition we repeat that call for the Auditor-General to be properly funded. It is not going to happen in this budget, clearly, but it is something I hope to see come forward in next year's budget.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (12.23): The 2013-14 budget continues funding for the independent work of the Auditor-General. The office of the Auditor-General conducts financial and performance audits and reports the results of these audits through to the Assembly. The audit office works to improve the delivery of public services by drawing the attention of ACT government agencies to those where the delivery of public services could be improved and providing practical recommendations and advice to ACT government agencies on how improvements could be made.

With the passage of the amendments to the Auditor-General Act last week there is likely to be greater attention given to private sector and non-government organisations as part of the expected new follow-the-dollar powers. The Auditor-General Act delivers on the government's agreed recommendations in its response to the Standing Committee on Public Accounts report 15, *Inquiry into the ACT Auditor-General Act 1996*. The changes also complement the ACT government's ongoing commitment to strengthening performance, accountability and openness across all aspects of government operations.

In relation to the setting of the budget, there are some issues around who can set budgets for the purposes of appropriation, and I think we have articulated those concerns in this place before. I also remind members that funding was increased to the Auditor-General recently through the functional review process. My understanding was further budget increases were not sought this year, but we keep an eye on this and we recognise the importance of the role of the Auditor-General. We respect the independence of the Auditor-General. Indeed, the upcoming tabling of the officer of the assembly bill will further strengthen the independence of the Auditor-General.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.3—Chief Minister and Treasury Directorate—\$59,833,000 (net cost of outputs) and \$2,651,000 (capital injection) totalling \$62,484,000.

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

Sitting suspended from 12.26 to 2.30 pm.

Questions without notice

Budget—savings

MR HANSON: Treasurer, I refer to the ACT budget review 2013-14 prepared by the Centre for International Economics, which states:

Saving expectations are more conservative and less ambitious than they were in last years' Budget, particularly in the outer years of the forward estimates period.

Almost half (46.6 per cent) are expected from general agency savings (effectively an efficiency dividend) ...

It is difficult to assess the achievability of expected savings measures because of the lack of detail provided in the 2013-14 Budget.

Treasurer, why does the 2013-14 budget fail to provide sufficient detail of savings to allow the community to judge their achievability?

MR BARR: The savings have been removed from agency budgets, so the money has not been provided to them in the first instance. They have been achieved already in so much as those agencies will not be receiving appropriations at the levels that they may have anticipated in previous budgets.

In relation to the savings contained within this year's budget, there are a number of initiatives that the government is ceasing. The government is seeking reforms particularly in the area of procurement, seeking efficiencies and savings in the purchasing of goods and services. We have also sought from various agencies some general savings. They will deliver those in accordance with the schedules outlined in this year's budget.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Treasurer, what confidence can the community have that the government will use savings to reduce the size of the deficit rather than simply fund more spending?

MR BARR: The government's path to return the budget to balance and then to surplus involves a series of expenditure and revenue measures that are outlined in the budget papers.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Treasurer, what confidence can the community have that the budget will return to surplus, given the Labor Party's poor track record in managing budgets and lack of detail in its savings measures?

MR BARR: Each year the government puts together a budget and a series of forward estimates based on the information available at that time. The government recognises

that over the course of the forward estimates there are invariably a series of economic decisions and political decisions that are made at a federal government level, the implications of which would be unknown at this time. The government will seek to update its budget position at least twice a year over the coming three or four years and we will be taking into account any actions that impact upon the territory economy and adjusting our fiscal policy settings appropriately and in accordance with our budget plan.

MADAM SPEAKER: A supplementary question, Mr Gentleman.

MR GENTLEMAN: Treasurer, how important is it to return the budget to surplus as outlined in the CIE report?

MR BARR: The government has over the last decade delivered nine surpluses. The government recognises the importance of having—

Mr Hanson interjecting—

MADAM SPEAKER: Order, Mr Hanson.

MR BARR: a fiscal policy that responds to the economic circumstances of the time. In very simple terms, we have been saving for the rainy day, and the rainy day is now.

Mr Hanson interjecting—

MADAM SPEAKER: Order, Mr Hanson. Mr Barr has the call.

Mr Coe interjecting—

MADAM SPEAKER: Order, Mr Coe.

MR BARR: The delivery of nine budget surpluses gives the ACT one of the strongest fiscal positions of any state or territory in the commonwealth. The territory will continue its strong fiscal management, but it will also have an eye to other economic indicators, such as a record level of employment in the Australian Capital Territory, labour market growth approaching two per cent and a very, very strong level of state final demand for a jurisdiction that does not have a resource base.

These economic outcomes are supported by the government's fiscal policy, because the two are not necessarily correlated. In this instance, the territory government's capital spend, for example, is supporting the territory economy, and the territory government's recurrent spend, particularly in the delivery of services to this community, is supporting the economic, social and cultural wellbeing of the people of Canberra.

Transport—light rail

MR COE: My question is to the Minister for Environment and Sustainable Development and is in regard to light rail. Minister, the Queensland government has

just announced that, rather than an initial forecast of 45,000 passengers, the Gold Coast light rail will only carry 17,000 passengers per day. Based on your officials' study of the Gold Coast project, including visiting the site, has the same patronage methodology been applied to the ACT project?

MR CORBELL: I am not familiar with the patronage methodology used by the Queensland government. I suggest that Mr Coe ask that question of them.

MADAM SPEAKER: Mr Coe, a supplementary question.

MR COE: What firms are currently engaged by the ACT government to undertake research on the project?

MR CORBELL: There are a number of studies underway, some of which have been let through a competitive tender process. I am happy to provide those details on notice to the member.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Minister, what off-peak patronage projections have been made for the ACT's project?

MR CORBELL: Detailed assessment of patronage is ongoing. At this point in time the government has released its initial indicative assessment of peak time patronage. In relation to off-peak time, that work is yet to be developed because the key consideration in the initial development—

Mr Hanson: But you signed off on it.

MR CORBELL: Do you want the answer or not?

Mr Hanson: Yes I do, but you're not giving it to me, are you?

MR CORBELL: Well, shut up and listen.

MADAM SPEAKER: Mr Corbell, I am warning you. That is entirely and unacceptably unparliamentary language. If there is a repeat of it, you will be named.

MR CORBELL: Certainly Madam Speaker, and I am glad you are drawing attention to those members opposite as well. Madam Speaker—

MADAM SPEAKER: Sit down, Mr Corbell. Mr Corbell, there is an ongoing snideness in your comments about the way I chair this place, and it is unparliamentary and it is disorderly. If you have got a problem with the way I chair this place, do it in a substantive motion or keep your opinions to yourself. I drew attention to your entirely unparliamentary language when you told somebody to shut up. I think that you should be more chastened than that and you should be apologising to this place rather than trying to deflect your embarrassment onto somebody else.

Ms Gallagher: Madam Speaker, on your ruling—

MADAM SPEAKER: It was more of an admonition than a ruling, Chief Minister.

Ms Gallagher: I do refer to the behaviour of the opposition through question time. Every single one of them was laughing at and mocking Mr Corbell when he was seeking to answer a question and they were not brought to order. It would assist if they were.

MADAM SPEAKER: Again, Chief Minister, if you listened carefully you would recall that on a number of occasions I have, by name, called Mr Hanson and Mr Coe to order in this question time.

Ms Gallagher: And they ignored you.

MADAM SPEAKER: Again, if you have a problem with the way I chair this place, do it in a substantive motion. Mr Corbell, have you finished answering the question?

MR CORBELL: Yes, I have.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Minister, how were ACT light rail patronage projections derived?

MR CORBELL: Patronage projections are derived using accepted methodology by expert consultants, and I am happy to provide further details to the member on notice.

Budget—surplus

MR SMYTH: My question is to the Treasurer. Treasurer, I refer you to the ACT budget review 2013-14 prepared by the Centre for International Economics. It states:

The 2013-14 Budget indicates that a surplus will be achieved in 2015-16. The Budget builds in additional revenue which will not be realised, or realised in that period, in order to return to surplus in the forward years. The additional revenue is associated with the adjustment to interest revenue on the Superannuation Provision Account to bring interest returns in line with long-run expected performance.

Elsewhere in the report it states:

The expectation is for superannuation investment earnings to deliver a long run targeted nominal rate of return on assets of 7.5 per cent. The target rate of return appears ambitious if the superannuation returns are managed in low risk assets.

Treasurer, what is the difference to the budget position between your stated rate of return and the returns based on real market projections?

MR BARR: That will vary from year to year, obviously, depending upon prevailing circumstances in the markets, but I think if you look at the long-run performance of the superannuation provision account you will see that the targets the government sets for its performance are readily achieved and achieved in a manner that does not involve undue risk.

MADAM SPEAKER: Supplementary question, Mr Smyth.

MR SMYTH: Minister, what confidence can the community have that this prediction is achievable, given that other superannuation funds are achieving long-run nominal rates of return between four per cent and six per cent?

MR BARR: The long-run performance of the ACT fund would indicate that this is a reasonable policy setting.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Treasurer, is it not true that you are using unrealistic projections of returns merely to hide the true state of the budget deficit?

MR BARR: No.

MADAM SPEAKER: Supplementary question, Mr Doszpot.

MR DOSZPOT: Treasurer, what contingency plans do you have in place if you do not achieve these unrealistic rates of return, and will you table those contingencies? If not, why not?

MR BARR: The government deliberates over each budget and its expenditure and revenue projections through the budget cycle each year and I will not be revealing the government's deliberations; they are cabinet in confidence. The outcomes of those deliberations are made publicly available for the member through the budget papers each year.

Government—tendering arrangements

MS PORTER: My question is to the Minister for Economic Development. Minister, can you outline the government's new policy to assist local businesses tendering for government contracts?

MR BARR: I thank Ms Porter for the question. On 1 July this year a new policy was introduced to help small and medium-size businesses from Canberra and from the capital region when they are tendering for goods and services to the ACT government. The government is committed to helping local businesses and to assisting them in their growth to create jobs in our economy, and this policy certainly provides them with assistance when tendering for ACT government work. The policy introduces a new evaluation criterion for all goods and services tenders that puts a positive

weighting against whether the tenderer is a small or medium-size enterprise—an SME—and/or their involvement with local business.

For requests for tender for procurements over \$200,000 tenderers will be required to indicate if they are a local SME, and, if they are not a local SME, whether they will be subcontracting a local SME. Businesses with up to 200 full-time equivalent employees based within the South East Regional Organisation of Councils are defined as local SMEs. If a tenderer is an SME, a default five per cent rating will be applied. The weighting may be increased to 10 per cent on a case-by-case basis.

Where the tenderer is not an SME but will be subcontracting to a regional SME, a weighting from one to five per cent will be applied based on the proportion of the total value of the contract to be undertaken by the subcontractor. In this scenario, confirmation of the subcontracted arrangement with the SEROC SME will be required as part of the tender.

For requests for quotation for procurements under \$200,000 that will be undertaken by ACT government directorates, respondents will be evaluated on three standard criteria: capability, capacity and affordability. Once these criteria have been considered, directorates will then evaluate the respondents' SME status or SME involvement based on the same principles in the request for tender process.

To improve awareness and access to procurement opportunities amongst local SMEs the new policy has been advertised on the Shared Services Procurement website as well as through the Canberra Business Council and all SEROC councils. The outcomes of the policy will be tracked from the policy implementation date with regional SMEs and organisations identified on the contracts register and significant value to the ACT region highlighted in the ensuing contracts.

This policy has been informed by consultation with the community and with relevant stakeholders, particularly through the Canberra Business Council. The policy has been designed so that it does not add to the cost of tendering and does not detract from value for money and safety considerations, and this weighting will give local businesses an important boost to their chances of winning contracts to supply goods and services to the territory government, thereby helping them to create and grow local jobs.

MADAM SPEAKER: Supplementary question, Ms Porter.

MS PORTER: Minister, how will this policy assist local businesses?

MR BARR: There are in the vicinity of 25,000 SMEs in the territory and they all stand to benefit from this policy if they are tendering to supply goods and services to the territory government. The ACT government spends in the vicinity of \$1 billion annually on goods and services. This means that there is a significant opportunity for the government to assist regional small and medium enterprises when tendering for contracts.

We are giving SMEs the best possible chance to secure a share of the ACT government's considerable spending in this area. Feedback from SMEs in roundtable discussions earlier this month was exceedingly positive, Madam Speaker. They are delighted with the clear and specific action taken by the government to recognise and support local businesses. The government's business development strategy issued last year recognised that SMEs can find it challenging to tender for and win government business.

However, this policy specifically addresses this and makes it easier for local businesses to tender for contracts from the ACT government. It is another good reason for SMEs to be developing and investing in the capital region. This policy will support the regional economy. Each additional dollar that circulates within our economy boosts local economic activity and employment.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, will the new policy ensure that the government will proceed with tenders when a preferred tender is announced or will you continue to dud businesses at great cost to those businesses, as per the aborted hospital tender documents?

MR BARR: The government's policies in relation to procurement outside this change that I have announced are unchanged.

MADAM SPEAKER: A supplementary question, Mr Gentleman.

MR GENTLEMAN: Minister, what other policies is the ACT government implementing to support local businesses?

MR BARR: The new criterion that we have announced is one of the initiatives within the government's business development strategy that I issued in April of last year. The strategy contains a wide range of initiatives to support local business, including the creation of InvestACT that promotes the benefits of doing business in Canberra for overseas firms and investors. That was launched in Singapore earlier this year.

There is the expansion of global connect, which consists of a range of programs to raise awareness about exporting from the ACT, to promote collaboration amongst local exporters, to increase the number of local exporters and to help them engage in new markets. This sector of the territory economy has been performing extremely well. Some of the fastest growing parts of the territory economy are our exporters, and they are to be commended for their efforts.

The expansion of the innovation connect program, which contains a range of initiatives to support early-stage business innovation and assists entrepreneurs to commercialise and create value from their innovations, is another key element of the business development strategy.

I am pleased that the Assembly has stepped up and played its role in supporting the first of many red tape reduction bills coming through the red tape reduction task force that I chair. The bill that was passed in this place last week extends licence periods for Canberra businesses, including real estate agencies, motor vehicle repairers and travel agents. The online reporting tool now provides an easier way to inform government about what red tape needs reduction, needs fixing. Registration stickers have been abolished.

The second stage of the reforms is underway, focusing on streamlining approvals for outdoor dining, the online lodging of rental bonds. We are also beginning the preliminary work on the UC public hospital, city to lake and capital metro projects, which support small business (*Time expired.*)

Visitors

MADAM SPEAKER: Before I call members for questions, I would like to acknowledge the presence in the gallery of officers from the Territory and Municipal Services Directorate, who are here as part of the Assembly's education program. I welcome you to your Assembly.

Questions without notice Water—Murray-Darling Basin

MR DOSZPOT: Madam Speaker, my question is to the Minister for the Environment and Sustainable Development. Under the Murray-Darling Basin management plan signed into law on 22 November 2012, the commonwealth government restored an \$85 million grant to the ACT for catchment management projects. You have been on the record as saying:

It's needed first and foremost to purchase long-term water entitlements for the territory to guarantee water security ...

I am currently in negotiations with the Commonwealth on that very matter and that must be the first priority.

Minister, can you update the Assembly on whether the funds have been received?

MR CORBELL: I thank Mr Doszpot for the question. Since that time, the commonwealth, through the former minister, Minister Burke, has indicated that the commonwealth government does not support the allocation of those funds for the purchase of water security entitlements. This was a changed position on the part of the commonwealth. Since that time, however, there has also been an agreement reached between the commonwealth and the ACT that that \$85 million will instead be used to improve catchment management in the ACT. That funding is now reflected in an exchange of letters between me and Minister Burke and is contingent on the commonwealth accepting a business case on the expenditure of that \$85 million. The ACT has submitted that business case and we are currently awaiting a decision from the commonwealth on that business case.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, were there any matching copayment requirements on the ACT government? If yes, how much, and is this money in the ACT budget?

MR CORBELL: There is an expectation on the part of the commonwealth that there will be a matching contribution by the ACT. The ACT's position, which we anticipate will be accepted by the commonwealth, is that the contribution is reflected in funding already allocated in either current or previous budgets for water catchment management measures.

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MADAM SPEAKER: A supplementary question, Mr Gentleman.

MR GENTLEMAN: Minister, what efforts has the ACT government made in relation to catchment management in previous years?

MR CORBELL: I thank Mr Gentleman for the supplementary. The government has made significant investments in improving catchment management in a range of locations around the ACT. Obviously we have seen significant investment in the Sullivans Creek catchment, with the development of a series of offline and online water treatment ponds to improve water quality along Sullivans Creek. So whether it is the ponds project currently being built in the town centre—or in fact now completed in the town centre, just off The Valley Avenue—whether it is the ponds developed along Flemington Road or whether it is the inner north stormwater project, the ponds that are now in place in Lyneham and Dickson, these are all significantly contributing to improvements in water quality and will serve as a test case for how effective these types of measures can be into the future in other catchments.

I know there is a lot of interest from other communities in the ACT in seeing similar measures—whether it is on Yarralumla Creek, for example, where there are no offline detention ponds in place currently in the Woden valley, whether it is in the Tuggeranong valley, in the creeks that flow into Lake Tuggeranong, or whether, indeed, it is in Weston Creek, with the new detention pond that has been built as part of the development in the new Molonglo valley area. These are the types of measures that the government is both implementing and giving further consideration to. The successful agreement on the part of the commonwealth to our business case will give us the capacity to further pursue those and other initiatives.

MADAM SPEAKER: Supplementary question, Mr Smyth.

MR SMYTH: Minister, is it true that contracts were not signed before the federal government went into caretaker mode? If so, why?

MR CORBELL: I am not aware what contracts Mr Smyth is referring to.

Roads—Spofforth Street

MS BERRY: My question is to the Minister for Territory and Municipal Services. Minister, could you outline what changes are proposed to the traffic arrangements on Spofforth Street?

Mr Hanson: Do we know anyone that used to lived there?

MR RATTENBURY: Straight into the gutter, Mr Hanson, in your usual style, I see. Nice work!

MADAM SPEAKER: Order, Mr Rattenbury! We have had a few little testy bits today. As a result of that, people have been moderately well behaved and I would like that to continue. Would you like to moderate your language?

MR RATTENBURY: I would be pleased to, Madam Speaker. I was drawn to respond by the insinuation that Mr Hanson made, which I thought was entirely inappropriate. Given his earlier desire to have a matter withdrawn—

MADAM SPEAKER: Mr Rattenbury, I will call you to answer the question. If you do not answer the question, I will sit you down. Do you want to answer the question about Spofforth Street?

MR RATTENBURY: I would be delighted to answer the question about Spofforth Street. Spofforth Street, as members will be aware, has been an area of some considerable contention in Belconnen since studies were first undertaken by TAMS-Roads ACT in 2010. In 2010 traffic conditions on Spofforth Street were investigated in response to residents' complaints about speeding and concerns about the potential increase in traffic volumes as a result of new developments, in particular in west Macgregor.

The investigation showed a very high level of speeding on Spofforth Street, with 85 per cent of surveyed motorists travelling up to 76 kilometres an hour in a 50 kilometre an hour speed zone. So what we can see is that to the 85th percentile there are a large number of vehicles already speeding. What that points to is that another 15 per cent of vehicles were travelling above 76 kilometres per hour in a 50 kilometre per hour zone.

The recommendation at that time was to install traffic calming measures. There has obviously been considerable community feedback since then. TAMS has continued to consult with the community, most recently in April this year when a meeting was held at one of the clubs in Kippax. I actually attended that community consultation session. It was clear, as is the case in other parts of Canberra, that there is a real tension here about the desire of people to have their streets safe, not to have speeding vehicles travelling through their streets, and the desire of some other residents to travel unimpeded through the suburbs.

I find the Spofforth Street one a particularly interesting one because there are, of course, significant major arterial roads going around Holt. Yet motorists seem to

prefer to use Spofforth Street as one of the alternative routes to those significant arterial routes. Nonetheless, as the result of community feedback and further traffic studies in Holt, TAMS has recently circulated a newsletter to residents of Holt because what has become clear is that a broader strategy of considering the whole suburb needs to be developed.

The intent for Spofforth Street particularly is to make changes which will result in a number of speed cushions down Spofforth Street. That number does not come to mind right at the moment, but I think it is around seven. The result will be that there will be four sets of speed cushions in Spofforth Street, with the addition of two chicanes, to try to provide some level of traffic calming in the street.

I think this is an appropriate outcome. Certainly, the community has indicated that they felt the number of speed humps was excessive, but clearly some members of the community are concerned about the ongoing issues of speed. I think the analysis undertaken by Roads ACT shows that those concerns from the community were absolutely valid. I think we now have a compromise. The various concerns are out there but I think we have a result that will continue to provide a safer outcome for residents in the area.

MADAM SPEAKER: A supplementary question, Ms Berry.

MS BERRY: Minister, what changes are proposed for the streets surrounding Spofforth Street?

MR RATTENBURY: Ms Berry is right to identify that the surrounding streets are also an issue, and one of the things Roads ACT has learnt as part of seeking to undertake a level of traffic management in some of the suburbs is that one cannot simply look at a single street and that it is important to look at the context of the whole suburb. What we see now is that Roads ACT and TAMS, through the consultation with Holt residents, has identified that treatments will be undertaken in a number of areas in Holt, including Beaurepaire Crescent, Messenger Street and Trickett Street.

Various treatments have been identified, including line markings and kerb extensions, chicanes, some speed cushions and these sorts of measures which we believe will reduce traffic speeds, reduce traffic volumes, discourage rat-running and improve safety at intersections. A newsletter has been sent to the residents of all the relevant streets in Holt, and I believe this will address the issues that residents have raised with the government.

MADAM SPEAKER: Supplementary question, Mr Gentleman.

MR GENTLEMAN: Minister, what is the expected time line for these changes?

MR RATTENBURY: There are a number of traffic management studies and design works going on at the moment, including for areas of Tuggeranong that were raised in the Assembly last year. The government is now looking to prioritise those. In each of the study areas, including Holt but also in Weston Creek and Tuggeranong, a series of

priority projects have been identified—and then cascading down through the ones that are less urgent. The intent is to fund, resource and implement the priority projects first, so in each of the areas we will see over a couple of years a rolling out of those projects as resources in the budget allow for that funding.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, since the speed humps were installed and traffic was diverted onto other streets, how many accidents have taken place on Beaurepaire, Trickett and Messenger streets?

MR RATTENBURY: I will need to take that question on notice.

Disability services—workers compensation premiums

MS LAWDER: My question is to the Minister for Disability, Children and Young people. Minister, one of the biggest challenges facing disability service providers in the ACT is the disproportionate cost of employing staff when compared to other jurisdictions. For example, service providers in the ACT will pay as much as eight per cent of their staff salaries in workers compensation whilst their counterparts in New South Wales may pay as little as two per cent for their workers comp premiums. Minister, would a national pricing schedule under the NDIS take into consideration this disparity?

MS BURCH: I thank Ms Lawder for her question. I think as we move through DisabilityCare and reflect on the opportunities with the four launch sites, we do need to reflect on those pricing schedules and how they impact on ACT providers. This is something that has come up in many forums. And I acknowledge Andrew Wall was at one forum where providers raised the pricing schedule. This is something that we need to keep an eye on. We need to work through that.

I know I get regular feedback through the officials about how the launch sites are going and, in many ways, it is a slow start to such a significant change. I think the pricing schedules will be something that we look at over time, and I am very conscious of the need to pay attention to it for providers here.

MADAM SPEAKER: Supplementary question, Ms Lawder.

MS LAWDER: Minister, how might service providers be supported to meet any shortfall left by a national pricing schedule?

MS BURCH: As this change moves in, and until we have a defined pricing schedule here for the ACT it is very much hypothetical in response to that, it is something that we need to do and work with providers on. I know that as we move through this transition there is a significant amount of money—it is \$12 million over the next coming years—to work with the community sector in the preparation for and transition to DisabilityCare. That will include, about their own business models, them getting prepared to effectively move from block funding into a market space. It is something I am very much aware of. I think the decision for us to go into a pilot or

into the launch next year gives us this period of time to work with the providers to make sure that indeed we are prepared.

MADAM SPEAKER: A supplementary question, Mr Wall

MR WALL: Minister, what is the government doing to manage the disparity in the cost of premiums for workers compensation in the disability sector?

MS BURCH: Many elements go into the different pricing structures for organisations not only across states but certainly within the ACT as well. We know we need to pay attention to those inconsistencies and those pricing elements and all the components that make them up here in the ACT. One of the challenges will be if new providers move to town and another is for organisations that provide services here and in New South Wales.

There is no definitive answer other than we are aware of it and we know we need to work in partnership with the providers, because it is up to us to have that partnership and make sure that, come July next year, the community is right and ready to move into DisabilityCare.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Minister, when will the pricing and payments schedule be finalised for the ACT's transition?

MS BURCH: I thank Mr Wall for his question. I cannot give a definitive date. I know that is something we are very mindful of. I think the attention will be paid to those transition sites that are going through that change now. It has been six weeks or thereabouts since this quite significant social reform has started. I know that the sector have asked me to have that pricing structure in place by the end of the year, so that we are well prepared for July of next year.

Women—trades

DR BOURKE: My question is to the Minister for Women. Minister, could you please inform the Assembly on what work the government is undertaking to support women in non-traditional trades?

MS BURCH: I thank Dr Bourke for his interest in women in non-traditional trades. We know women are underrepresented in the building, construction and trades industries. These industries have traditionally been labelled "men's work" and, as such, women have often been deterred from entering this type of employment or not encouraged to move into this area. According to the latest Australian Workplace Gender Equality Agency's women in the workforce snapshot, women make up only 11.7 per cent of the workforce in the national construction industry. This puts construction as the lowest industry for female participation, falling behind the nation's mining industry where women represent 15.3 per cent of that overall workforce.

Thankfully, the momentum for change is growing, and over the last couple of years I have been talking with the construction sector. Last year I was pleased to launch the ACT government's women in construction project. The aim of the project is to highlight building and construction as a worthwhile career for women and to showcase tradeswomen's abilities by bringing together a female team who will build two four-bedroom properties for people with disabilities.

The project budget is \$800,000 and involves the redevelopment of a housing property in Richardson. The property has been identified for development as part of the normal identification processes that look at the total life cycles and redevelopment potential.

Supporting women in non-traditional trades is something I certainly believe in, and I have worked closely with our partners on this initiative, including the ACT chapter of the National Association of Women in Construction and the local construction group Ruiz Constructions.

The goal is to inspire more women to consider careers in the sector but also to address the gender inequality and skills shortage in the construction industry. I can inform the Assembly that only a couple of weeks ago the project received official building approval and is currently gathering great interest. This project I believe is nation leading in its innovation, and I hope we can build on the momentum it creates.

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Minister, in what ways will this project provide positive outcomes for the ACT community?

MS BURCH: The two properties will be purpose built for people with a disability, and this is just one way this project will have positive impacts on our community. The project will not only raise the profile of women working in the construction industry but also will be a positive instrument for change. It will promote and share construction industry best practice and provide networking opportunities with women already in the industry.

A recent discussion paper released by the National Association of Women in Construction tells us that attraction to the industry, workplace culture and the retention of talent in the construction industry are, indeed, problems. As such, the association has placed an emphasis on the need to highlight the diversity of roles within the construction industry, the need for women in construction to form support networks and mentoring partnerships, as well as a need to showcase clear pathways for positive career progression and female role modelling.

We believe that our women in construction project matches to these goals. It will showcase the strengths and positive contributions women can bring to the construction industry, especially the local industry and the overall community. And the project will showcase the varied roles that women can play in the construction industry. I have encouraged all with an interest in construction to look at this project, support it and promote women in construction.

MADAM SPEAKER: A supplementary question, Ms Berry.

MS BERRY: Minister, how does this project align with the national women's agenda?

MS BURCH: I thank Ms Berry for her interest. As Minister for Women I have the pleasure of representing the ACT at the COAG Select Council on Women's Issues. The issue of women in non-traditional occupations is currently a standing item on the council's agenda. At the council's last meeting in May this year ministers agreed, and I quote from the May meeting's communique, "to share good practice and explore further areas for national action to improve the economic security of women through increased participation in non-traditional trades".

Members will also be aware of the Human Rights Commission's *Women in male-dominated industries: a toolkit of strategies*, which was released by Elizabeth Broderick in May this year. The ACT's women in construction project is undoubtedly nation leading, I believe, and contributing to a national push to encourage women to explore non-traditional trades such as construction, as well as to support women already employed in the industry.

Disability services—respite care

MR WALL: My question is to the minister for disability. Minister, according to this year's budget papers, your directorate will provide 6,300 centre-based respite bed nights for people with a disability. This is 1,800 less than last year and the year before. How has your directorate measured the demand for out-of-home respite bed nights after the transition to the NDIS?

MS BURCH: The question is about how we continue to measure respite bed nights. It would be something that would be factored into the service provision depending on who is delivering those respite beds. That is, there is still an interest in the community about making sure that there are the number of beds available. The reduction in bed nights, though, reflects that there is often a growing and strong interest in respite in the home and outside, going to a traditional centre-based respite centre, Mr Wall. I know: I lost it halfway through that, Mr Wall; I am sure I will come back.

Members interjecting—

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Minister, what consultation has taken place with the service providers who currently provide out-of-home respite around the future of delivery of respite service accommodation in the ACT?

MS BURCH: I am glad I gave you that humorous moment there, gentlemen. We continue to work with the sector regarding provision of services across all aspects of disability provision in the ACT, and respite is one of those. I encourage those opposite to go to Disability's website, where it shows the number of public meetings and

forums where all of these discussions are happening. I know, Mr Wall, that you have attended a number of them, so you can see the genuine engagement between Disability ACT and the service providers here in Canberra to make sure that, come July of next year, all aspects of DisabilityCare provision are managed and considered, and that we have the appropriate response in place for our community.

MADAM SPEAKER: A supplementary question, Mrs Jones.

MRS JONES: Minister, what other options for out-of-home overnight respite will be available for individuals after 1 July 2014?

MS BURCH: That is a work in progress in many ways, because as we move towards July of next year we need to start to work with the community providers that would have an interest in respite either in home or out of home and what they may look like. But it is certainly something that the community still wants and demands. And whilst there is a decrease, particularly around adult respite provision in centre-based care, certainly very much part and parcel of what families hope and aspire to is that they have that security about respite, particularly for their children.

MADAM SPEAKER: Supplementary question, Mrs Jones.

MRS JONES: Minister, will you guarantee that any increase in demand for out-of-home respite that occurs after the transition to DisabilityCare will be met by an adequate supply of beds?

MS BURCH: I am quite happy to guarantee that we will work in partnership with providers to make sure that the demand that we expect and forecast will be understood and will be put into play. But I think that, as we move through, one of the core things is around choice and control and thinking differently. So I do expect the traditional respite use, where people book into the four respite centres that we have where people look to other opportunities and to other methods of their respite, for themselves but also for their families as they move through the years, depending on the age of the client.

Canberra Hospital—data centre

MRS JONES: My question is to the Chief Minister and Minister for Health. Yesterday the Canberra Hospital data centre was offline for several hours. What was the cause of the Canberra Hospital data centre going offline?

MS GALLAGHER: I thank Mrs Jones for the question. The issue occurred in the data centre of the Canberra Hospital at approximately 10.16, which coincided with the time that I had my health briefing, so I was informed immediately. An incident occurred where someone inadvertently pressed the main override power switch which controls the network and some clinical systems across the campus. This resulted in the shutdown of the business system and infrastructure hosted within the TCH data centre.

It affected the overall network, and some clinical systems shut down for a period of hours. This involved EDIS, RiskPac, the ICU database, CRIS medical records, the pharmacy system and some of the alarm system. As happens from time to time, the hospital manages very well with the backup systems it has in place, so all areas immediately reverted to those systems. It did not affect the treatment of patients and patients within the emergency department, which relies on EDIS, continued to be seen whilst using the paper system. By 3.45 most of those systems were back up and running, and by 7.15 all business systems were restored with the exception of the car park duress system. The hospital had in place measures for this type of event to ensure that patients continued to receive the care they needed.

MADAM SPEAKER: A supplementary question, Mrs Jones.

MRS JONES: Minister, what impact did this problem have on the Canberra Hospital and other parts of ACT Health? In particular, was there any impact at all on patients?

MS GALLAGHER: It had more impact on staff, because staff had to revert to the backup systems. If there is anywhere in government that does have backup systems to backup systems, to manage potential issues like this, the hospital does it exceptionally well. Staff are well trained when situations occur—and they do occur from time to time, particularly with some of the construction work that is occurring around the hospital. Staff responded appropriately. Any impact on patients was minimal and was managed very well and professionally by the hospital and ACT Health.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, were any clinical systems unavailable or offline during the outage?

MS GALLAGHER: I think I answered that in my first comprehensive answer, Mr Doszpot. I spoke of EDIS, RiskPac, the ICU database, CRIS medical records, the pharmacy system and some of the alarms.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Minister, how important are the backup systems for ACT Health?

MS GALLAGHER: The backup systems are essential and they are part of detailed planning and testing that is done within the Health Directorate. They have a very good series of plans in place, including escalation plans which showed that they worked, in the sense that the Director-General of ACT Health was arriving at my office at the time this occurred and was briefed on the incident prior to the meeting with me, at which point I was briefed on it as well.

Environment—strategic assessments

MR GENTLEMAN: My question is to the Minister for the Environment and Sustainable Development. Minister, last week you made an announcement about the

approval of the Gungahlin strategic assessment. Can you explain to the Assembly what a strategic assessment is and why it is a better approach to planning new suburbs.

MR CORBELL: I thank Mr Gentleman for the question. A strategic assessment is a large-scale environmental assessment undertaken in accordance with the *Environment Protection and Biodiversity Conservation Act*, the commonwealth's EPBC legislation. The purpose of the assessment is to ensure that there are landscape-wide assessments of the impact of development projects rather than a project-by-project assessment.

We saw the Gungahlin strategic assessment approved by the federal environment minister, Mr Butler, on 17 July this year. The Gungahlin plan was prepared by ACT government directorates for assessment in accordance with the national environmental law. It allows us to complete planned residential development in a very important part of our city while at the same time protecting important ecosystems and habitats. It has parcelled together all the remaining areas of Gungahlin identified for development and assessed them in a single strategic assessment process.

The strategic assessment was required because studies undertaken by the government have identified several matters of national environmental significance which are protected actions under the commonwealth's EPBC legislation. This includes the habitats and species of the superb parrot, the striped legless lizard, the golden sun moth and the threatened ecological communities of box gum woodland and natural temperate grassland.

I am pleased to say that the federal environment minister, in approving the assessment, has congratulated the government for delivering a plan which satisfies both development and environment protection objectives. Approval of this plan means that all actions associated with development within the Gungahlin district no longer require any separate referral, assessment or approval under the EPBC legislation.

Importantly, the approval remains in effect until January 2043. This provides great certainty for land release and certainty for future development and housing supply but also certainty on the protection and maintenance of significant areas of endangered or vulnerable ecosystems and species. This will allow us, we anticipate, to see the release of between 10,000 and 13,000 new dwellings over the remaining period of Gungahlin's development.

This is an important approval, an approval that gives certainty for housing release, certainty when it comes to the government's housing affordability strategies and certainty for the protection of important areas of the territory's natural environment.

MADAM SPEAKER: Supplementary question, Mr Gentleman.

MR GENTLEMAN: Minister, what are the direct impacts of this for development in the Gungahlin area?

MR CORBELL: As I have indicated in my previous answer, first and foremost it means that the development of the remaining suburbs in Gungahlin can be

streamlined by removing the requirement for any further assessment under the EPBC legislation. It means that future development in Gungahlin—the future suburbs of Kenny, Throsby, Jacka North, Taylor, Kinlyside and Moncrieff—has now received EPBC clearance, subject, of course, to the avoidance, mitigation and offsets conditions that are set out in the approved plan. These suburbs will provide vital capacity for housing supply into the future.

Secondly, the plan results in the establishment of a consolidated offsets package at a landscape scale rather than a series of numerous smaller offsets that could result from individual assessment of proposals. The release of land at Moncrieff is anticipated to be one of the next early releases with approximately 1,800 residential dwelling sites on the indicative land release program to 2016.

In addition, important work will now be able to proceed for the new suburb of Kenny with a revised draft planning and design framework to take into account the reservation of parts of land proposed for development at Kenny as part of a new nature reserve. It is still anticipated that there will be approximately 300 residential sites in Kenny.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: What impact will the changes in Gungahlin have on the population in the projected light rail corridor?

MR CORBELL: These changes have already been taken into account in the government's assessments for the light rail corridor.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Minister, is it guaranteed that our nationally significant woodland and temperate grassland communities will be protected under the plan?

MR CORBELL: A total of 781 hectares of land in Gungahlin will now be retained and managed for conservation purposes of those listed ecological communities and threatened species which are protected under national and ACT law. Let me give members some examples. First of all, the biodiversity plan addresses the potential impacts on two EPBC-listed ecological communities—the box gum woodland and natural temperate grasslands communities—and three listed fauna species—the golden sun moth, the superb parrot and the striped legless lizard.

The government has undertaken to create the Kenny nature reserve of 160 hectares from the south-western part of the future suburb of Kenny in recognition of significant box gum woodland and striped legless lizard habitat. This action will avoid a potentially significant impact to these habitats and will retain close to 90 per cent of Kenny's box gum woodland and the majority of the 300 large trees that exist in that area.

The government will be adding 300 hectares to the Mulligans Flat and Goorooyaroo nature reserves from the Throsby future urban area and Kenny broadacre area. This

will incorporate additional habitat for the golden sun moth and breeding habitat for the superb parrot, some very important conservation outcomes to be achieved through that measure.

We will create a new nature reserve at Kinleyside. The Kinleyside nature reserve will be approximately 200 hectares containing box gum woodland, golden sun moth and pink tail worm lizard habitat. This effectively eliminates any future urban development in the Kinleyside area.

Finally, there will be 120 hectares added to the north-western hills, ridges and buffers zone of the territory plan from the future urban areas of Taylor and Jacka. (*Time expired.*)

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

Papers

Ms Gallagher presented the following papers:

Health Practitioner Regulation National Law—Health Practitioner Regulation National Law Amendment (Midwife Insurance Exemption) Regulation 2013—No. 70/2013, dated 14 June 2013.

End of life issues and decision-making—ACT Local Hospital Network Council Forum—Final Report, prepared by Tony McBride and Associates, dated 30 May 2013.

National Partnership Agreement on Preventive Health—Implementation plans—Healthy Children initiative.

Healthy Workers initiative.

Financial Management Act—consolidated financial report 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 26—Consolidated Financial Report—Financial quarter ending 30 June 2013—2012-13 Interim Result.

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

Leave granted.

MR BARR: I have presented to the Assembly the June quarter 2013 interim consolidated financial report for the territory. This report is required under section 26 of the Financial Management Act 1996. This report represents the interim outcome for the territory and should be treated with a degree of caution. This report is unaudited

and significant changes can occur during the audit of agencies and the territory financial statements.

The interim headline net operating balance for the general government sector was a deficit of \$288.7 million. This represents a \$51.1 million improvement from the 2012-13 estimated outcome deficit of \$339.8 million. The improvement has been largely impacted by increased revenues, including the early receipt of payments from the commonwealth for national partnerships such as the Majura parkway and trade training centres in schools, as well as higher than forecast national health care specific purpose payments, the recognition of cross-border health revenue related to prior years activity, and a larger than anticipated financial investment dividend from the superannuation provision account.

Improvements in revenue were partially offset by an increase in expenses, including higher employee expenses mainly associated with additional staff for the DisabilityCare task force and increased workers compensation premiums, and an increased depreciation due to the acceleration of depreciation associated with the refurbishment works at the old women and children's hospital, the Tuggeranong community health centre, level 5 building 1 at Canberra Hospital, and the old psychiatric services unit.

The general government sector balance sheet remains strong, with key indicators such as net financial liabilities and net worth improving, mainly as the result of higher funds held under investment and the revaluation of assets in the Economic Development Directorate. Net debt increased as a result of borrowings undertaken, as budgeted in support of the territory's infrastructure program.

The ACT economy grew by 3.8 per cent year-on-year in original terms in the March quarter 2013, driven mainly by consumption, with public consumption providing the greatest contribution, reflecting a moderation of growth since 2011-12. Employment growth in 2012-13 was 1.7 per cent, higher than the 2013-14 budget forecast. Together with the lowest unemployment rate in the country, the ACT's labour market performance was amongst the strongest in the nation. I commend the June quarterly report to the Assembly.

Papers

Mr Corbell presented the following papers:

ACT Criminal Justice—Statistical Profile—June 2013 quarter.

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

ACT Teacher Quality Institute Act and Financial Management Act—

ACT Teacher Quality Institute Board Appointment 2013 (No 1)—Disallowable Instrument DI2013-206 (LR, 1 August 2013).

ACT Teacher Quality Institute Board Appointment 2013 (No 2)—Disallowable Instrument DI2013-207 (LR, 1 August 2013).

Adoption Act—Adoption (Fees) Determination 2013 (No 1)—Disallowable Instrument DI2013-200 (LR, 25 July 2013).

Corrections Management Act—Corrections Management (Official Visitor) Appointment 2013—Disallowable Instrument DI2013-199 (LR, 22 July 2013).

Crimes (Sentence Administration) Act—

Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2013 (No 1)—Disallowable Instrument DI2013-202 (LR, 25 July 2013).

Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2013 (No 2)—Disallowable Instrument DI2013-203 (LR, 25 July 2013).

Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2013 (No 3)—Disallowable Instrument DI2013-204 (LR, 25 July 2013).

Emergencies Act—Emergencies (Bushfire Council Members) Appointment 2013 (No 1)—Disallowable Instrument DI2013-205 (LR, 1 August 2013).

Nature Conservation Act—Nature Conservation (Draft Strategy) Approval 2013—Disallowable Instrument DI2013-211 (LR, 6 August 2013).

Public Place Names Act—Public Place Names (Weston) Determination 2013 (No 2)—Disallowable Instrument DI2013-201 (LR, 25 July 2013).

Public Unleased Land Act—Public Unleased Land (Fees) Determination 2013 (No 2)—Disallowable Instrument DI2013-194 (LR, 15 July 2013).

Road Transport (General) Act and Road Transport (Safety and Traffic Management) Act—Road Transport Legislation Amendment Regulation 2013 (No 3)—Subordinate Law SL2013-20 (LR, 29 July 2013).

Appropriation Bill 2013-2014

[Cognate bill:

Appropriation (Office of the Legislative Assembly) Bill 2013-2014

Cognate papers:

Estimates 2013-2014—Select Committee report

Estimates 2013-2014—Select Committee report—government response]

Detail stage

Schedule 1—Appropriations.

Proposed expenditure—Part 1.3—Chief Minister and Treasury Directorate—\$59,833,000 (net cost of outputs) and \$2,651,000 (capital injection) totalling \$62,484,000.

Debate resumed.

MR HANSON (Molonglo—Leader of the Opposition) (3.33): I will go first to a few issues in the CMD and then highlight a couple of key issues within Treasury areas.

The first issue that I want to canvass is that of the current wage negotiations that obviously arise from the budget. These are of some concern to our community and certainly of concern to our public service.

The government has offered a two per cent pay increase over four years; that was the original offer. Since then we have seen some pretty acrimonious negotiations ongoing. I quote Vince McDevitt, from the Chief Minister's old union, the CPSU, who said that public servants had been "shafted" and accused the government of delaying the start of negotiations to ensure the "inferior offer" was drowned out by the budget. That is a quote from a union boss from a union that is affiliated with the Labor Party. So that is what the unions think of the way that this government operates. That is what the government—

Ms Gallagher: I pay good money to that union.

MR HANSON: The Chief Minister might want her money back. She is interjecting to say that she pays good money to the union. She is probably thinking she is not getting value for money. I suggest that there are probably many other members of the union that might be thinking that as well. If you recall, in the lead-up to the last election, Mr Assistant Speaker, it was the CPSU, to which the Chief Minister pays her dues, that was out there, funnily enough, supporting the Chief Minister in the lead-up to the last election, with a well-funded television advertising campaign saying, "Watch out. Watch out for the Liberals. If they get in they'll cut jobs. Those nasty Liberals, you can't trust them"—or words to that effect.

Of course, the great irony is that, with the Chief Minister paying her union dues and all the other members of the union paying their dues, they were being whipped into a state of fear and loathing by the union in that case, in the lead-up to the election. Unfortunately, as I have said in this place before, the union were right in part, in that they were going to be shafted. As Vince McDevitt said, ACT public servants had been shafted. The problem is that it was not the Liberals doing the shafting; it was the Labor Party. So they probably thought that, given the Chief Minister had paid her dues, she would not then turn around as her first act and shaft them. On 7 August this was stated:

The CPSU said the revised offer granted a 6 per cent pay rise this year to the lowest-paid workers in the ACT public service ...

The offer is reduced for every \$20,000 extra an employee earns, with workers earning more than \$77,000 getting 2 per cent ... and six instalments of 1.5 per cent over the four year agreement.

I am not sure if that is where it is currently at. The Chief Minister then said, on 6 or 7 August 2013 on ABC:

It will at some point come to a decision about money versus jobs.

At the moment we're just managing to keep that balance right. The public service has remained the same size and we can afford the pay increases. But if it gets too much further down the track we're going to have to look at our job numbers.

What did the CPSU then say? Mr McDevitt said:

The Government is well versed in using the big stick in relation to threatening jobs if you don't accept an inferior pay offer.

How many times have we been in this place, members, and heard the lines from the Labor Party and the Greens about the nasty Liberals and what they are like with public sector jobs? The truth of the matter is that once you take away the fear and smear from Andrew Barr, Katy Gallagher and the rest of them, when you actually listen to what the unions are experiencing right now, they are experiencing a government that has given them an inferior pay offer, that, in the words of the union, has shafted them and is then using a big stick in relation to threatening jobs if they do not accept an inferior pay offer. Extraordinary stuff, isn't it?

If you also look at the budget, Mr Assistant Speaker, in some detail, you will see that there are job cuts in the budget. There are quite a number of job cuts in the budget. There are movements around the budget, and there are some increases in some areas. But it was the government members and the union that were saying that the Liberals would cut jobs out of the community sector, CSD. And what happened? Thirty-eight jobs were cut by the government. There is a cut of 100 jobs in Education. So if you are a public sector employee—and this is the point that the union has a real problem with—there might be a couple more nurses—

Mr Barr: A couple!

Mr Hanson: but unless you are going to be able to retrain as a nurse pretty quickly, you are out of a job. That is what the government is doing.

You may well raise the question of nurses, Mr Barr, because Jenny Miragaya, from the Australian Nursing Federation, described the pay offer that the government made, that the health minister made, as insulting to nurses. I get these accusations from the Labor members opposite, but what we are seeing is what the unions think. Now we see that the nurses union and the CPSU think that they are shafting their members, they are insulting their members and they are threatening their members. That is the reality of what is happening. Ignore the fear and smear that you are going to get from the Labor Party on this. Jenny Miragaya said on 29 May:

In the last three rounds of EBA negotiations every time we've been told that they are in dire straits because of the global economic crisis. It's wearing very thin as an argument.

Indeed Mr Barr was in here earlier saying what a wonderful job he is doing with the economy and what a wonderful job he is doing with the budget. It is all roses. But it seems that it is a different story when they are actually going to the nurses and insulting the nurses by saying, "The budget's in a terrible position, we can't possibly give you any more money." We know for a fact that there is approximately \$250 million a year more every year available that they could be paying.

Of course, one of the reasons that the government is struggling to pay nurses and to pay public servants what those public servants and nurses deserve is because of some of the priorities of this government. We have litigated light rail pretty well, but I do not think we should all forget *Skywhale*. I think it is important that we remember *Skywhale*. It is difficult to forget *Skywhale*, isn't it? I know that there are probably young children around the territory who still have nightmares about *Skywhale*.

There are some pretty serious issues that came out of the estimates hearings about *Skywhale*. I refer in particular to recommendation 10:

The Committee recommends that the ACT Government provide the Assembly with the full detail of the process that led to the gifting of the *Skywhale* hot air balloon to a Victorian hot air balloon operator.

Recommendation 11 was:

The Committee recommends that the Executive director, Culture and Communications either substantiate his allegations that there were safety concerns with Picture This Ballooning that led to their not being considered for the gifting of the *Skywhale* or apologise unreservedly

I do not think that the process around the acquisition of *Skywhale* was satisfactory. I think that the tendering process was questionable, and I think that the language used by the officials, who basically insinuated that there were safety risks that clearly have been shown not to be the case subsequently for a company involved in ballooning, were very serious allegations that were completely unsubstantiated.

That was a cost of \$300,000, and we could probably point to a number of other people around the territory who thought that that was a bit of a misstep. I certainly recall the quotes from Mr Stanhope, who called it a political misstep, and who had some very critical things to say about *Skywhale*. I think that it is endemic of this government and the decisions that are being made.

Another point I would like to make about CMD and the Chief Minister is the negotiations around Gonski. It was very difficult—and you would remember this, Mr Assistant Speaker Doszpot—to get the detail about the negotiation process. It was very frustrating how evasive the minister and indeed officials were with regard to getting that information.

What became clear, what we finally got to the bottom of, is that the pre-Gonski plan compared to the post-Gonski plan saw the ACT government getting about \$30 million less from the federal government. (*Second speaking period taken.*) So although what is now in the budget will see an increase in funding for education, the amount that we are getting from the feds is \$30 million less than was otherwise on the table.

In the context of things like the deficit, in the context of wage negotiations where the government is saying, "We don't have enough money to pay nurses properly, we don't have enough money to pay public servants properly," and public servants and their unions are saying, "We've been shafted, we've been insulted," and nurses are

saying they have been insulted by this government, these sort of negotiations are very important.

If you see what has occurred in other jurisdictions, in WA and in other states, the premiers of those states held out. They said, “We’re going to get what we can for our jurisdiction. We’re going to get every cent.” They had a very different approach, and they have got it. WA’s offer tripled from \$300 million to \$900 million. Other jurisdictions got hundreds of millions of dollars more money by effective negotiation, by holding out.

Mr Barr: Poor old Barry O’Farrell got it wrong, did he?

MR HANSON: What happened is that the Chief Minister signed up early.

Mr Barr: After Barry O’Farrell.

MR HANSON: You are saying that Barry O’Farrell got it wrong, Treasurer.

Mr Barr: No, I am not. I am saying you’re suggesting that your colleague got it wrong.

MR HANSON: The Treasurer is insinuating or saying that Barry O’Farrell got it wrong. If he did then that validates what I am saying—that is, the Chief Minister—

Mr Barr: You’re not prepared to make that call?

MR HANSON: I am saying that the Chief Minister certainly did. I am analysing—

MR ASSISTANT SPEAKER (Mr Doszpot): Mr Hanson, please direct your comments through the chair.

MR HANSON: I am analysing what happened in the ACT, not necessarily in New South Wales. But I make the case very strongly—and actually I think you will find that Barry O’Farrell, if you read about it, is not happy with the fact that other jurisdictions then got more money. But let us—

Mr Barr: Every time your lips move, it confirms what an idiot you are.

MR HANSON: You might want to repeat what you just said there, or—

Mr Barr: Sorry, say it louder? Every time your lips move? Yes.

MR ASSISTANT SPEAKER: Members, please do not—

MR HANSON: I love the interjections from those opposite. I remember it was Mr Smyth who said, when he was being talked over by the Treasurer in a 666 radio interview, that whenever Andrew Barr gets a bit nervous, whenever he was getting a bit close to the bone, he will do the fear and do the smear. We saw that earlier today in the vote on the no-confidence motion. When they do not have an argument to come

back with, they will do the personal invective, the constant interjections here, trying to cast insinuations.

The reality is that the Chief Minister signed up too early. She signed up without doing the necessary work. As a result, what we are seeing comparative to other jurisdictions is that the ACT has missed out potentially on millions of dollars. That is millions of dollars that we could have seen put towards nurses' wages, pay off the deficit—whatever it might be.

It appears to me that this is a government that has a track record on this. If you remember Kevin Rudd's health reforms, it was Jon Stanhope and Katy Gallagher who signed up to that in an instant, and then Jon Stanhope said, "Let's go to the bar." In this case what we saw was Julia Gillard, about to be knifed by Kevin Rudd, desperately needing some wins, and she went to her sister in the ACT and said, "I need some help. I'm about to be rolled by Kevin, and I need some political wins." And what you saw was the territory sign up like that. We know that the consequence of that negotiation was that we are \$30 million out of pocket. That is a very poor result for the ACT.

Turning to some of the Treasury issues, there are some genuine concerns that we all have about the levels of debt and deficit that we are seeing in this budget. The borrowings, including territory-owned corporations, are at \$2.7 billion, or nearly 70 per cent of the total budget, and that is going up to \$3.5 billion. The recommendation out of the review was:

The Committee recommends that the ACT Government address the underlying deficit as a matter of priority.

That has been spun by Mr Barr as, "The Liberals are going to cut," and so on. You see what Kevin Rudd is doing federally. It is the same sort of narrative. I am surprised that Mr Barr has not come up here with a jar of Vegemite as well, saying that somehow the Liberals are going to increase the price of Vegemite, in just the way that Kevin Rudd is doing.

Let us be very clear. What we want to see are deficits reduced and that the debt is being taken seriously. But what we are seeing from this government is the exact opposite of that. I have talked before about the structural deficits. When you take away the effect of the superannuation account, you see that this government is getting a billion dollars in extra revenue but is spending \$668 million on top of that. That is not putting the territory in a good position for the future.

The other issue that has also been well canvassed in this place is that of rates. It is the biggest tax reform in the territory's history, according to Andrew Barr. We covered this in some detail during the vote on the no-confidence motion. This budget shows that rates are tripling in just over 11 years. The minister says he has done the modelling but is refusing to table it. For perhaps the 20th time I call on the minister to table the modelling that he says he has done but refuses to provide to the community.

If he fails to do so then it is a perfectly reasonable deduction for us to make that when you look at the budget and extrapolate the budget, and when you look at Quinlan, as we were told to do, there is one conclusion—that is, rates are tripling, and based on the budget they will be tripling in just over 11 years. The recommendation of the committee was:

... that the Budget not be passed because of its lack of delivery, high levels of deficit and deceitful plan to massively increase commercial and residential rates.

We canvassed the issue earlier today about the lack of information and the deceptive nature of the budget, but the substantive issue that we are talking about now is the fact that it is just a bad budget. It is a bad budget in terms of its debt, in terms of its delivery, and in terms of the reforms that it is putting in, which are not going to have a good impact on Canberra households.

I look forward to hearing from Mr Smyth, who will have more to say, but we will not be supporting this part of the budget.

MR SMYTH (Brindabella) (3.50): The Treasurer started his budget speech proclaiming the following:

The first Budget of this parliamentary term is focussed on building a stronger economy and creating opportunity and fairness for all Canberrans.

Yes, but what we very quickly uncovered was that it was in fact a budget of deceit, of debt and of a lack of delivery. You only have to look at the borrowings. They increased from \$2.7 billion to \$3.5 billion with an interest payment bill of \$655 million. You only have to go back to the financial reports last year from the Auditor-General to see that the threat to the ACT was borrowings. Yet what is this government doing? It is borrowing. Given what Mr Corbell has said in the last week about capital metro—that even if Infrastructure Australia does not fund it, they will build it—that means more borrowings. This is a government of big borrowings.

The deficit is over \$340 million, although we see today in the interim consolidated financials it is now about \$280 million. I do note what the Treasurer says about the volatility of some of that. We will look for the audited results at the end of September. But I do note on a quick read of it that the flow-on effect of the ICRC decision on ACTEW is yet to come here in this quarter with potential impairment of assets. So again we have doubt.

What we do know, though, is that revenue will grow by approximately \$250 million per year and the budget will be \$1 billion more at the end of the outyears. So this is another big-taxing Labor government. ACT Labor will still spend \$668 million in excess of this over the next four years. Therein lies the problem. Simply, they spend more than they earn.

The budget foresees \$142.6 million in cuts to jobs and services. Remember that none were flagged in the election. We had the typical scare campaigns that Mr Hanson has

mentioned, that it is the Liberals that will cut jobs. Yet what we do see are jobs going and services cut, none of which was flagged. We see revenue going up 27 per cent in five years. We see the take from rates going up 16 per cent this year alone. It is going up 16 per cent, but we do not see a commensurate drop in conveyancing.

Land tax is up five per cent when the government is supposed to be getting rid of it. Car parking fees raise an extra 20 per cent. Traffic infringements collected are up 28 per cent. Parking fines are up seven per cent. Court fines are up 200 per cent. With a track record like this, no wonder the Treasurer wants us to debate this budget on hypothetical assumptions and faith alone.

Then we get to the presentation of the budget. The cost of living statement is not comparable to the one they provided last year. As we started this process of getting a reasonable cost of living statement, we accept that the thing will change. But it is quite incomparable to last year. Indeed, section 11(2) of the Financial Management Act actually says that the budget must be comparable year on year. So one has questions over that as well. When asked whether there will be a standard format for the cost of living report, Mr Barr of course said, "We may continue to evolve the statement." Continue to evolve it, but perhaps you should maintain an ability to compare year on year. The question does arise: what is he hiding?

We had in last week's debates some lovely quoting from the CIE report that helped back up the committee. Let me give you some of the other quotes that committee members forgot to read out or, of course, did not use because it did not suit their case. What CIE confirmed is this government's 12-year failure to diversify the economy. CIE noted that:

Due to the impact of this sector—

That is the commonwealth government—

on other sectors and due to the lack of diversification in the ACT economy, this may also affect private sector hiring intentions.

That is on page 14. It states, "Due to the lack of diversification in the ACT economy." Remember that the minister only found the word "diversify" last year. It appears in his economic plans. But we have not had much done to achieve those. I suspect that we will be a long time waiting.

In its plans to reach surplus the government cites 21 per cent of its savings initiatives to come out of procurement whole-of-government savings but with no information on the assumptions that underpin this initiative. Also, the failure to reach the savings targets amounts to what is an effective one-off delay in achieving the net operating surplus. Although the government talks about stimulating the economy with capital works, the capital works program for the forward estimates period in the 2013-14 budget is \$990 million, 44 per cent less than in the 2012-13 budget.

The report goes on to say that the return to surplus is dependent on commonwealth government funding. Indeed, it states:

GST revenue represents approximately 24 per cent of the ACT's revenue.

CIE noted that this is not a predictable source of funding as it is exposed to reductions in the GST as a result of national consumption expenditure. The report goes on to say that state final demand is expected to increase by a mere 2.5 per cent in 2013-14. It was 2.75 per cent in 2012-13. State final demand has never been lower than 1.2 per cent over the last 20 years.

Of course, the net operating surplus in 2015-16 is only possible when factoring in investment returns from superannuation investments. CIE noted that the target rate of 7.5 per cent is ambitious, noting that a capital stable index over 10 years to April 2013 returned 5.88 per cent and a more conservative index returned 4.4 per cent. The government has no explanation on how they set the 7.5 per cent rate.

General rates increase by around 16 per cent to \$46.4 million in 2013-14 and conveyance duties decrease by approximately four per cent—by \$9.2 million. So how is that revenue neutral? Even when you take into consideration conveyance duty with general insurance and life insurance, collection from rates still outstrip these. The point is that the government's "tax reform relies on sustained increase in general rates". That was stated by the Centre for International Economics on page 20.

We know now from the estimates that the Treasurer has done modelling. He simply refuses to share it. The budget implies a slightly lower wage and employment growth in the non-government sector in 2013-14, but the budget notes a payroll tax increase of 6.8 per cent in 2013-14 and 7.3 per cent from 2014-15 to 2015-16.

The government anticipates a 33 per cent increase in dividend and tax-equivalents income largely from increased dividends to the LDA income, which increases by \$75.5 million in 2015-16. That is a 60 per cent improvement to the bottom line between 2014-15 and 2015-16. But as the CIE also noted, the government provides no assumptions for their forecast. On savings, CIE noted on page 41:

There is no guidance on where savings are expected on an agency-by-agency basis, or any information provided regarding the specific savings categories ... It is not possible to properly assess the expected savings measures because of the lack of detail provided.

It is no surprise then that the CPSU said that the budget papers were "vague on detail". They also used the words "weasel words" and called on the government to explain how it plans to meet its efficiency target over the next four years.

We second the sentiment that this budget is vague on detail. However, as members of the Assembly, we have the fiduciary responsibility to stop this budget from going forward until we know exactly what is the true extent of the government's policies and initiatives in this budget. Failing to do so would be tantamount to sharing this government's negligence in failing to be open and transparent.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (3.59): I will make a few comments. This is an important area of the budget, being the central

agencies, and a total appropriation of just over \$62 million. The Chief Minister directorate has undergone restructure over the last 12 months which did include the incorporation of the Treasury directorate into a single central agency. This was to improve the strategic advice that is provided to the government. I think that the people involved in the restructure—that is, staff from both Chief Minister’s and Treasury—should be congratulated for the professionalism with which they have handled those changes.

Chief Minister and Treasury Directorate plays an important strategic role working across the ACT public service on whole-of-government issues such as workforce culture and capability, industrial relations, learning and development, communications, transparency, ethics and accountability. It also, of course, looks at issues like workers compensation across the service as well. These are all very important whole-of-government programs. I note that there has not been any focus on those by the members opposite. Mr Hanson chose to spend his time more on the EBA and *Skywhale*, which, in the context of the appropriation, were a very, very small part of the Chief Minister and Treasury Directorate funding. Indeed, *Skywhale* was actually a part of previous appropriation in the centenary program that had been passed through this place without a great deal of comment.

I go back to the EBA issue. I think that the people of the ACT expect the government to be responsible around our negotiations with unions. Just because I am a member of a union and previously worked for a union, I do not think, therefore, that you give the union everything they seek or they want. Everyone who has been involved in enterprise bargaining arrangements understands that it does involve an offer being made, a rejection from the unions and then negotiations to try and resolve it to the parties’ satisfaction.

That is the stage we are at now. We were very clear in the election campaign around the fact that we wanted to preserve jobs, and we do want to preserve jobs. That was our commitment in the election campaign. We were clear about it. The unions were supportive of that approach. But we did not say that we would pay over and above an EBA outcome that we can afford and preserve jobs. I think anyone pretending to run that line now is being disingenuous.

I would say—and we have said this to our union friends that we work with in making sure that we are ensuring public servants are well paid and respected for the job that they have done—that since 2003 there have been significant improvements to workplace conditions and workplace salaries through the cooperation and collaboration of the ACT Labor government and the unions. Indeed, I think the last time there was strike action, if I use the nurses as an example, was before the first term of the Stanhope Labor government. That is how long it has been, because we have been able to negotiate and work with unions to deliver particular outcomes.

We have, for example, significantly increased maternity leave from 12 weeks to 18 weeks. There have been significant improvements in personal leave, in carers’ leave and in vacation care programs. This is all designed to ensure that public servants who do work for less than the commonwealth are getting commensurate or better conditions than the commonwealth public service.

Is the clock working or do I have as long as—

Mr Barr: No, you have unlimited time.

MS GALLAGHER: That is an attraction. I could keep going. I have got a big folder to read out here. I would again go back to some of the wage outcomes. When you look back to any wage outcome that was less than two per cent, you have to go back to 2000-01 and 2001-02, prior to our election to government, when the wage offers were 1½ per cent, along with some considerable job losses. So we have been a good employer. We will continue to be a good employer and we will negotiate with the unions. But just because we have connections with the unions, it does not mean that we are not going to have some hustle and bustle on the EBA front. I think the people of the ACT would expect us to be responsible in that regard.

In relation to Gonski, I think it is, again, important to go through the position. We did go through this in estimates and I know the minister for education went through it in estimates as well. No state got a better deal. The principles that are applied to needs-based funding are the principles that are applied to needs-based funding. All of the states that have signed up have signed up to the same conditions that the ACT government signed up to. I think there were some issues around the cost of WA providing the same level of education because of some of the impacts of their rural and remote education services which influenced the additional offer to WA. But at its heart, in terms of what it costs to educate a child in the ACT, the offer is the same to all states.

Mr Hanson likes to peddle this belief that he peddled through estimates. He actually got quite heated at officials, which I thought was very unfortunate because the officials are there to assist the committee. I certainly watched the education part from my office. I happened to be in my office and I saw the way that that segment of the estimates committee was handled and the pressure that was placed on officials to answer in a particular way.

But Mr Hanson continues to peddle the myth that we are \$30 million worse off. We are not. The issue is that the indexation arrangements that were funded and forecast in the budget were based on the AGSRC index growing at around six per cent. What happened was that state Liberal governments, which contribute to the indexation arrangements, cut their education budgets so savagely that that indexation arrangement was actually going to be less than three per cent. It was going to be around two per cent, I believe.

So this myth that there is money missing from education is just simply wrong. That is because of the cuts to education funding by other state governments. I think we need to put that to rest. We also need to acknowledge that the ACT kids—this is supported by the Catholic Education Office and the non-government schools association, the Association of Independent Schools—have got a good deal, a fair deal and the only deal that the ACT should have got, which was based on our relative level of need which is the whole thing behind needs-based funding.

I note Mr Hanson also did not acknowledge the \$26 million that we were able to secure for the University of Canberra to establish their centre for quality teaching and learning which was, again, over and above the agreement reached on individual schools and the extra money for that.

But the national education reforms, or “better schools” I think it is called now, will ensure that \$194 million more will come to all ACT schools. So an extra \$194 million will come into ACT schools over the six years than what would have happened if we had not participated. That is the truth. That is why it was important that the ACT led the way, backed by New South Wales, and become I think the second signatory to the Gonski school reforms.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.4—Superannuation Provision Account—\$178,216,000 (capital injection) totalling \$178,216,000.

MR SMYTH (Brindabella) (4.08): On the superannuation provision account, I think we all know that it is a big liability for the ACT and there are large numbers involved in it. But I think CIE’s analysis is probably a good summary of where the account sits, so I will just read a few paragraphs to enlighten those who have not bothered to read the CIE report:

The superannuation liabilities at the end of 2012-13 are expected to be \$5.1 billion, whereas the investments available to fund these are expected to be \$2.6 billion. In 2016-17, these liabilities are expected to increase to \$6.15 billion while the investments available to fund these are expected to be \$3.42 billion.

In order to smooth out the returns to the Superannuation Provision Account (SPA) over the long run, the budget bottom line utilises an adjustment to interest income on the superannuation account to bring interest levels in line with the long run expectations.

The estimated total liability and unfunded liability in aggregate terms increases over the budget, while the share of liabilities that is unfunded reduces from approximately 49 per cent in 2012-13 to 44 per cent in 2016-17.

The true extent of the superannuation liability is inevitably uncertain. The Budget Statement of Risk suggests that the estimated superannuation liability is most sensitive to inflation, wages growth, rates and patterns of retirement and resignation and the proportion of benefits taken in pension form.

Estimates of the superannuation liability are also sensitive to the discount rate used. Current estimates of total liabilities may increase by approximately \$1.7 billion if a more moderate discount rate is used. While there is a significant buffer before an AAA credit rating may be threatened, there are also considerable risks to the net position of the ACT Government which are associated with unfunded superannuation liabilities.

That is a reasonable summary of the data presented in the budget papers, and it is certainly something we will keep a watch on. The amount has varied over time. We

have seen it go up and down depending on the state of the market, and I suspect that over the coming years we will continue to see it go up and down, depending on the state of the market.

But it is certainly of concern that it is a big number, at \$6 billion in the outyears. It is something the government needs to keep a weather eye on, and I am sure it will.

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) (4.11): The budget retains the full funding of the territory's unfunded defined benefit superannuation liability by 2030 as a key financial objective. The government is committed to the effective management and eventual elimination of the unfunded CSS and PSS defined benefit employer superannuation liabilities through our established funding plan.

Recognising this commitment, the annual amount of budget appropriation to the superannuation provision account has been increased, starting in 2013-14, by \$192.95 million over this budget and the forward estimates. This means that the projected annual benefit cash flow payments to ComSuper from the superannuation provision account will be matched by appropriate funding, thereby allowing the remaining superannuation provision account investment assets to grow, with all earnings unencumbered by the management of cash flows.

It is important to put on the record that the performance of the superannuation provision account investment assets remains on target, with the target return objective being CPI plus five per cent per annum, net of fees. As I indicated just after question time, in the 2012-13 fiscal year it achieved a return of 16 per cent. It has had an annualised return of CPI plus 4.6 per cent over the past 17 years, so it is a pretty good long-run experience, shadow treasurer.

On current settings, the objective of fully funding the territory's unfunded defined benefit superannuation liability by 2013 is on target.

I commend the appropriation to the Assembly.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.5—Territory Banking Account—\$214,000 (capital injection) and \$66,620,000 (payments on behalf of the territory) totalling \$66,834,000.

MR SMYTH (Brindabella) (4.13): The Treasurer said in his speech that this was a budget for a rainy day. You are normally prepared for rainy days before they arrive. It is that old adage about fixing the roof when it is raining; it is particularly dangerous.

Let us look at the territory banking account. For those that have it, it is on page 260 of budget paper 3. For a man who is supposedly prepared for a rainy day, there is not a great deal in the account. The estimated outcome for this year was meant to be \$343 million. The estimated outcome is \$45 million, a reduction of 87 per cent. Sorry, in

2013-14 it is a reduction of 87 per cent. The estimate for 2015 is \$68 million; the estimate for 2016 is \$17 million; the estimate for 2017 is \$59 million.

That shows the nature of the territory banking account quite clearly. For instance, we are yet to see the impact of the ICRC on the ACTEW dividend. So the cash that the government may end up with at the end of the financial year can still vary quite dramatically. If anybody thinks that the Treasurer has put away some money for a rainy day, the state of the territory banking account shows that that is not so.

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) (4.15): The government's management of the territory bank account is an important component of the Treasury portfolio. Management of the territory banking account encompasses active investment in our portfolio of general government investment assets and borrowing liabilities, and centralised cash management. It seeks to ensure an appropriate rate of return on financial investments reflective of established risk tolerances.

The territory's capital funding requirements are managed from the territory banking account through the issuance of fixed interest securities and short-term discount securities in the domestic capital markets.

I commend this appropriation to the Assembly.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.6—Health Directorate—\$231,100,000 (net cost of outputs), \$190,408,000 (capital injection) and \$4,615,000 (payments on behalf of the territory), totalling \$426,123,000.

MR HANSON (Molonglo—Leader of the Opposition) (4.16): Just before I start on my prepared speech, I note that an issue that came up during the estimates committee work was the fact that we have got the Health Directorate and we have also got the ACT local hospital network. The issues are essentially together in one area, and it is something that I think we should—and I think the minister indicated some support for this—certainly for the purposes of the budget estimates process and the budget debate, just have the one area for discussion rather than discussion in two areas. The local hospital network is really something that is a construct that has been set up simply for funding streams as opposed to necessarily more substantial purposes.

Going through the estimates process, what struck me was that again in Health many of the conversations we had, many of the issues, were the same. I think there are some areas where good work is being done. But in many other areas we seem to be stuck in a rut with issues. But what I would like to do is commend the Health staff whom we have out there and who are working hard. I know it is a very difficult, complex area and it needs to be put on the record that the opposition is very supportive of our very hardworking Health staff.

Indeed, the concern we have is with some of the decisions made by government, and I will go through those now. Recommendation 57 of the estimates report stated:

The Committee recommends that the ACT Government advise the Assembly why the ACT has the longest emergency department waiting times in the country and why ACT waiting times have deteriorated so significantly.

And certainly they have. Any analysis of waiting times from back in 2001 when Labor took office to now would show a significant deterioration in those waiting times. And when you compare them with other jurisdictions you can see that, where those jurisdictions have put the effort in, there has been significant improvement.

Recommendation 58 was:

The Committee recommends that the ACT Government provide details to the Assembly on the key lessons learnt from Western Australia's successful implementation of the emergency department four-hour length of stay rule.

I am encouraged to see that the government has agreed to that. I think that it is good that the government is looking at other jurisdictions. And I note that the Chief Minister—I cannot recall whether she has gone or is intending to go to look at some emergency departments elsewhere—is going to look at what other jurisdictions are doing. I support her doing that. It is in the near future. It is here in the report.

I think it is clear that there are problems in our emergency department. They are complex issues. They are not issues necessarily just within the ED. It is about the inflow in terms of the number of patients and it is about things like bed numbers. It is repeatedly said to me that that is the key issue for ED. There are a whole range of issues, locations of walk-in centres—and I will get to that in a minute—and so on. So it is a very complex issue. There is a lot to be learned.

That is why I have repeatedly said, "Let's have an Auditor-General review of this." And it is not just saying, "Let's just have the Auditor-General look at the ED and the flows within the ED," but it is a look at the systems, a look at the flows in and out. And it is making sure that there is a holistic view and it is a view that is not tarnished by, I guess, any sort of prejudice that has to defend policies that were not working or that we were immune to looking at where it is working in other jurisdictions.

As I have said before, when the Auditor-General did a review of elective surgery we saw that there was a report that was then published that did come up with, I think, 11 very good recommendations that were of use to the government and provided that focus. So I have continued to call for that. When you look at the latest national health performance results released on 25 July for the first quarter of 2013, they show that 53 per cent of patients were seen within the recommended four-hour time frame, but the target was 65 per cent.

TCH is not getting as close as Calvary. I think Calvary are getting a bit closer. There are probably some reasons for that—the way that Calvary are doing their business—but obviously there is a more complex nature of trauma and so on that TCH has to

deal with. But the result was down comparative to last year. And 53 per cent really is not good enough and, as a jurisdiction, we wait longer in our EDs than any other jurisdiction.

In the quarterly health report for January to March 2013 we saw that, in terms of presentations to ED, only 51 per cent were seen on time. For category 4, which is semi-urgent, the figure was 46 per cent, and for category 3, disturbingly, only 42 per cent were seen on time. So we really do want to see improvements in that area.

One of the solutions that the government came up with was the walk-in centre—and this was discussed last week in terms of the effect of the walk-in centre and the fact that the government has promised that it will do certain things—but the research from the Australian Primary Health Care Research Institute found that the evidence used in planning was ignored, was used selectively and was misinterpreted by ACT Health. I quote from that report:

Despite seeking out the evidence, this seems to have been used selectively and cautiously, at times misinterpreted, and largely influenced by the views of powerful interest groups. We conclude that this contributed to much of the evidence being lost in translation.

But what the report found was that the location of the walk-in centre resulted in a net increase in ED activity—certainly Professor Drew Richardson has concluded much the same—that the computer system or the software system was not helpful and that the way that the walk-in centre was being marketed was also problematic.

But as I have talked about before, the real problem I have here is that the minister said that the walk-in centre would do something that it would not. The evidence said it would not do what the government was saying. Strategic ED documentation, reviews, reports said it would not. The minister said in May 2009:

The Rudd Government ... announced \$10 million to establish a 'walk-in centre' ... to help take pressure off its busy emergency department.

This is from a joint press release by the federal Minister for Health and the Deputy Chief Minister, Katy Gallagher:

Substantial work has gone in to developing this ... model of care which aims to reduce pressures on other services such as emergency departments.

Again:

This growth is particularly positive in helping alleviate the pressures on our busy public hospital Emergency Departments.

The evidence from the National Health Service in terms of the reviews that were done of that system when the walk-in centre was planned for Canberra made it very clear that the walk-in centres co-located in hospitals were not nurse led, that there were doctors involved in that system. The result was that the minister was promising something for the walk-in centre that would deliver a result that she should have

known, based on the department's own strategic plans and based on the evidence drawn, would not take pressure off the ED; it would increase pressure on the ED. The review has found that that is the case.

So the point needs to be made that the government—and we have asked in the committee report for it to say why it is, why do we have the longest ED waiting times in the country and why have they deteriorated—needs to take some responsibility and culpability for this. And we need to see some acknowledgement that mistakes have been made along the way. But mistakes are compounded when you are out there telling the public that something is going to fix a problem when it is actually going to make it worse.

With regard to elective surgery, the committee recommended that the government advise the Assembly on why it is the worst or near worst performing jurisdiction for elective surgery achievements and advise the Assembly when we will actually reach national or better than national average in terms of targets in elective surgery (*Second speaking period taken.*) The government's response to this, again, is the same spin that we are seeing from the government, which is not accepting responsibility and acknowledging the problem. And the government's response says that we are the only jurisdiction to meet its NES targets.

But as we have identified before, the targets for the ACT are, in many cases, 30 to 35 per cent lower than the targets in many other jurisdictions. Yes, the ACT achieved its target but those targets were set significantly lower than those for most other jurisdictions. In fact, on aggregate, the targets were the lowest by some margin across all jurisdictions.

I think there has been some improvement in elective surgery, looking at the figures. I am always a little sceptical about looking at health figures these days, but it does appear that there has been, and I think that is good news. I think that we need to maintain that pressure. It is clear that there is more work to be done, but there has been some improvement. And I welcome that.

When I started as shadow health minister I identified three key areas that needed particular attention, and they were GPs, elective surgery and emergency departments. I think that progress has been made in two of those areas. And I will continue to put pressure on all those areas but particularly on our EDs.

In particular, my attention has now been drawn towards mental health as a particular focus. I think that that is an area that also requires some significant attention by the government, and we have had quite a bit to say about mental health. Indeed, we have talked about the secure mental health facility, and there is no doubt that it is an area that is under some significant pressure. There have been some positive steps by the government that I acknowledge. But I think there is much more work that needs to be done in this area.

We have seen some real problems at the adult mental health unit, tables being only one part of it. But most particularly, I am concerned about the assaults on nurses. It was the executive director of ACT Mental Health, Justice Health and Alcohol and

Drugs Services, Katrina Bracher, who described staff as tired, worn out and fearful. We have a situation where we have staff who are under enormous pressure in a very complex area. And we need to make sure that work is being done to resolve those pressures.

I think there is no question that the process for delivering a secure mental health facility has been flawed. I acknowledge that it is a complex facility to deliver, but the reality is that the government set time frames. They should have known that, and they did know that. And they said that this was a facility that was going to be delivered, initially I think, in 2010 and then should have been opened two years ago and operational. And it is yet to even start. There is no construction started at all. And in fact, it is now due in 2017.

This will be something that has been promised but not delivered at three elections. And that is unacceptable. I do not think the minister would think that it is acceptable. Although there are a range of reasons for that and there are always excuses, again what we are seeing is the delivery just not matching the rhetoric.

This was something that was the subject of a motion, I think moved by Dr Bourke last week, and was canvassed in some detail. As I have indicated, we will give our support to this project. And I have indicated that, if what the government brings forward is reasonable, then we will support this facility being built as quickly as we can get it. But I do want to make the point that it is not something that we should be circumventing the planning process on simply because the government bungled it. And it needs to be acknowledged that when we do fast-track a project and use legislation to do that, there should be some pretty good reasons for doing that. But that is just one piece of infrastructure that is subject to delay or cost blowout.

It does bother me that, when we look at a range of infrastructure programs, for example, the Aboriginal and Torres Strait Islander alcohol and drug rehab centre—and that is something that has been discussed at length in this Assembly and has been promised repeatedly—again, we are seeing nothing in terms of delivery.

In 2012 the government promised an additional \$250 million for health infrastructure. That was the promise, and that is the sort of promise that we see in the budget. But the reality is that they only delivered \$72 million. There is still no funding for the University of Canberra hospital. That is something that has been talked about and promised.

The \$800 million hospital tower block was something that was discussed in some detail in the estimates committee. The very flawed procurement process meant that people, businesses, went through the procurement processes, went through the tendering process, and spent a lot of money and had the government then just sort of flick the whole project. And those people, who were under the expectation that there was going to be a project and that they were doing the work with some possibility that they would be selected, then had the project just basically disappear in front of them.

Other delays that we see as part of the \$100 million of rollovers—I say that again, \$100 million in health rollovers—or reprofiling include the central sterilising services,

where we have seen a 12-month delay; the north side hospital specification documentation, a 12-month delay; the provision for project definition planning, a 12-month delay. With regard to the secure mental health facility, it depends where you take the starting point in terms of delay. This is part of the issue with some of these projects as well. If you take it just from when it was last in the budget, for example, the secure mental health facility looks like it has only had a 12-month delay. But if you know the full history of these projects then you are talking about nearly a decade of delay. So it can be a little misleading if you only take in that year's snapshot.

We know that health infrastructure has been problematic. We know the Canberra Hospital car park was \$13.5 million over budget and 18 months late.

Ms Gallagher: No, it was not. Tell the truth in here.

MR HANSON: The truth is that that is what happened, and I will let the minister talk when she has got a chance rather than interject now.

I then turn to the issue of the pay negotiations. I talked about this earlier, but you have got the ANF saying that the negotiations are disrespectful and insulting, and I quote:

There is no respect for Nurses and Midwives in this offer. It is below CPI figures, it does not keep up with the cost of living ... it does not recognise the dedication of Nursing and Midwifery staff in a demanding health care environment.

Nurses and Midwives are not interested in taking what is, in effect, a pay cut.

Jenny Miragaya said:

Well this is the worst pay offer that's been made, it doesn't even compare with the conservative governments in the rest of Australia.

This is the least pay offer that my nurses have been offered in well over 30 years.

And there was talk about action ballots and action being taken by the nurses.

We have a situation where there is often debate in this place, and I do the job that I have to do, which is to hold the government to account on its health system. We have seen some particularly difficult issues, particularly around the emergency department, and we have pursued that doggedly. We came up with the evidence. And we found that the results were being fabricated. That was a difficult issue.

There are many difficult issues. There are many difficult issues that the government has to deal with and that we have to deal with. And there are more interjections from the minister.

Ms Gallagher: We came out and told you.

MR HANSON: The minister is saying that she came out and told us, but what she did not come out and tell us was some of the detail around that, and I have not got time to litigate that again. But we know what we are talking about.

But what I would say is that we have this government saying that they are the one that cares about nurses and the opposition is the one that is always on the attack about the health system. Let me be very clear that we have the utmost regard for our health staff, the doctors, the nurses and all the other staff working in our health system. The reality is that the ANF is saying that it is this government that is being disrespectful, and it is the ANF that is saying that it is this government that is insulting nurses with its pay offer. And I think that is very disappointing.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (4.36): I thank Mr Hanson for the stump speech he has given, again. The sum of the ACT health system and the local hospital network consists of the emergency department, the elective surgery system and now, since the *Canberra Times* has drawn them to his attention, the mental health system and wages. The budget as presented to the Assembly is much more than that, and deserves the initiatives that are outlined to be recorded in *Hansard*.

This budget includes major infrastructure spending and major investments of new funding over the forward estimates, including new beds at the Canberra Hospital, new beds at Calvary Public Hospital, new hospital-in-the-home places, more elective surgery, additional employment of nurses, doctors and allied health staff, more resources and capacity in the emergency department and more outpatient services, including, importantly, a significant amount of resources for drug and alcohol services.

That is what is in this budget. More support for cancer care is also included in this budget. There is more money for the women and children's health centre, staffing for the enhanced Belconnen health centre, which will be completed later this year, resources for the new community-based walk-in centres, support for Indigenous tobacco control looking at targeting that to the Aboriginal and Torres Strait Islander community, extra funding for advanced care planning to discuss end-of-life care, and the establishment for the first time of an obesity management service within the health system.

There is also additional money for community mental health services for people exiting the Alexander Maconochie Centre and infrastructure services for clinical design, multi-storey car park design at the Calvary hospital and the planning and forward design stages of the new University of Canberra public hospital. These are all investments in the budget that did not get any attention from Mr Hanson.

The Health Directorate takes a considerable part of the ACT appropriation. This year's recurrent spend is in the order of \$1.3 billion and it grows at approximately 7 per cent on last year's budget. It is an incredibly busy area of government service delivery—24 hours a day, seven days a week. It is a system that is dealing with almost 120,000 emergency department presentations, delivering over 11,000 elective surgery procedures and providing dental care for 97,300 people. Several thousand staff are employed under various roles, whether it be as nursing staff, assistants in nursing, allied health staff or doctors either through the salaried system or the VMO system. It is a very important and big part of government, and it gets the recognition it deserves in this budget.

In terms of the emergency department and elective surgery, the elective surgery area will continue to meet the targets set out under the national agreement. They are challenging as well. While we have had good progress, there are areas, particularly in category 2 procedures, where the increased investment is driving demand. We have also got some very interesting situations where the admissions of category 2 patients on our waiting list are extraordinarily high compared to the admissions of category 2 patients on waiting lists interstate. I think we have almost double the admissions of category 2 on our list compared to the national average, and that is something we will have to focus on with surgeons to make sure people are being categorised in a way that can be measured and compared across the nation, because we are being compared against national targets. That is an area of pressure for us and we are doing some work on that at the moment.

In relation to the emergency department, later in September I will visit the hospitals that have done incredibly well—on the MyHospitals data anyway—in relation to improving their performance against the four-hour rule. I will go with staff from the emergency departments here to look at what programs they have put in place. My feeling is that most of them we are doing here, but if there are other steps they have taken, we will see what we can apply here.

The last year has been an incredibly political year for the Health Directorate, and it has been the subject of much scrutiny in this place. Whether you think the extent of that scrutiny is right or wrong, it has placed staff under incredible pressure. I think it goes to their professionalism at all layers—from the director-general down—that they have remained focused on the delivery of high quality patient care, despite all the pressure they have been under, I would argue unfairly at times, through the level of political interaction, particularly last year. They will continue to remain focused.

I think the view is that the triage categories—categories 1 to 5—is not a good measure of emergency department performance. That is, as it was explained during the estimates process to the committee, a process where a nurse has a look at someone and decides with a two-minute assessment where they might fit on that triage scale. I think the four-hour rule is a much better way of actually measuring quality of care and performance within the emergency department. And, again, when we discuss the emergency department, it is never acknowledged that the ACT leads the country in patient satisfaction for the quality of the treatment provided in their emergency department.

Clinical staff will maintain that quality of treatment is more important than arbitrary targets set by politicians. I think probably the answer is somewhere in between—you have to focus on quality of care, but you also need to focus on accountability measures for the amount of investment going into this important area of government service delivery.

This gives me the opportunity to put on the record my thanks for the extreme professionalism of staff and the work they do for the people of the ACT 24 hours a day, seven days a week. I look forward to concluding the nurses pay negotiations as

soon as possible. I have had some very good meetings with the ANF in the last fortnight, and I am hopeful we will be able to reach agreement soon.

DR BOURKE (Ginninderra) (4.44): I want to highlight just one health initiative out of the many ways the ACT government's 2013-14 budget is delivering the benefits of good government for the people of Canberra. At the same time, this budget responsibly takes a path back to surplus. A new nurse-led walk-in centre to be opened at the newly completed Belconnen health centre in the town centre is great news for Belconnen residents and people working in downtown Belconnen who want advice or medical assistance without having to make an appointment or payment.

It will expand the range of community health services available in Belconnen, which were in a poor state when Labor came to office. Since then, we have had initiatives such as the west Belconnen health co-op, with ACT government support, address the lack of doctors at that end of Belconnen, and this budget sees further investment in Calvary hospital in east Belconnen. The nurse-led walk-in centre and a new Belconnen health centre in the middle of Belconnen illustrate this government's comprehensive approach to the health needs of the residents of Belconnen. Through this budget the government is promoting visionary projects, transforming Canberra.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.7—ACT Local Hospital Network—\$550,054,000 (net cost of outputs), totalling \$550,054,000

DR BOURKE (Ginninderra) (4.46): The local hospital network appropriation in this budget is especially good news for my constituents in Ginninderra while delivering the benefits of good government for all Canberrans and leading us back to surplus. This budget includes over \$8 million for the design of the new University of Canberra public hospital, the first stage in a major investment in this new hospital, and the budget has significant new investments in Calvary hospital. These budgets are not just a major boost for health in the north, they also help maintain and create jobs in the ACT public service and the private sector as a time when employment in Canberra, especially in the federal public service and its service industries, is under threat.

The University of Canberra public hospital will provide a great range of patient care in north Canberra along with training and research opportunities integrated with the University of Canberra. The hospital will become another major employer in north Canberra, and the capital works will maintain jobs in the construction industries. This budget continues the ongoing investment in Calvary hospital with new beds, including 10 general inpatient beds, a dedicated four-bed stroke unit, a new eight-bed rapid assessment unit and hospital-in-the home beds.

Patients, visitors and staff of Calvary are also excited about the \$1.3 million allocated for the design of a multi-storey car park at Calvary, allowing up to 700 vehicles to park on site. These projects illustrate this government's commitment to Canberra's quality of life and a healthy vision for this city's future.

MR HANSON (Molonglo—Leader of the Opposition) (4.48): I do not intend to speak at length on this. In fact, I will use this opportunity to respond to a point the Chief Minister made regarding the politicisation of the health system, why that occurred and that it was unfortunate. I agree; it was an unfortunate set of circumstances. I think it was very unfortunate. But I make the point—and I refer members to the Auditor-General’s report on what happened—the executive who doctored the information said that, “It’s seen as an imperative politically to ensure we meet the target.” Now, I do not know who else that can rest with in terms of responsibility.

Ms Gallagher: You, perhaps?

MR HANSON: So the Chief Minister is blaming me for what happened.

Ms Gallagher: No, well, it could easily be you, Jeremy.

MR HANSON: When you have a health minister and a health system and someone who is doctoring data who says it was a political imperative to get it done, the question is: why did that happen? Clearly, the political imperative occurred well before this issue arose. The political imperative was occurring in 2010, well before this subject became one that was in the media and the Assembly in 2012. That political imperative occurred before.

When you go to the Auditor-General’s review and you look at what the executive said, you see she talks about fear for herself and her staff. She says there were feelings of fear, isolation and distress. She said she felt fearful for “myself and the other people that I work with, having being constantly told things like, ‘Fix the numbers. I don’t care if you stand at triage yourself to make sure they are referring patients to the walk-in centre. Get it done. I have told the minister that we will be at 70 per cent of patients being seen on time by December, so make sure it happens.’” The minister has to take some responsibility here. Clearly, when you have a senior executive saying it was the political imperative, that she was fearful for herself and her fellow staff and when she was being told, essentially, “We’ve got to get this done because we’ve told the minister we’ll fix it,” I think you can see where a lot of that pressure came from and where it was being applied. I will not have the minister say that what the opposition did in 2012 in terms of pursuing this issue was not the right thing to do. When you read the Auditor-General’s report you see that the politicisation of this issue with the demand that, “We’ve told the minister, so make sure it happens,” happened long before this became an issue in the Assembly and in the media.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.8—Economic Development Directorate—\$86,082,000 (net cost of outputs), \$152,843,000 (capital injection) and \$7,945,000 (payments on behalf of Territory), totalling \$246,870,000.

MR SMYTH (Brindabella) (4.52): The economic development area is very important for the future of the ACT. It is an area that still is not well understood by the

government and not well supported by the cabinet. There were some interesting discussions during the Economic Development Directorate's appearance before the estimates committee.

First and foremost, when you look at business development, there is a long list of programs that the government now has in place. That is because it got rid of them all in 2006, and it has taken a long time to work back up to having a suite of support programs and business assistance programs to make sure that we actually do develop the potential that is here in the ACT.

The directorate developed the strategy that the minister tabled in August last year when he finally found the word "diversification". Unfortunately, it is a rehash, a rename, a rebadge and a redrawing together of older policies that existed, a large number under the former Liberal government and some in Mr Quinlan's time as the economic development minister.

The problem will be whether we actually see any action here. The minister often talks about creating the environment and then leaving it up to business. He has made it quite clear that he is not in favour of the old John Button style business programs. Yet the biggest element of funding in the government's policy is an industry assistance program. It is funding for NICTA, and that is great. I note that yesterday the federal government finally coughed up some more money for NICTA, which is also great. NICTA was, of course, an initiative of the previous federal Liberal government, and it was a bid by the previous ACT Liberal government that got NICTA to the ACT. NICTA is worthy of the support that it gets, but it is interesting to see the difference between the rhetoric and the reality. The thing that is appropriate is probably a balance between the two.

The best thing the government can do is get out of the way of business. We have now got the government's red-tape reduction program, but the unfortunate thing for the government—it is certainly the unfortunate thing for business—is that most of the red tape they are getting rid of is the red tape this government put in place. I think we all remember the stupidity of the outdoor cafe licensing regime that Mr Corbell presided over where you actually had to get the chairs approved by the bureaucrats that you were using. There were style gurus everywhere. It is very important to make sure that you have got the right balance in the tape. We need to protect the interests of the community, and we certainly need to protect the government, but we need to just reduce the burden.

It will be interesting to see over time whether the committee that the minister has established works. There was a committee that the incoming Labor government in 2001 got rid of, the business and regulatory review team. That was working very well. It worked through a lot of the regulations that existed prior to 2001, and was making some very firm inroads into getting rid of red tape. That went out the door and it is a shame that it has taken more than a decade to get it back.

We note that part of the responsibility is with city to the lake. Closely associated with city to the lake is the new convention centre and the potential for a new stadium. It is interesting that in *City to the lake*, the glossy production that the government has put

together, on about page 3 or 4 of the presentation, it says that it is all about unlocking the value of the land between the city and the lake. And then, a line or two below it, it says it is so that we can fund capital metro. It would appear that this is all about funding the train set for Mr Corbell and Mr Rattenbury to play with rather than looking at what happens to the city in the long term.

This is part of the problem with this government. They have ignored the CBD for more than a decade. Such are the frustration levels of the business community that they set up their own organisation and agreed to a levy so they could get some action inside the CBD.

The government is now coming up with a city plan, but again we are doing this with a bitsy approach: “We have done that section down there, so we might get some action down there. Then we will come back into the CBD. We might get some action here. We are going to redevelop the ABC flats, maybe; we might get some action there.” But you really need a statement of principles and intent on how you see the CBD functioning, especially on what the CBD brings to the city, and indeed to the making of the reputation of the city.

The problem for the government is that they suffer from the fact that Mr Corbell was unable to deliver a plan for Civic. We had a flimsy A4 piece of paper. Even Terry Snow, to give him his due, outdid the government. In 2007 we had his concept, which got some excitement going. People hoped that something might happen, but of course here we are now in 2013 and we are still waiting. We had Zed Seselja’s bill to set up a city hill authority so that we could get that part of the city functioning instead of being a park that you cannot get to because it is surrounded by the very speedy Vernon Circle and the so-called car parks.

We need a plan here. We have a government that just seems intent on selling blocks of land, with no plan: “There’s a block of land; we will put it up for a hotel.” But then where are we going to put the convention centre? “The convention centre will be somewhere else.” Why don’t you try and make a concerted effort to make it work? What really fails here is that we do not have that concerted effort.

That brings us to the new convention centre. We have got three sites for the convention centre—potentially on the pool site, potentially on City Hill, potentially down by the lake. What we do not have is real commitment to the convention centre. I have raised before in the chamber, in this place, the fact that the minister has been less than enthusiastic in his support for the convention centre, yet at the Business Council breakfast he said, “If you work with me, we can get this rolling sooner.” It has been on the cards now since Ted Quinlan said, in December 2001, “By December 2002 I will have nominated the site for a new convention centre and we will get on it.” In December 2002 we were meant to have a site. Here we are in August 2013 and we still have not selected a site. We have got a government that really does not seem to understand the importance of the new convention facility for the ACT.

We have got a government that is more interested in its personal projects. Jon got a garden; he got the arboretum. Simon wants a train set. Andrew wants a stadium. Why don’t we listen to the business community in particular?

Mr Barr: Brendan wants a convention centre.

MR SMYTH: The business community want the convention centre. They have done a lot of work towards it. They have done the financial analysis. What they need now is some leadership to make it happen. Let us see if there is any leadership here. I suspect that we will be talking about this for years to come because of this government's lack of interest in the infrastructure that should occur.

Yes, I am interested in a new convention centre. It is the same as 12 years ago. We had plans for Civic—our city, building our city, delivering our city. There was the OECD report that we got done on revitalising Canberra—the Canberra renaissance, I think they called it. Mr Corbell got that in 2002 and really has not acted on it; we will see what happens there.

We have covered economic policy and business development. We get to tourism. Yes, there is increased funding for tourism in the budget, which of course is welcome, but we are yet to see the government capitalise on tourism. We have had a bump in the numbers because of the centenary year; we are getting close to where we were back in 2002 and 2003, but it has been a long haul. It has been a very long haul.

Again, I must put on the record that I think the federal government have let us down significantly in regard to the celebration of the nation's capital. It is primarily their responsibility, I would have thought—well beyond our responsibility. The government have put a lot more money in than their federal Labor colleagues, and well done to them for that. They have lucked into their centenary gift by having the arboretum; when it started, there was no mention of it being a centenary gift, but it is now launched as the centenary gift. That is good.

If you really look at this budget, you have to ask yourself: "Is this the budget for a centenary year? Is this the budget that sets the city up with a vision for the next 100 years?" Not really, no; it is just not there really. It is bitsy. There is no clear vision enunciated about where the city will go in the next 100 years. You can see it in the budget. It really is a budget that is cobbled together in many ways.

There is still a lot of potential in tourism that we are not realising. On page 39 of the dissenting report there is another fine recommendation:

... that the ACT Government develop specific strategies for the Tourism industry for:

- accommodation;
- events; and
- new attractions.

I note—

Mr Barr: I am sure you did not mean to say "the dissenting report" there, but—

MR SMYTH: I did not mean dissenting, no; I mean the actual report. Did I say dissenting? I do apologise. Thank you, Treasurer, for that correction. It is in the estimates report; the dissenting report is all about love and kisses. (*Second speaking period taken.*) The dissenting report is that amazing document that has a lot of duplication. Forty-eight or so of the recommendations are duplicates. There are about 500 that just blow love and kisses to the Treasurer. I do apologise for making that mistake. Thank you, Treasurer.

The recommendation says that we need strategies for accommodation—that it is not just a matter of saying, “We have got a block of land; let’s sell it.” We do need long-term strategies for events, particularly in the summertime when there are particularly low vacancy rates—and in the wintertime as well. And of course we need a strategy for new attractions.

The government is working on a new strategy. We have got a new marketing program to come out at the end of the year. We will await those with interest and see whether or not the government puts some effort into its strategy for the following five years and whether or not the government actually puts some money behind the new branding strategy. Without actually using it, it is going to be pretty worthless in that regard.

There is, I think, much potential in the ACT for the business community. We do need to get rid of the red tape that restrains it. We do need to make sure that the essential infrastructure is there to allow it to do its business. And we do need to advertise that we are here—that we are a great place not just to live in but to run your business in. It is Canberra by name, Canberra by nature. We are a place where you can meet with the various universities that we have here, with the heads of department, the research organisations, the federal government itself and the ACT government. There is a lot to be said.

I do not think that in anything we see coming from the government there is any commitment to realising that. That is a shame. It was interesting to see Kevin Rudd, in the debate on Sunday night, saying that he wants to diversify the ACT economy. There you go. After six years, federal Labor has also found the need to diversify.

Mr Barr: I think he probably said the Australian economy.

MR SMYTH: The Australian economy. Hopefully, this minister will learn that he has got to diversify the ACT economy. Perhaps from both federal and ACT Labor we will see some genuine commitment to the business community, to free them up to make sure that they can get on with doing what they do best, which is doing business, not meeting requirements and filling out forms for government, not being hindered by government.

We will comment on this more in relation to the commerce secretariat, but it is about how the government goes about procurement so that they do not waste the time of business. Perhaps the biggest red-tape reduction program the government might

undertake is to get its procurement working properly so that it does not put business to great expense, award the status of preferred tenderer, and then cancel tenders.

It does come back to attitude. I hope the government's attitude towards business improves. We get lots of talk and lots of waffle. I was there in the room, for instance, when the Treasurer said that he would get rid of commence and complete charges for the property sector. There was a great round of applause. They are still waiting, and I suspect they will be waiting for a very long time. Either the minister got rolled in cabinet or he did not have permission to make that statement in the first place. We certainly have not seen that carried through. That is the sort of treatment that the business community hates.

The government has much to do in the realm of economic development. There is much potential there. There is much opportunity. It is about time that we got on with developing the other side of Canberra. The public service is a great boon to the ACT economy. The employment there is welcomed, I am sure, by all. But there is the potential to develop the other side of the city, the private sector—not to the detriment of the public sector, but in concert with the public sector, to make sure that we all reap the benefits that I know are there.

MR COE (Ginninderra) (5.06): The Land Development Agency is responsible for the vast majority of land released in the ACT. However, once again, the LDA has failed to reach its target for land release, falling short by about 300 blocks in 2012-13. What is more, it appears those 300 potential blocks will not be rolled over into 2013-14. Instead, we will see fewer blocks come online in this budget period. When you have fewer blocks and fewer opportunities and, what is more, uncertainty in this space, that is when you get price escalation, which is exactly what Canberra households and Canberra investors and Canberra families have seen over the last 11 or 12 years.

The estimates committee recommended that the LDA provide more detailed information about the number of blocks available for release and the types of dwellings it plans to release. It is disappointing the government has not agreed to these recommendations. I think it is quite reasonable to know how many blocks the ACT government will release in RZ1 or how many blocks it intends to release for higher density purposes. These are the sorts of things industry would find very interesting, and it is also the kind of information that would help bring some certainty and ensure that predicting land availability in the future would be far more accurate.

Of course, the LDA has responsibility for implementing part of variation 306 to the territory plan. As we know, the MBA, the HIA, the Institute of Landscape Architects, the Institute of Architects, the Property Council and others raised various serious concerns about variation 306, and the opposition are proud of the stance we took in this place in seeking to have that variation disallowed.

But when we raised this in the estimates committee, it is interesting that a senior official from the LDA labelled the concerns of the industry as hysteria, and the minister refused to contradict this slur. In effect, the minister endorsed the slur that all the community groups and representative bodies that spoke out against variation 306 were, in fact, being hysterical.

Unfortunately, it is up to businesses to actually implement the government's variation 306. I think they have some pretty legitimate concerns. It is disappointing that, to date, the government has not been willing to accept these concerns as genuine. But it will be very interesting to see whether what I predicted some time ago will eventuate—that is, very soon we will see a technical variation to the territory plan to fix up part of the mess which is variation 306. It is disappointing the government has not agreed to a review of variation 306 and has refused to apologise for describing elements of our construction community as being hysterical.

The government has also refused to provide the cost implications of variation 306 because it says it will have no significant impact on land release or house and land prices. I find that very hard to believe, especially as we go out into other areas of Molonglo where you get some blocks on higher gradients. That is when we will see the difficulty of working within 306 on display. It is interesting to see what is happening in Denman Prospect. I understand the government is in negotiations with the one registered bidder for the site, and rumour has that it is nowhere near the \$100 million it was touting. I think it is fair to say, as reported in the *Canberra Times*, that variation 306 is a component. The reduced yield and the poor planning outcomes as a result of variation 306 will result in a lower price for Denman Prospect than would otherwise have been achieved. So not only are there qualitative problems for the ACT but there are also quantitative problems as a result of variation 306.

The LDA, I think, should focus on its core business of land release. Sometimes we have seen the LDA venturing into other opportunities in the construction game and going well beyond the initial intention of what the Kingston and Gungahlin development authorities were originally merged into the LDA to create. I hope that, as a result of the opposition's questions, especially on variation 306, the government will review the variation and seriously consider its impact, especially on greenfields developments, and will bring back to this place some form of variation, whether it be a technical amendment or a full draft variation, so we can restore confidence to the construction sector once again.

MR DOSZPOT (Molonglo) (5.12): Those who have an interest in things sporting in this territory—indeed, that accounts for a very large percentage of the population—are well aware that, when it comes to funding, it is very much a case of the haves and the have-nots. While good policy is always difficult to balance against the need to also deliver good politics, here in the ACT we have a government that pays lip service to community sport and local sporting venues but focuses essentially on future domed stadia or attracting international teams. While, no doubt, staging international cricket matches in Manuka is an absolute plus for Canberra and the presence of a notional Canberra-based first grade AFL team is also a positive step, one has to wonder why local sport has to pay the price.

Sporting groups in Canberra know there are many demands on government for funding, and they do not look to government to supply everything to them. Sporting clubs are expert at innovative ways to raise funds for uniforms, training equipment, game travel and match-day needs. But two issues of complaint are common to all sports and beyond the ability of the local club level to resolve—the cost of grounds,

courts, pool hire and the state of the facilities that they are hiring from this government.

In the lead-up to last year's ACT elections, we canvassed the views of many different sporting groups—clubs, teams—across a wide variety of sports. At all levels the consistent comments were: “The ground fees are a major expense. Without the canteen generating revenue, we could not afford to pay them.” “Ground fees are a significant impost on the club.” “Ground fees are our chief expense for juniors, and they went up significantly recently.” “Our junior fees do not cover costs and will need to go up.”

Match and ground costs roughly represent between 25 and 33 per cent of total costs, with a higher proportion for enclosed grounds. That is why we went to the last election promising to cut ground hire fees for the junior clubs by 50 per cent. That is why we promised money to local clubs to help them upgrade ageing and old facilities. Labor MLAs suggested that high costs were not an issue and, in any event, the ACT Labor government would offer so much more for local sports. Indeed, they claimed they would spend \$26 million over four years on extending the local sports facility upgrade program.

ACT Labor went to the election promising a whole heap of things for local sport—upgrades for various ovals at Kambah and Hawker costing \$3.4 million, \$2.6 million to restore Spence and Torrens neighbourhood ovals; upgrades to netball courts, new synthetic playing fields for football, and a south side synthetic athletic track costing \$4.5 million—or is that \$2.7 million for a project at Woden park that is one of the most curious decisions I have ever seen?

The majority of the sporting community wanted a venue where grand prix athletic events could be played and wanted it in Stromlo. The minister, instead, forced the community to have it at Woden park where the community will not be able to stage what they wanted—grand prix events—despite the expenditure of \$2.7 million. The facility is not adequate. There is no parking for spectators beyond the 200 mark. So the 3,000-plus people that a grand prix event attracts will cause absolute parking chaos around the Hughes-Canberra Hospital area. Minister Barr's offhand remarks that people can park at Canberra Hospital was just beyond the pale and is a great insult to the residents of Woden and Phillip and, of course, to all the people who have relatives staying at Canberra Hospital and who currently have a hard enough time trying to find parking. To just dismiss those issues is questionable.

The other thing that \$2.7 million will not do for either the athletics club or the football club that share the Woden facility is provide the huge storage area that is required. They have nothing they can store their equipment in, and certainly not the sort of equipment an additional synthetic track would require them to keep at the oval. All in all, we are spending \$2.7 million in an area where it was not required, and Mr Barr is saying to us that he is aware of the needs of our community. Well, this is one area where the needs have been very badly miscalculated.

The election costings document indicated the money in most instances would start to flow this year and, in some cases, the promised facility or upgrade would be

operational this year. Well, that was last year. It comes as no surprise to this side of the Assembly that the Labor government rhetoric is rarely matched by reality, and so it is with the sport and recreation promises from election to budget.

In fact, even before the budget we had the not-too-surprising news that the government was trying to once again put up ground hire charges by as much as 70 and 80 per cent. How fortunate then that the minister for sport was able to tell the Assembly earlier this year under questioning from us that, in fact, he had not yet signed off on such increases, and magically they were trimmed back to CPI levels. I am sure it was coincidental timing!

No such luck, though, for swim clubs facing significant increases for lane hire charges. The government in this instance can say, "It isn't us. We've contracted out the management of swimming pools." But the government have to sign off on any increased charges, and they agreed to increases that could see some clubs having to cut their junior programs or close altogether. The government claim ground hire and lane hire charges are no big deal. But when you see clubs just across the border in Queanbeyan with better grounds and cheaper ground and pool hire costs, it does become a big deal.

But it is not just in ground hire and swim lane hire that the government has failed to live up to its promises. Let me highlight just a few more examples from the budget. In the election campaign ACT Labor promised an allocation of \$500,000 towards an infrastructure fund to improve player and spectator facilities at Greenway enclosed oval with the bulk of the funding to come this financial year. The budget has an allocation of \$40,000 for design works only and nothing in the forward estimates for anything else.

Included in election promises were upgrades for neighbourhood ovals at Spence and Torrens, suggesting Bonython, Watson and Weetangera had all been funded in last year's budget. This year's budget papers tell us the money is still coming for those ovals and the work will not be completed until June 2015. So it is anyone's guess when Spence and Torrens will get their turn, just like the repeatedly promised Gungahlin pool and the Gungahlin grandstand.

There is a promise of nearly \$3.5 million to upgrade irrigation and playing services at Kambah and Hawker, but these have also missed out this year. And when you read the fine print in the costings, you see nothing is planned for another two years. The football community has long been promised a grand plan for Melrose high with two FIFA-standard synthetic soccer pitches with lighting, permanent seating, storage and change rooms. The request for costing and election commitment outlined the work would be finished and fully operational this financial year. However, the minister forgot to tell the Treasurer that it was supposed to be funded and finished this year. So the original \$5.1 million has shrunk to a \$200,000 design plan. Current students of Melrose high should not be hoping to play on these new pitches any time soon.

A new pool at Weston Creek and upgrades to Tuggeranong were great for a news headline in September last year, reminiscent of what we are seeing at the federal level actually. Mr Barr, your mentor is obviously teaching you well. But Labor will face

another election before any money flows for Weston Creek, and upgrades of Tuggeranong are at least two years away from starting.

The Narrabundah ball park promise of \$5 million is another “one day, some day” promise. We can only hope the Canberra Cavalry team can maintain momentum and sponsorship at its current substandard facilities for at least several more years before anything happens. Narrabundah was not entirely forgotten, however. The velodrome is getting \$650,000 for remediation works that apparently are urgent and serious. The velodrome has been in operation for something like two decades, but the closure notice said the track was too dangerous to remain open. *(Second speaking period taken.)*

The government allocates valuable resources each year to maintenance works, and as opposition spokesman I get a lot of criticism from sports clubs about the lack of logic and timing in the government’s maintenance program across a number of facilities—toilets that do not work, fields that are top-dressed at the wrong time and fields that are top-dressed with diesel marking lines which are put there to save money but which create erosion. The danger caused, especially at the junior level, by the ditches that occur as a result of the diesel top-dressing is something I have been concerned about for quite some time.

But all those errors fade into oblivion when it comes to maintenance and supervision of the velodrome. Questions asked during the estimates process brought to light some interesting facts. The only maintenance done at the velodrome is a mowing program for the dry land grass and weekly cleaning of the amenities building. There is periodic re-marking of the track and a monthly facility inspection by Sport and Recreation Services staff. So what was the reason for the urgent and immediate closure in November? An engineer’s report on the original—I repeat, the original—20-or-more-year-old track that was completed seven months before in April 2012 suggested the track design was flawed and presented a danger and an unacceptable risk to cyclists. Presumably this danger had existed for hundreds of cyclists over thousands of days, and even then it took seven months—until just after the election—to bring this to the attention of velodrome users.

I asked whether any other sporting facilities in the ACT were at risk of closure due to safety reasons and the minister’s answer of, “No, not that I am aware of,” will bring little comfort to any user of any other sporting facility in the ACT. But do not worry, budding Olympic and major event cyclists, the ACT government has arranged an alternative training venue for you a mere 300 kilometres away in Sydney. The estimates committee’s recommendation 41.2, volume 1, page 40, on the need to develop an improved maintenance schedule for ACT sportsgrounds to avoid another velodrome disaster is a timely warning to governments to do better.

By comparison, the dissenting report’s sycophantic 500-plus recommendations and messages of thanks paying homage to the minister’s work in this area—500, I just cannot believe that—are more in line with what was promised in the election rather than what has been delivered in the budget. Their praise for the government keeping sports hire increases to a minimum is laughable given the circumstances, and their

commendations for a healthy and active community flies in the face of government axing the smart start for kids program.

We are fortunate in Canberra to have a wealth of sports talent and committed parents who want their children to be healthy. But covered stadia and more seats at major events will not cover for the parents who face ever-increasing charges and substandard facilities for their children just to kick a ball around on a Saturday.

MR BARR (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Sport and Recreation, Minister for Tourism and Events and Minister for Community Services) (5.26): I thank members for their contributions. The appropriation for the Economic Development Directorate in 2013-14 builds upon an already significant investment in sport and recreation, tourism and events, business support and land release. The government recognises the importance of supporting the private sector in the territory, not only to broaden our economic base but to cushion against any impact from constrained economic circumstances, especially that coming from the commonwealth government.

The budget continues the implementation of the business development strategy. Notably, in addition to the more than \$5 million already funded for business innovation, research and support, the government is investing \$1.5 million in the global connect program. This will boost funding for the suite of programs to raise awareness among territory businesses about exporting opportunities, promote further collaboration amongst local exporters, increase the number of local exporters and help them to enter into new markets.

In response to the comment made by the shadow treasurer in relation to industry assistance, I would draw his attention to what I believe to be the biggest provision of industry assistance in the territory—that is, our payroll tax threshold being about a million dollars higher than New South Wales. If we were to adopt the New South Wales payroll tax regime, the territory would collect around \$70 million more in payroll tax.

I point out to the shadow treasurer that the single biggest industry assistance provision for the ACT government in this area would be not collecting payroll tax and having the highest payroll tax threshold in the nation. So we are not churning the money through government. We are not collecting it and then spending it on business assistance. We are not collecting the tax in the first place. That, I think, is the correct policy setting.

In terms of other assistance for business through this budget, we will continue our investment in the Canberra Convention Bureau. The bureau's work is supported across all parties in this place, and the additional \$400,000 provided meets our election commitment and boosts Canberra's profile as a business event destination.

In the context of the tourism and event industry for the ACT, tourism, hospitality and allied industries contribute about \$1.65 billion to the territory economy each year, and there are about 16,000 people employed in this area. The government's commitment to tourism and major events is evidenced through the \$11.5 million of new funding

provided in this budget, including the funding for the continuation of the Enlighten festival, the tourism events blockbuster fund and new funding for our direct international flights into and out of Canberra in support of that particular initiative.

Just to correct Mr Doszpot's contribution, funding for upgrades to major territory venues and events comes from the territory venues and events portfolio and output class, not from sport and recreation. So his assertion that somehow investment in venues and events detracts from our contribution to community sport and recreation is, firstly, incorrect; secondly, I do not think it is necessary to pit the two against each other in the way that the shadow minister has sought to do. Is it his suggestion that if he were the minister he would not be spending money on venues and events and would be directing that into community sport?

He would probably want to have that discussion with the shadow treasurer, who would appear to have a different view on the value of events, tourism and investment in venues and attractions and the like. In fact he is constantly calling for new strategies for that investment.

What we are seeing here is a very confused position from the opposition. Given, for example, that the shadow minister for sport moved a motion in this place in support of the Giants AFL team, I do find some of his later comments to be highly hypocritical. But enough said on the shadow minister.

The city to the lake project is a very important element of this budget and certainly will transform our city in the coming decades. Following the more than \$1 million that has already been invested in developing this project, the budget invests a further \$800,000 to progress the proposal. This includes an assessment of the requirements and costs associated with relocating existing road and stormwater infrastructure, along with further work to progress the Australia forum proposal to investment-ready status. I know, again, that the shadow treasurer is particularly interested in that, as it is one of his pet projects.

The budget provides \$3.1 million to fund investigative work to support further land release in urban and greenfield areas. I am sure the Deputy Leader of the Opposition will be pleased to hear that. I look forward to his support for that extra work. The work will align the government's policy of advancing capital works projects to shovel-ready status before investment decisions are finalised. For the benefit of a number of the shadow ministers who have spoken this afternoon, that will be the government's approach to capital works delivery.

In terms of the timely release of land, we recognise through this budget the need to ensure that we are maintaining our supply-side effort in terms of land release both in greenfield and in urban renewal sites. We want to ensure that the supply-side provision is putting downward pressure on prices and rents. 4,800 dwelling sites will be released across the territory in the 2013-14 fiscal year.

I conclude by mentioning a number of investments, one of which I had the opportunity to turn the first sod on last week—the \$5 million investment in the University of Canberra sports commons initiative, which does a number of things. I

think it is a fantastic project because not only does it enhance the university's sports education facilities but it provides a new, purpose-built home for ACTSport, for the Special Olympics and for Brumbies Rugby. This first stage of the sports commons project at the University of Canberra is an important investment in the future of community sport through ACTSport and the Special Olympics. It supports one of the city's most successful elite sporting teams, the Brumbies—and we certainly all shared in their success in this season and wish them all the best.

Mr Coe: Did you get a seat on the charter?

MR BARR: I did not go on the charter, no. I attended the Canberra Darters events over that weekend, as their number one ticket holder, Mr Coe.

Mr Smyth: How come we got so few tickets?

MR BARR: That is a matter for Super Rugby, ultimately, and for the hosts.

MADAM DEPUTY SPEAKER: Mr Barr—

MR BARR: I should not respond to interjections. I apologise, Madam Deputy Speaker. In wrapping up my comments on the University of Canberra sports commons, it is an important project. I look forward to working with the university and the various community sporting organisations on subsequent stages of the project, stages 2 and 3, with a particular focus on bringing other community-based sports into the precinct.

If you look at that particular area of the city, the proximity to the Institute of Sport, the proximity to the Lyneham sports precinct that receives further funding in this budget, within a couple of kilometres, Madam Deputy Speaker, you will have some of the world's best community and elite sporting facilities. It is a testimony to the leadership of Professor Stephen Parker at the University of Canberra that he has decided and determined to put sport front and centre in the university's expansion plans. I think that is a very good thing. I wish them all the best in establishing that national and international leadership role in sports and related disciplines at the university. There are considerable economic, social and cultural benefits that will flow for the city of Canberra from the university taking that leading role. The university sector is very important to the territory's economic development. The government intends to continue our support for the growth of Canberra's own university, the University of Canberra, and we will continue to work in partnership with them to see that vision come to reality.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.9—Commerce and Works Directorate—\$31,856,000 (net cost of outputs), \$133,828,000 (capital injection) and \$13,065,000 (payments on behalf of the territory) totalling \$178,749,000.

MR SMYTH (Brindabella) (5.37): The Commerce and Works Directorate is quite a diverse directorate. It includes revenue and government business management. It has

Shared Services ICT, Shared Services Procurement, Shared Services Human Resources and Shared Services Finance. It is a new creation. Therefore it is hard to get a handle on movements in the staffing. It had 83 in 2012-13 and 1,038 in 2013-14. But, of course, that is because of all the movements in and out.

There are a number of issues covered in this portfolio. One of the interesting things that came up was the utilisation rates for office space and how the government is going about managing the office space that it has. It would be interesting to hear from the Treasurer where we are with the government office strategy. We, of course, had the aborted project to build the new government office building which, of course, then negated the need for a strategy, because most of the public servants ended up in the building next door to the Assembly. So there are still a number of issues there.

With Shared Services ICT, a lot of issues were discussed, particularly the fact that they are in the market for a data centre and the way they use the commonwealth panel of providers. They are benchmarking Shared Services' costs against peer organisations. It is always a contention inside directorates; are they getting the best price they can by being forced to use the government's ICT provider? I note that, I think, the Assembly perhaps has now moved away—no, they have not. No, the Assembly has moved away on personnel management and finance. But I do know that a lot of the departments have concerns about Shared Services ICT and about the way that they do have to use it.

I think the standout issue for me in this directorate was the whole issue of procurement. There are huge concerns over procurement in the ACT as it is being run by the government. Of course, a couple of years back we had that classic quote from the CEO of the Business Council who said that it was easier to do work with the defence department in Washington than it was to do it with the ACT government. I think particularly the cancellation of the Health Directorate's project at Canberra Hospital really does give me cause for concern about the government's commitment to process and how the government actually does plan long term.

You would think that when the government goes out for a tender it has the intention of actually carrying through with the tender. In particular, with the new buildings at the Canberra Hospital, several very large architectural firms here in the ACT made arrangements to get the sort of expertise they needed from firms in other cities and, indeed, some international expertise so that they could put together good tenders for this Health Directorate project. For those that do not know the story, it got to preferred tenderer stage. A great deal of additional work was done by the preferred tenderer. Then at the last minute the government cancelled the project. If you want confidence in the territory and if you want confidence in the government, this is not the way to get it.

The government has announced its new small business criteria in requests for tender, and that is good. We will see how that works. But if you are not going to follow through, people are going to question whether or not they should bother working with the government at all. I know that a couple of the firms that got to the end of this process had spent several hundreds of thousands, if not in excess of the million-dollar mark, on their tenders. Certainly, when you get to preferred tenderer status, you would

think that you had got some reward for the efforts that you had made. But these hopes were dashed when the government simply pulled out. The Chief Minister simply said, "We have just changed our priorities. We now think we will build a subacute facility instead."

Surely, with all the work that has gone into planning the new health network of facilities, the government had worked out that need before they went to tender on this project. I think it raises very serious concerns about the government's commitment to the construction industry in the ACT. At a time when a lot of the cranes have disappeared off the skyline and a lot of the projects that the government talks about are years away from coming out of the ground, for something like this that had proceeded quite a way along the track to be dashed at this last minute I think is very disappointing. I know that the firms involved are still quite upset about what happened. Recommendation 15 of the estimates report on page 29 states:

The Committee recommends that the Government better manage their procurement processes to minimise the number of tenders withdrawn or cancelled causing loss to tenderers.

It is important that we honour our word. It is important that the government, when it deals with business, deals with it in an open fashion. I suspect that there are a lot of people who will be scratching their heads and shaking their heads the next time the government puts out a tender. They will ask the question, "Is it worth the effort? Will they actually follow through and make sure that they actually deliver on this tender?"

Recommendation 16 of the committee states:

The Committee recommends that the ACT Government further extend the provision of online tendering.

The committee notes that the government have said they will be increasing the proportion online, but surely in this day and age the majority of our tenders can be online and surely in a city that regards itself as very IT-savvy, that is certainly the way to do it. We look forward to that occurring.

In Shared Services Human Resources there were a number of issues raised, particularly the implications of the large number of people who constantly act in higher duties in ACT public service positions. Is that fair to them? Are we getting the best out of our dollar by having one person out of their job in another job and somebody else then backfilling the job that they were in? It is important and the committee has not made recommendations in this area. But I think it is very important we make sure that people understand when they are acting how long they are likely to be there for. If the position is not going to be filled, they should know the future of that position. It is just good HR practice rather than having people hanging around for extended periods on higher duties.

We had some interesting conversations about HR systems. The old chris21 system came up. Some members would not remember. We had huge discussions about chris21 years and years ago. It is kind of funny all this time later to find out that we

still have some difficulties with it, particularly the cleansing of the data held in the present Chris21 system.

My recollection is that all this was meant to be cleaned up when we migrated the data last time. There is now a question of looking at whether we need a new system. So when we migrate next time, can we get it right? It really is about making sure that when you employ a new system you get the system right. It really is about making sure that when you move the data, and in this day and age we all know the importance of maintaining the integrity of the data, it is important that people can trust the system so that they know they get the benefits that they have accrued and the government knows that they are getting what they have paid for. It will be interesting to see what happens. The committee stated:

The Committee takes the view that the management of employee data is a significant and sensitive part of government responsibilities. It notes the data cleansing project currently being undertaken on data held in the Chris21 system.

And recommendation 18 states:

The Committee recommends that the ACT Government report to the Assembly quarterly on the progress of the 'data cleansing' of information held in the Chris21 system until the process is completed.

This is because we have had a number of data systems that the government has not managed well. It is important that we do get this right and it is important that people are able to trust the data in regard to their entitlements.

Under Shared Services Finance, we discussed the issue of Westpac, which is the new provider of territory banking, and the role of Shared Services Finance in in-house printing and electronic publishing. Payment of invoices came up again in respect of whether the government was meeting its obligation and the fact that the ACT public service, through Finance, is developing and maintaining the Oracle e-business suite.

There was one thing that we did discuss in this area in particular. The committee had questions over the government's micro-credit budget initiative, particularly when we spoke with Women With Disabilities ACT. They were quite welcoming of the decision. Recommendation 17 states:

The Committee recommends that the ACT Government include women with disabilities as a target group for marketing this initiative.

It is very important that we be as inclusive as we can. Those who suffer a disability clearly have enough on their plate without being excluded as a group that have access to build their own independent lives. I think recommendation 17 is worth consideration by the government. *(Time expired.)*

MADAM DEPUTY SPEAKER: Mr Smyth, do you wish to have your next 10 minutes?

Mr Smyth: I will hand over to the Treasurer.

MR BARR (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Sport and Recreation, Minister for Tourism and Events and Minister for Community Services) (5.48): I thank the shadow treasurer for his comments. As he indicated, the Commerce and Works Directorate was established in November 2012. So this year's appropriation provides the directorate with its first full year of funding. The new directorate has three main business functions: Shared Services, the ACT Revenue Office and the ACT Insurance Authority.

The directorate also provides policy advice on government business enterprises. Some of the directorate's priorities in the coming fiscal year include the implementation of taxation reforms in order to deliver the territory a fairer, simpler and more efficient tax system—something I am sure we all support, Madam Deputy Speaker.

Importantly, in this coming fiscal year the government will be further lowering conveyance duty and the duty on insurance premiums. The duty on insurance premiums dropped to six per cent. I think that makes it the lowest duty in the country, and in two years time it will be abolished altogether.

The government is boosting the first home owner grant in this budget to \$12,500, up from \$7,000. Importantly, in order to ensure that this move does not fuel house price inflation, the government is re-targeting it to new and substantially renovated properties from 1 September 2013. We want this additional boost to first homebuyers to be chasing new housing, not pushing up the price of existing housing. As well as providing that timely assistance to first homebuyers, the change also boosts the local construction centre and provides a real incentive to build new dwellings in the city. This sector is of course a key employer within the ACT.

In addition, the Revenue Office will be focusing on increasing tax compliance through education, through more targeted taxpayer communication and undertaking activities that uphold the integrity of the tax system. The integrity of our taxation system is very important—ensuring that people do not seek to avoid tax. It is critical not only to providing the revenue that the territory requires to continue to provide community services, but in fairness to taxpayers who do the right thing. What we see from time to time are those in politics who seek to encourage tax avoidance and who seek to devise schemes and ways in which people can avoid paying their fair share of tax. What that does is ensure that the burden falls even more on those who do the right thing.

In any society the vast majority of people will do the right thing and pay the tax that they should pay. But there will always be a small proportion who will seek to avoid tax, who seek to avoid making their contribution to society. I think the work that the Revenue Office does in this area to educate and to provide more targeted communication to taxpayers is important. It is why the government is supporting it and it is why the government will never support legislative means to avoid taxation such as those that have been proposed by the shadow treasurer.

The directorate will also be working in the coming 12 months to implement the active certification policy and safety as a weighted criterion within construction contracts. This policy started on 1 July this year. It is aimed at improving work health and safety

practices on ACT government construction sites. The ACT government will only pre-qualify construction contractors who demonstrate that they have in place and implement comprehensive work health and safety systems.

The directorate is also to administer the new procurement policy, which came into effect on 1 July—I spoke about it in question time today—to give small and medium businesses in the Canberra region a boost when tendering for ACT government contracts.

Enhancing the territory's ICT data management capability will also be a priority for Commerce and Works in 2013-14. This includes developing cloud strategies and server virtualisation policies, and migrating from the current aged Callum data centre to a newly leased, modern and energy efficient data facility. In addition, the program to replace ageing hardware components across the government's IT network will continue.

So as you see, Madam Deputy Speaker, the Commerce and Works Directorate plays a crucial role in ensuring that other agencies can deliver their services effectively, in ensuring that the territory's revenue systems are fair, efficient and robust, and in ensuring that the community is educated about their rights, responsibilities and obligations in relation to taxation. It is critical work. It is not necessarily the sexiest area of government but it certainly is critical work and important work that we are very pleased to support through this appropriation. I commend the appropriation to the Assembly.

Proposed expenditure agreed to.

At approximately 6 pm, in accordance with standing order 34, the debate was interrupted. The motion for the adjournment of the Assembly having been put and negatived, the debate was resumed.

Sitting suspended from 5.55 to 7.30 pm.

Proposed expenditure—Part 1.10—Justice and Community Safety Directorate—\$264,902,000 (net cost of outputs), \$43,767,000 (capital injection) and \$155,525,000 (payments on behalf of the territory), totalling \$464,194,000.

MR HANSON (Molonglo—Leader of the Opposition) (7.31): Turning to the JACS portfolio, I will address a number of issues. The first one is corrections. The committee report, at recommendation 44, states:

... condemns the ACT Government for misleading the community when the then Attorney General, Mr Simon Corbell MLA stated in 2007 that the Alexander Maconochie Centre would have adequate capacity for 25 years.

On the surface, if you did not read the transcripts or the report, you would perhaps think, "That's a bit past its use-by date, that one." But it is not because in this budget we find \$3 million for the AMC additional facilities design, and that is due to be completed by 2014. Phase 1, a 30-bed unit intended for therapeutic community use at

this stage, is being considered for fast-track preparation, and phase 2 is an 80-bed cell block which would be more of a medium-term solution.

It is relevant to go back to those dates because the reason this is now in the budget and the reason we are doing this is because of the mistakes that were made by this government and by the minister, Mr Corbell, back in 2007. As we would recall in this place, the original capacity of the prison that was promised by the government was 374 beds, which is actually the capacity that the government is now talking about essentially retrofitting to bring it up to. That was promised for \$110 million.

As we know, that is not what was delivered. The capacity was reduced to 300, and what 300 means has been debated. There are 300 beds if you count the beds everywhere, and transitional accommodation in the medical area. But the operational capacity, as we have discussed, is well less than that. The operational capacity was about 250 and has since been increased as a result of some additional bunk beds that have been put in.

Back when this was being considered by the estimates committee—and we had some debate today about whether ministers always tell the truth or whether governments should be held to account and estimates chairs should scrutinise governments—remember that it was Simon Corbell who said in 2007:

Yes, it is less than was originally anticipated, but it still provides us with significant capacity into the future. The advice I have is that it gives us that capacity—certainly for the next 20 to 25 years.

The projected planning for the prison in terms of population gives us real capacity to accommodate growth into the future and certainly gives us a facility in terms of its current bedding configuration, as currently being constructed—not its potential but its current bedding configuration—to meet our needs over the next 25 years ...

The government has retrofitted bunk beds and is now spending \$3 million—and the \$3 million is for the facility's design. The full cost will be I do not know how many millions but it will be tens of millions, to make sure that the jail has the capacity to compensate for this blunder by the ACT government and by the minister, Simon Corbell.

This jail has already cost us a significant amount of money. It was not the \$110 million that was promised. The price blew out to \$130 million in capital. With the accommodation that is being retrofitted, the bunks, the total capital cost would now be well in excess of \$140 million.

Madam Speaker, there are significant problems with the capacity. That is the sad tale that has been told over the last few years. Indeed it is something that I remember you inquired into as chair of the then JACS committee back in 2009.

There are other issues to do with corrections in the report. With regard to recidivism rates, I think they are important to get across. The government could make more effort to identify what that recidivism rate really is for the ACT jail. Also there are issues to

do with separation in the jail. This is something that has been an ongoing problem. It is something that could have been anticipated better by the government.

When you put maximum security through to minimum security people, remandees and sentenced all in the same spot, there are going to be significant issues. Just in 2012-13 there have been five reported assaults between sentenced and remand detainees. There have been three reported assaults of detainees in different classifications. In January this year there was a failure to separate prisoners that resulted in an at-risk prisoner being left with catastrophic injuries after being punched by another detainee.

I remember that the *Canberra Times* a while back described the jail as a shambolic fiasco. Whilst we are still spending tens of millions of dollars, as it will be, to compensate for this government's extremely poor planning back in 2007, the benefits of the jail, if there are any, are being significantly outweighed by the massive expense that this community is having to foot the bill for.

Moving to police, the committee has recommended:

... that the ACT Government provide the Assembly with full details of the impact of \$15 million cut to ACT Policing.

I note that the government has responded by saying that this will all be background stuff and it will not have any impact or effect on operations. But I note that \$6.2 million is equivalent to 45 police officers. In the *Canberra Times* on 7 June the AFPA chief executive, Dennis Gellatly, who was until recently a sergeant, I believe, in ACT Policing, and who would know this stuff, said:

It appears that the ACT government intends to wind back the clock on policing numbers in three to four years. It could result in the lowest police numbers per capita in Australia.

The AFPA have raised some significant concerns about what this means in terms of operational capacity. They also said that the government had failed to consult with senior members of ACT Policing, including the Chief Police Officer, and union leaders before the budget decision.

I am concerned about these budget cuts. It is a lot of money. As we know, whenever anyone says, "We're just taking this from the back end; it's going to have no impact on operational capacity," we know that that sort of squeeze on an organisation is very difficult to maintain without an impact on the sworn officers. We will certainly be monitoring that one over the coming years.

There are some additional amounts in the budget, which I commend. There is some more money for the RAPID. I think that is a great capability and I commend the government for having brought that in. It is making a difference. I think the additional money there is worthy, and the opposition supports that. That includes recruitment of a sergeant, seven constables and four dedicated traffic police. There is also some more money for random roadside drug testing which, as would be appreciated, the

opposition does support, having introduced the legislation for that capability. That seems to be rolling out pretty effectively based on what I can see.

Both the corrections and the police areas are very difficult areas for front-line staff. They are incredibly complex. Our police officers and our custodial officers put themselves in harm's way on an almost daily basis, if not daily basis. It is a good opportunity for us all to acknowledge the hard work that they are doing. Certainly, from the opposition's point of view, we will continue to maintain our focus on supporting the staff. In the corrections setting, we will continue to oppose the needle and syringe program, which the corrections officers are unanimously, I think, opposed to.

We will continue to look for ways where we can provide support to our police officers, as we did in the last Assembly where the opposition moved legislation regarding police assaults which would make certain offences prescribed offences against police officers—aggravated offences which would then carry a greater sentence than if they were conducted against someone else. It would make sure that the community gets a very clear message that police officers going about the course of their business should not be subject to the sort of crimes that we are seeing, particularly with the violent assaults that they confront. *(Second speaking period taken.)*

Moving to other areas within the portfolio, recommendation 45 was:

... that the ACT Government immediately establish a fifth judge in the Supreme Court of the ACT.

Recommendation 46 was:

The Committee recommends that the ACT Legislative Assembly Standing Committee on Justice and Community Safety Committee inquire into the management and the effectiveness of the ACT Supreme Court.

Clearly there is a problem with the Supreme Court. I think we all acknowledge that. The government acknowledges that. The delays of justice are completely unacceptable. I have probably heard members on that side bang on about justice delayed being justice denied, and I do not disagree. But it is clear that justice is being delayed and justice is being denied in the Supreme Court.

We have repeatedly called on the government to appoint a fifth Supreme Court judge. There are actions that the government has taken but they do not appear to be having the effect that we need. The Victims of Crime Commissioner told the justice and community safety committee in March 2013 that victims of sexual assault in Canberra would be traumatised by waiting for up to five years for justice in the Supreme Court.

We hear this lot bang on about human rights, don't we, Madam Speaker? But when it comes to the rights of people who are there for their day in court, be they the victims of violent assault or people waiting for multimillion-dollar decisions, justice is being denied. This government are largely sitting on their hands and allowing this to go on as they have now for years and years.

Minister Rattenbury regularly talked in the last term about an evidence-based approach to policy. What more evidence do you need that we need a fifth Supreme Court judge? I think that it is compelling. Certainly the issue is supported by those in the fraternity. The Bar Association, the chamber of commerce, the Law Society and so on all back the need for a fifth judge.

Accountability indicators for 2012-13 show that 10 per cent of criminal cases in the Supreme Court are pending for more than 24 months, and 24 per cent of civil cases are pending in the Supreme Court for more than 24 months.

Moving to the DPP, recommendation 38 of the estimates report says:

The Committee recommends that the ACT Government not proceed with the proposed cuts to the Office of the Director of Public Prosecutions and review the funding for the Office to ensure the capability and funding of the office matches the workload.

That is because the funding for the DPP reduces by \$110,000 from 2012-13 to 2013-14. \$52,000 of that is a reduction due to the cessation of the one-off allocation to assist with the Supreme Court blitz and the remaining reduction is due to a savings measure imposed by the government. With regard to that, Mr White talked about the workload on the DPP. He said:

When I was appointed, the historical levels of Supreme Court trials conducted a year was something in the low 30s; they are now trending in the 60s, so that is almost a doubling of Supreme Court trial output ... I would say that, for every two trials that are run, there is probably one trial that is prepared and not run and ends in a plea of guilty or whatever at the last moment. So running 60 trials probably represents preparing about 100 trials. So, that is a massive increase in that area ...

The DPP said that there are days when they struggle to find anyone to get to the court on a particular day. That is an entirely unsatisfactory situation. When we talk about all of these areas, be it corrections, the courts, the DPP or the police, they are all interconnected. A delay in the justice system, in the court, means you will have people on remand waiting at the jail for longer than they should be, and that exacerbates the problems there.

If you are not resourcing the DPP it means that it is very difficult for them to bring issues to trial. There are frustrations with the police because if they are out there on the ground and they know that the hard work that they do results in the perpetrators of crime not having their day in court, and essentially justice not being delivered, that is a real frustration for the police. Most important, I think—and this is something that is sometimes missed, particularly by this government—are the victims of crime. At every step they are the ones that wear the burden of what is happening in our justice system at the moment.

I often talk about the need to rebalance the scales of justice. We know that justice is the statue with the scales that are meant to be balanced; you see it outside many courts.

We are meant to have scales that are in balance, but in this jurisdiction over the last 12 years of this government we have got out of balance. We have seen the victims of crime and those who are endeavouring to maintain justice within our community being let down by this government.

It is an incremental slide; it is a bit here and it is a bit there. It is about taking some money out of the DPP, it is about taking some money out of the police, it is about not appointing a fifth Supreme Court judge, it is about not delivering a jail that has the right capacity. There are a myriad of different things that this government have done that have eroded the capability of the justice system to provide the justice and community safety that they should be doing.

I think there are some very good recommendations in the report. I am disappointed that in the majority of cases the government are not going to adopt them. But from the point of view of the opposition, we will continue to articulate the case for those measures and we will not let this government get away with what they have got away with to some extent over the last 12 years, with the support of their Green allies—that is, this further erosion of our justice system.

MR SMYTH (Brindabella) (7.48): I want to address the Emergency Services Agency portion of the Justice and Community Safety budget. There are a number of recommendations in the report on ESA. The first one looks at the government investigating an additional Bronto, which the government, I am pleased to say, has noted rather than not agreed to. I am told that modern firefighting technique, particularly in the high-rise context, suggests that you can use one high-rise platform but that two are preferable because if something goes wrong and somebody is at the top of a high-rise platform that is not working, there are all sorts of dilemmas. Particularly in a city where more and more high-rise buildings are coming into the community, it is important that we have the assets should they be needed. So it is pleasing to see the government note it rather than just outright say no.

Recommendation 48 looks at capabilities. This ties in particularly with the Auditor-General's report, which said that the government were not compliant with the Emergencies Act because they did not detail in the plans all the resources that are required to look after the ACT. Recommendation 48 says:

The Committee recommends that the ACT Government release all internal reviews and documents relating to the capability and funding of each of the four emergency services of the Emergency Services Agency.

What was the government's response? We are in this new era of openness and accountability, of transparency, collaboration, participation. And what is the answer? It is:

Not agreed.

They are not going to let it be agreed to. The minister took this on notice so I am not surprised by the response. The response to the question on notice was, "We have

released some of the internal reviews, but the others are internal and they are of no interest to the community or we are just not releasing them at all.”

There is a lot of interest about this in the community. When you take it in the context of what the Auditor-General says in her report 5 of 2013, it is quite important. It is worth reading the government’s response:

As per the Government’s response to an Estimates question taken on notice during the 2013 Estimates hearings, a number of internal reviews that have been undertaken are considered to be financial, budget or commercial in confidence or are of an internal operational nature that is not considered appropriate for public release.

What is it about internal operational nature that is not considered appropriate for public release? This is the whole problem, in this country, of combating bushfires. In 2004 the Ellis, Kanowski and Whelan report made it quite clear that time and time again we forget what happens. We go into a flurry of activity after fires: you see governments throw money at emergency services and you get your reviews that come through, whether they be royal commissions or coronial inquiries. Then there is another round of recommendations where governments inevitably agree to everything, throw another round of money in and then think, “Job done.”

Ellis, Kanowski and Whelan talk about the bushfire cycle, particularly the cycle of complacency that says, “We have fixed that problem. It has gone away.” It does not go away. You only have to read the operational history of all the various fires in the ACT that is outlined very clearly in the Auditor-General’s report. There is a major fire in the ACT about every seven or eight years. So at 10 years from the 2003 fires, we are overdue for a major event.

What we have got is an Auditor-General who says that the government do not comply with the law because they do not detail what is required to meet this need. I know that there are reviews that tell the government what is required. This year’s budget is interesting; it is actually quite a change. The minister has finally admitted that these reports exist; until now they have just denied that such reports existed.

I am told that some years ago the four service chiefs were all asked to give a sort of gold, silver and bronze appraisal of what was required. When they were submitted to Treasury, Treasury added them all up and came up with a number of \$72 million and that was the ESA budget for that year. It bore no relation to what was required.

That is why it is important that these reviews be made public. Let us see what they are. Are they are considered to be financial, budget or commercial-in-confidence, or of an internal operational nature? For internal operational nature, read: facilities and equipment required to be prepared to cover the ACT in the event of an emergency, whether it be a flood, a bushfire or some other sort of catastrophe.

In the Auditor-General’s reports, there are a number of recommendations that tell me that the cycle of complacency still exists. One of the recommendations was: “We are not sure your emergency warning system works. Test it more regularly.”

We are all aware of the disaster that was the large fire at the recycling facility at Mitchell. That could have had dire consequences, but thankfully did not. But on that occasion the system did not work. We found out that the dongle was held by a staffer who would often go home and who was not even on duty. So we have a 24-hour comm centre but the dongle is at home with the staffer on duty. On one occasion that staffer had to be woken up and brought in so she could send out the messages. That is not fair to the staffer, but more importantly it is not fair to the community. That is why it is important that these requirements are made public and we have a real discussion about what is required to protect the ACT. It is a shame that the government just says, "Not agreed."

I have asked for these reports for four or five years now. I have been fobbed off in various directions. They have said, "We do not understand what you mean. We did not find reports like that." Now we know that they exist; at least in this new era of transparency we are edging closer to the understanding that such reports and appraisals exist. It is not unreasonable to ask that they be made public, and it is a shame that the government has taken this approach.

Another issue that the Auditor-General talks about is cooperation. She says this in her report:

A number of areas of activity (for example, prescribed burns, infrastructure projects and fire fuel management) set out in the Territory and Municipal Services Directorate's Bushfire Operations Plan require collaboration in, and between, ACT Government agencies. While this has been particularly effective for hazard reduction burns—

so well done—

where it is apparent that ACT Government agencies are achieving more effective fire management and ecological outcomes, this is not the case for infrastructure projects.

One of the things that the Auditor-General makes quite clear in her report is that the cooperation between agencies is less than optimal. She cites one particular example, the Mount Franklin Road, which runs for 78 kilometres from north to south in Namadgi. She says:

In January 2011 the road was approved for construction, with the first of three construction phases due for completion in December 2012. However, the upgrade of the road has encountered major delays and increased costs associated with the management of the development application and environmental approvals process and its construction since 2006.

It was meant to be done by December 2012. Here we are in August 2013 and it is still not done. There is a familiar pattern here, members, of delivery of vital emergency services activity under this minister. It has not been done. Here are some of the reasons why:

... the environmental impact statement and the development application process took four years longer than originally anticipated by the Territory and Municipal Services Directorate. The Territory and Municipal Services Directorate asserts:

. administrative costs associated with the approval process increased from an initial estimate of \$120,000 to in excess of \$850,000 over this period ...

They must have been charging by the hour. If the government agencies cannot get their act together to provide the infrastructure that firefighters need to combat the threat of bushfire in the ACT, we are in a pretty dire state.

This comes after 2003. We had the anniversary celebrations earlier this year. We said, "Yes, we remember. We have not forgotten." But apparently we have, because we have still got a government that cannot coordinate activity. Remember, of course, that we are now in the one government, aren't we? That is right—one public service. We are all working together. Three board directors. The admin costs—this is just an approval process, members—went from an estimated \$120,000 to in excess of \$850,000 over the period. And the report says:

... construction costs increased from an initial estimate of \$200 000 in 2006 for the first 42 km—

so it is not even the full road—

of upgrade to an estimate of greater than \$1.8 million based on the construction work to date.

Yet again we have got a government that cannot deliver capital works projects, but there are dire consequences on this capital works project.

Mr Corbell was a firefighter back in 2003. I am not sure if he was up in the mountains before the 18th, but he was certainly there on the 17th and the 18th. But I was up on the Franklin Road before the 18th, between the 8th and the 18th. At one stage the Franklin Road was the only road that we could get in and out of. And at one stage, in an absolutely audacious bit of firefighting, the fire controller, because the wind was going to shift, took all of the firefighting units and moved them from the northern end of the fire to the southern end of the fire. (*Second speaking period taken.*) We drove through the fire at a very quiet time and set up the control lines at the southern end. But we only had one road, and units were assigned to keep that road open all night in case we all had to get out of there in a hurry.

This road is vitally important. If you are going to protect the western fringe of the ACT, the suburbs, you have got to be able to get in; you have got to be able to stop it. Here we are 10 years after the fire, and we cannot get our approvals process together. It goes from \$120,000 to \$850,000, and we cannot even construct the thing. It has gone from \$200,000 in 2006. Seven years later, we have not even finished the first 42 kilometres and it is now more than \$1.8 million.

I hope the minister takes what the Auditor-General says seriously. I know that he says that she praises their framework. Framework is well and good, but I do not think framework has put fires out. They might be a springboard for something, but only time will tell. If you are not going to provide the assets, whether it be roads or whatever else is required, and they are not going to be ready when the season

comes—and the seasons do come, as we all know—then we have not learned the lessons of 2003, complacency has slipped in and we are doomed to have great sadness yet again.

Recommendation 49 goes to a museum for the ACT Rural Fire Service. Those who are proposing this—I have been pushing this for a long time, but a small group has taken that task on board and they are doing a great job—wanted to have it open for January this year, for obvious reasons. It is not open. I understand that everybody is in favour of it—the head of the Rural Fire Service, the head of Emergency Services. The minister is supportive; the members of the committee were supportive. But we still do not have it.

What is so hard about finding a space to even, in the initial instance, put up a temporary display? But we need to put up a long-term display that we can use to make sure people remember, a display that we can bring young Canberrans to so that they know what the consequences of the bushfire season are—and, indeed, the consequences of arson: a large number of our fires are still started by arsonists, and often it is small fingers with matches and a dose of boredom. It would be a great place to educate the young; it would be a great place to tell the story and commemorate those who have served and remember those who unfortunately died. But here we are. Recommendation 49 says:

The Committee recommends that the ACT Government expedite the establishment of an ACT Rural Fire Service Museum.

And the government's response is:

Noted.

The ACT Rural Fire Service Museum working group is continuing its work to develop recommendations for the Government's consideration. Funding for a proposed RFS Museum would need to be considered in the context of future budget priorities.

It is interesting. Everybody seems to be in favour of it, but out of the government there does not seem to be a great deal of action. I think that is a shame.

There are many other areas to discuss in the whole ESA equation. There were a lot of issues discussed, particularly debriefs for staff when they come back from situations. But it is important to get to the nub of this. The nub of this is making sure that you have got the personnel, the equipment and the resources to fight fires.

The minister should release the documents that he is sitting on. They are clearly uncomfortable about releasing those because they would show they do not have the assets to meet the requirements as laid out in the strategic bushfire management plan. If they did, then of course they would make them public. I hope that they do become public soon. We are just months away from what potentially could be a big grassfire season. Whilst some good work has been done, there is much more to do. The price of keeping this city safe from bushfires in particular is constant vigilance, and any hint of complacency creeping in is to be resisted at all costs.

MS BERRY (Ginninderra) (8.02): I want to highlight two items within this output class. The first is the proposed expenditure to fund the recommendations of the getting them home safely report, including 12 additional work safety inspectors. This will have a significant impact on working Canberrans across a range of industries, especially those that require workers to work in potentially dangerous or intensive sectors. There have been too many tragic incidents on construction sites, and I am very pleased to see that WorkSafe ACT will be receiving a much-needed boost to look after working people in this town.

The second appropriation that will also make life easier for Canberrans doing it tough is the provision for those who might be struggling to pay back motor vehicle infringements. Getting a traffic fine happens to many of us and, whilst we do not like it, we do our civic duty and pay our infringements quickly if we can. For some, however, receiving an infringement can put significant pressure on the family budget.

Recently at the Dunlop shops I was chatting to a neighbour of mine who has been without a licence for some time. She is a single mum who is raising three teenage boys, two of whom are at an age where they are starting to learn to drive. Because she has no licence, she is unable to help them with lessons, and this has put not just an emotional but financial strain on the family budget, having to scrape together a significant amount of money to pay for the private lessons that are required. Fortunately for her, the commitment to provide more flexible arrangements for managing motor vehicle infringements budgeted for in this appropriation will allow her to manage her repayments and see her able to get her licence back in a more timely manner and help her sons to learn this important life skill. I am happy to speak in favour of these budget allocations for the Justice and Community Safety Directorate.

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) (8.04): This year's budget provides just over \$420 million in recurrent expenditure and nearly \$44 million in capital expenditure to the Justice and Community Safety Directorate. I will speak this evening about a number of important initiatives which are being funded as a result of this Labor budget.

The first is funding of just over \$1 million to provide rental accommodation for the community legal centres hub for the Welfare Rights and Legal Centre, the Women's Legal Centre and the Tenants Union. This funding will assist those organisations in the development of a purpose-built hub which will share a range of facilities and services and create significant synergies in those groups working together as they provide the vital service of community legal advice, often to those who are on lower incomes.

There is also just over \$1.5 million to expand the appointment of official visitors to protect vulnerable people in open environments, particularly people with disability and those at risk of homelessness, as well as the appointment of Aboriginal and Torres Strait Islander official visitors.

The government is also making investments in a range of important pieces of infrastructure. For example, the ACT legislation register is a critical system to the operations of the government as a whole. The register is where acts of the Assembly legally take effect, and it is also the verified formal record of acts adopted by this place. The 2013-14 budget, therefore, will provide just over half a million dollars to commence the planning work needed for the redevelopment of the register, which is now 12 years old.

The government continues to provide funding and increases for the pay of important statutory office holders. Totalling just over three-quarters of a million dollars, increases in remuneration have been made available to the human rights commissioner, the Director of Public Prosecutions and the Solicitor-General of the ACT as a result of Remuneration Tribunal decisions.

As my colleague Ms Berry has just indicated, the government is making a major investment in improving workplace safety. The budget is providing just under \$6 million over four years for 12 additional staff and five additional vehicles for WorkSafe ACT to increase its capacity to regulate the construction industry in particular and, more broadly, all workplaces and ensure that WorkSafe has better expertise in the investigation of complex breaches of legislation.

This initiative delivers on our budget commitment to implement the inquiries of the *Getting home safely* report and to ensure there is a stronger and more proactive capability within WorkSafe ACT to deal with bad work practice; work practice that all too often tragically leads to serious injury or death on ACT construction sites.

The government continues to provide funding for some important capabilities in emergency services—in particular, just over \$4 million over four years to provide additional funding to support the ACT Fire and Rescue platform-on-demand capability. This capability is designed to transport and deploy specialised equipment, such as urban search and rescue and hazmat equipment, to the scenes of critical emergency events. The PODs, or platform on demand, capability is an efficient approach to managing and resourcing major incidents, and this initiative will allow this capability to be deployed on a 24/7 basis.

There is also \$10 million over two years to enable the ESA to continue to meet increases in its employee, workers compensation, supplies and services costs whilst maintaining emergency response capability. I am very proud that there is just under \$18 million over four years for a new fire station in south Tuggeranong in the Calwell-Conder area as the next step of the government's emergency services upgrade and relocation strategy. I am sure all members, particularly those who represent Brindabella, will welcome this commitment, as it builds on the relocation strategy being implemented now at Charnwood and will see better fire coverage for residents of the Lanyon valley.

The government will also continue to invest in broader aspects of community safety as a result of this budget. I acknowledge the support expressed by Mr Hanson for the funding of just over \$5 million to expand ACT Policing's road safety operations team.

This will assist in the enforcement of drug and drink-driving legislation and also enhance the delivery of road safety in the ACT.

The provision of an additional four dedicated vehicles with recognition and analysis of plates identified cameras, or RAPID technology cameras, will allow police to instantaneously identify if vehicle registration is identical to one on a vehicle-of-interest list. This includes up-to-date listings of unregistered vehicles, stolen vehicles, vehicles owned by suspended or unlicensed drivers and vehicles associated with persons wanted on a warrant. This is all about ensuring more police, higher police visibility and safer roads for the community.

The government is also implementing the measures adopted by this Assembly for mandatory alcohol interlocks. Some \$1.5 million over four years is being provided for the introduction of the mandatory alcohol interlock scheme to ensure that all ACT drivers convicted and found guilty of high-range and repeat drink-driving offences are required to have interlocks fitted to their vehicles. This tackles the particularly difficult issue of recidivist drink-driving and means Canberra's streets are a safer place to drive as well as assisting those convicted of drink-driving offences with getting their driving behaviours back on track.

Some \$1.5 million is being provided to replace and upgrade six fixed red light speed and six mobile cameras to ensure the technology remains capable and up to date. The government is introducing another of its election commitments with \$4.4 million in revenue discounts over four years for the rewards for safer driving scheme, which will implement discounted drivers licence fees for those full licence holders who have had no demerit points and no traffic infringements for at least the last five years. The government believes it is important to send positive signals and reward good driving, and this initiative—a discount on drivers licence fees—is a direct and material way that we can demonstrate this reward. Of the almost 218,000 ACT drivers licence holders, approximately 61 per cent of them are anticipated to be potentially eligible for this discount.

As you can see, Madam Speaker, the government has a comprehensive program to address a range of issues, improve community safety, improve access to justice and improve the policing and community safety in our city.

I will turn to a couple of the issues raised in the estimates committee report. First of all, there was some commentary from the committee in relation to the issue of a fifth judge for the ACT. It is worth reiterating in this debate the rationale for the government's position on not proceeding with the appointment of a fifth resident judge at this time. Comparisons of data between total lodgements—criminal and civil—per judicial officer show the ACT Supreme Court has a lower number of matters per judge than the superior courts of New South Wales, Tasmania, Queensland and South Australia. The ACT Supreme Court's workload is only slightly higher than that of Victorian and Western Australian superior courts, and only the Northern Territory has a clearly lower workload.

This comparison shows efficiencies remain to be achieved in how the ACT Supreme Court deals with its civil and criminal lists as compared to other jurisdictions. It is

simply not the case to assert that our court is overloaded. It is not overloaded. The number of matters per judge is the lowest of almost every other jurisdiction in the country. The only jurisdiction that has a lower workload than our court is the Northern Territory.

This highlights that we do not have a higher workload per judge compared to other jurisdictions; therefore the government continues to support the court in improving its efficiency and the way it manages its workload. The government has introduced a new docket system into the court and has provided funding for that. It has provided funding for the blitz of outstanding cases. It has provided funding to deal with improvements to IT systems. It has reformed the jurisdiction of the Supreme Court and the Magistrates Court. It has undertaken a range of measures to ensure the court can restructure the way it manages its workload.

We will continue to do that in cooperation with the courts to improve efficiency, to improve case management and to improve more timely access to justice, and we will do that in a way we believe will be much more effective in terms of the overall performance of the courts.

I note that Mr Hanson in his comments referred to the evidence given by the Victims of Crime Commissioner about delays and the impact of delays on victims of crime. These matters are well worth reflecting upon, and the Victims of Crime Commissioner is quite right to raise them. I draw Mr Hanson's attention to an article by the Victims of Crime Commissioner published in the *Canberra Times* on 2 August this year. He said:

The appointment of a fifth judge to the ACT Supreme Court is not the silver bullet that many seem to believe will address delays in our Supreme Court, which has the biggest backlog of any supreme court in Australia.

There are other steps that need to be taken first to address listing practices and procedural issues that contribute to delay. Unless these underlying issues are addressed, a fifth judge is unlikely to produce long-term change

I welcome the comments of the Victims of Crime Commissioner in this respect. He sees the direct impact of delay on victims of crime, but he recognises that procedural reform and case management reform are essential if victims of crime are to get justice.

This budget continues a strong Labor government record of improving access to justice, strengthening our emergency services and keeping our city safe. I commend the budget to the Assembly.

MR RATTENBURY (Molonglo—Minister for Territory and Municipal Services, Minister for Corrections, Minister for Housing, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for Ageing) (8.16): The 2013-14 budget provides resources of over \$50 million for the Corrective Services output. This funding will enable ACT Corrective Services to continue to deliver its important role of delivering safe and secure custody for detainees with a strong focus on rehabilitative, educational and vocational programs. Those resources also enable Corrective Services to

effectively manage unsentenced offenders and community-based corrections programs and to provide important advice and services to the ACT justice system.

The ACT Corrective Services component of the budget will also allow continued planning for future requirements, and that particularly relates to the forward design work on the provision of additional accommodation options at the Alexander Maconochie Centre. Mr Hanson spoke about that at some length. I do not particularly see a need to reiterate his account of what has been provided with the various stages of that design work. But the work is progressing, and I think it is appropriate it is funded in this budget, given the needs that have emerged at the Alexander Maconochie Centre.

Another key feature of the budget is that ACT Corrective Services has been identified as one of the areas that will go through a detailed review of its operations. This review will examine ongoing and recurrent expenses and determine the most effective delivery models to support strategic priorities. I welcome this opportunity to have a thorough look at the services that are provided by ACT Corrective Services to assess what are the true resources needed and whether efficiencies can be made and whether there are gaps in what is being addressed by ACT Corrective Services.

It is a tough job that ACT Corrective Services do. They receive people who often have very complicated and complex life stories and they come into the corrections system often having been through a series of other steps before they end up in jail. I commend the work the staff of ACT Corrective Services do in seeking to deal with the people that come to them. I also commend the many community organisations that assist ACT Corrective Services in providing contact with detainees in the Alexander Maconochie Centre. Many groups in the community provide a range of supports to detainees, and that amplifies the work Corrective Services are doing.

Since I have become the minister I have certainly been very impressed by the dedication of the staff in Corrective Services and their passion for making a difference in people's lives; people who have, for a range of reasons, found themselves in the corrections system. The energy and enthusiasm of Corrective Services staff to both do a difficult job very professionally and try and make a difference to the lives of those detainees is very impressive.

I note recommendation 43 of the estimates committee, which the government does not agree with. This is where the committee recommends that the government provide the Assembly with details of recidivism rates for ACT prisoners for the last 10 years. Of course, this covers a period before the Alexander Maconochie Centre was opened when ACT prisoners were sent interstate to New South Wales to serve their sentences. The reason I did not agree to this recommendation and why the government took that position is consistent with the answer provided to a question taken on notice. Basically, while it may be technically possible for Corrective Services to undertake the work to retrospectively identify a recidivism rate for ACT detainees held in New South Wales prior to March 2009 when the Alexander Maconochie Centre opened, this would involve an extraordinary level of research and an allocation of resources I do not think can really be justified. Old records, including archived files, would need

to be located to identify who the detainees were and then seek to measure their recidivism rate.

The uncertain nature and the difficulty of finding this data certainly has the potential to undermine the accuracy of it. In addition to the considerable resources involved, I simply do not believe this is work that is warranted. We are now in a period where the Alexander Maconochie Centre has been open for long enough that accurate recidivism data is starting to come through. I think it is fair to say that this is data the government is very focused on. A key goal of the ACT government is to ensure people who come into custody do not come back into custody. That may not happen straight away, but certainly the considerable investment in the through-care program, which is providing support for people after they leave the AMC, is very much designed to maximise the likelihood of somebody not re-entering the corrections system or perhaps not re-entering it in such a severe way or not re-entering it as quickly as they might have in the past. I think we need to be realistic about some of the people who are brought into the corrections system. It will take some considerable work to help some of them put their lives back on track and to break the cycle of crime some people have found themselves in.

I should be quite clear that the rejection of this recommendation does not reflect the fact that the government is not focused on this issue but, rather, that the resources required to do it and the potential for inaccuracy make it unjustifiable. I would rather see those resources going to some of the other pressing issues the corrections system is facing. I will leave it at those few remarks for my responsibilities in the Justice and Community Safety Directorate.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.11—Environment and Sustainable Development Directorate—\$68,992,000 (net cost of outputs), \$10,455,000 (capital injection) and \$1,800,000 (payments on behalf of the territory) totalling \$81,247,000.

MR COE (Ginninderra) (8.23): The Environment and Sustainable Development Directorate is of course a critical service delivery arm for the ACT government and one that I think the vast majority of Canberrans would have contact with, whether they know it or not. The impact of the decisions made in the directorate will, ultimately, physically shape our city and surrounds. It is for that reason that it is absolutely vital that the government get the policy settings spot on when it comes to this very important directorate.

The ESD Directorate, I think, is perhaps somewhat unique in that it has the old ACTPLA statutory authority incorporated within it. This is of course a statutory authority that Simon Corbell, as an opposition member, championed. He championed the need to have a chief planner and of course now he has, in effect, done away with that goal which he had when he was on this side of the chamber 12 or 13 years ago.

The issue of a single nature conservation agency is one that the opposition raised during the estimates process and in other fora since and before. We think that this is something worth pursuing and we know that there are many community groups—and

perhaps even the government—that are supportive of this approach. However, it seems that the government do not have any real intention to make this a reality. In his response to this debate, the minister responsible might clearly articulate what the government's view is on a single nature conservation agency and what the time line is, if they are indeed committed to making that a reality.

One of the other things that we discussed in the estimates committee was an issue about calculating emissions, and we actually had quite a detailed discussion. I am grateful to the officials and to the minister for their cooperation in trying to give us the information we were looking for. But one thing that was crystal clear was that the calculating of emissions is not crystal clear. There are so many vagaries, there are so many assumptions, there are so many variables that I think we need to be very careful when we make policy decisions based on quantifying emissions. It is a very risky approach and whilst I am not saying that they are inaccurate, it would be a stretch to say that they are accurate. Therefore, we do have to approach any such calculations with extreme caution.

An interesting note which is visible on page 249 of budget paper 4 is the proposed estimated employment level for 2013-14. The directorate will see a cutting of 29 full-time equivalent staff. If you look at note 3, it says that the decrease of 29 FTE in the 2013-14 budget and the 2012-13 estimated outcome is due to savings initiatives. Where was that in the election campaign, that actually there would be an efficiency dividend within the ACT government, such that they would be cutting staff?

If you listened to the TV ads, either paid for by the Labor Party or by one of their very closely associated entities, you would have thought that the cuts would be from the other side of the chamber. But no, there in ESDD they are cutting 29 staff. But it is all right because it is by natural attrition. That is usually what is proposed and is usually what the Labor Party cry foul at. So I think it is somewhat hypocritical for the government to be proposing natural attrition for an efficiency dividend which cuts staff when they, of course, had mock outrage during the election campaign just nine or so months ago.

Turning to ACTPLA, which is of course a bit of a boiling cauldron within the ESD Directorate, there are so many issues in ACTPLA. I think the main issue is the fact that the territory plan has become so complex, so difficult to read, so incomprehensible, the pendulum has swung way too much in favour of the government that pretty much it is now at a point whereby if the government wants to do you in, it can. The government has got all the power in the world to stop a development or to issue some kind of violation.

It is interesting that one of the officials during the estimates discussion said, at estimates page 714:

With respect to everybody on any given job, particularly as the jobs become more complex, you can always find a fault if you need to. The seriousness of the fault is what you are looking for.

What that means is that ACTPLA and the officials there are pretty much empowered, should they use their discretion accordingly, to stop or to find faults in any construction project. I do not think that is the certainty, and I do not think that suits the risk profile, that we want in an economy that is struggling.

We have a private construction sector which is struggling around Australia but especially struggling here in the territory. I think you need to be very careful not to put even more hurdles in the way of the construction sector. And when you have those kinds of issues, those kinds of decisions, it is no wonder that you are seeing competitive federalism in action here in our region and seeing people invest over the border in Jerrabomberra, Queanbeyan, Tralee or Googong. That is what competitive federalism is meant to be.

But competitive federalism also was meant to mean that we would compete too. But at the moment it seems we are simply giving in and allowing the Queanbeyan City Council to take all our investment. We need to make the ACT a far more attractive place to do business than it currently is.

One of the other huge issues in this space is of course DV306, and it is something that was litigated earlier today and of course has been discussed on numerous occasions in this place. I stand by my comments earlier that the opposition is proud of the decision that we took to oppose draft variation 306. It is complex, it is incomprehensible, it cannot be carried out and, quite frankly, I think that the ACT government are going to have to change it, whether it be by a full variation or by a technical variation. What they have put in place in DV306 and now variation 306 is not workable and is to the detriment of the industry. And that is why we are seeing Denman Prospect collect perhaps half the yield that it should have. Instead of collecting \$100 million for the ACT taxpayer, we are apparently looking at around \$55 million.

So there is a very real and tangible impact of draft variation 306. It is not just a principle, it is not just something on paper, it is not just a notion; it is a real impact, quite actually, quite physically, on the ground.

Another issue of course confronting ACTPLA and Canberrans is DV304, the supermarket policy, and I do urge the government to show more respect for the community and more respect for industry groups when they are consulting and, what is more, acting on that consultation on DV304 (*Second speaking period taken.*)

The government has not got the best of track records when it comes to supermarket policy. We have had, it seems, umpteen supermarket policies in the last five or so years, and DV304 reflects yet another iteration in the development of bad supermarket policy here in the ACT. And I think it is high time that the government actually developed a sensible strategy and stuck to that strategy, actually allowing people the confidence to invest under a single supermarket policy, not one that is anticipated to be chucked out in a year's time for whatever happens to be the flavour of the month.

I hope DV304 is properly consulted on. I hope the very important retail sector is heard and I hope that some of the more ridiculous changes in DV304 do not become a

reality and that they are struck out before the variation is presented to either the planning committee or this place.

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) (8.35): This year's budget continues the strong record of the government in improving the sustainability of our city, improving the strategic planning of our city and ensuring that as a city we are placed to meet the economic, social and environmental challenges of the next hundred years. This budget makes a number of important commitments in that respect when it comes to the Environment and Sustainable Development portfolio.

Whilst I will not venture into the detail and specifics of the capital metro project at this time, I will simply observe that in the current allocations for this portfolio \$1.4 million has been provided for the development of a master plan to examine areas for future network expansion of the light rail project. This is important in ensuring that the planning for capital metro is not simply one line from point A to point B but part of a broader plan to strengthen and provide rail services across the city, over and consistent with a master planning arrangement.

The government will continue to establish its overarching framework for the development of the city centre. The city plan sets out the spatial and urban planning frameworks for the city centre. It will establish directions for change that will inform both private and public investment, assist with decision making to support the city centre's cohesive and long-term viability, vibrancy and as a place to live, work and do business. The city plan will identify opportunities for growth and change and will also incorporate elements of the city to take project initiatives and establish a clear path for the city centre in its local, regional and national roles. And the integration of public transport into the city plan is critical.

The government continues also with its strong program in relation to achieving reductions in our city's greenhouse gas emissions and strengthening the pathway towards a more sustainable future. The government has set out its climate change strategy in action plan 2.

I note Mr Coe's commentary that he is very concerned, apparently, about the accounting methodology for greenhouse gas reduction. If he was so concerned about it, why did he not make a recommendation about it? He did not say anything in the committee when it came to recommendations in the report about problems with the methodology in relation to greenhouse gas. And the committee did not even make any recommendations either. Nothing was said on this matter.

So either Mr Coe did not talk to his colleagues or give enough feedback into it or perhaps they just thought he was wrong when it came to the issue of greenhouse accounting methodology, because he knows, or should know, that those methodologies are nationally consistent methodologies and are administered not by the government but by the ICRC, an independent, arm's-length, expert body, commissioned and required by law to produce a greenhouse gas inventory for the city each year. If Mr Coe has an issue with that, perhaps he should take it up with the

ICRC. Perhaps he should tell the ICRC how they got it wrong. Perhaps he should explain to the ICRC why their methodology is flawed. I look forward to hearing from Mr Coe on those matters.

The government will continue also in relation to making the switch to renewable energy generation. The government will continue with its program in relation to the large-scale solar option, and we anticipate that this will be expanded in future years to include other renewable energy technologies such as wind and potentially biogas.

The government also continues with its energy efficiency cost of living improvement scheme, which will support over 70,000 households and businesses with the benefit of energy saving products and advice. This will not only cut household electricity bills by around \$300 over the three-year period of the scheme but will also abate approximately three-quarters of a million tonnes of greenhouse gas emissions. A scheme that saves money and greenhouse gas emissions is a good scheme for our city.

The government will continue in this year's budget to support major collaborative efforts between our university sector and the government. The Canberra urban regional futures program is being strengthened with support in this budget to improve and sustain its activities. The government is honouring its election commitment to provide funding to this very important program. The Canberra urban regional futures program, a joint initiative between the ANU and the University of Canberra, highlights the fact that a sustainable working environment is critical for our city's future prosperity.

CURF is a vehicle to facilitate collaboration among governments, researchers, business and community organisations across Canberra and the surrounding region. The government will continue to undertake measures to address this program, and the government will continue to engage with this organisation as we build our sustainability agenda.

The government will also continue tackling some of the issues of concern in policy setting and service delivery when it comes to other aspects of transport. For example, the government will continue to develop measures to look at how parking need can continue to be managed as our city grows. \$50,000 has been set aside to establish the parameters for the operation of the parking offset fund. This will provide the opportunity for developers to make contributions where adequate parking cannot be provided on site due to site constraints or economic reasons.

To complement this work, the government will also undertake a review of the adequacy of parking provision rates, focusing on how changes to land use policy for transport affect the rate of parking in the ACT. This will ensure that parking is adequate now and into the future as demand changes and will also provide for more sustainable outcomes as we shift away from what was often a very costly parking provision to more efficient alternatives.

The government will continue with a range of other important programs to help low income earners. Through our outreach program, for example, this directorate will continue to provide support for low income Canberrans to reduce their resource

consumption and provide a positive outcome for these households, one which also benefits the territory as a whole as we work towards reducing our impact on the environment. This budget funds the development of key policy frameworks to guide Canberra's transition to being a carbon neutral city, with sustainable transport and affordability the focus. I commend the expenditure to the Assembly.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.12—Capital Metro Agency—\$3,000,000 (net cost of outputs) and \$5,000,000 (capital injection), totalling \$8,000,000.

MR COE (Ginninderra) (8.42): I have a sense of *deja vu* about this discussion. I do not think it will be the last time that we in this place will be discussing the merits of capital metro or, perhaps more so, the way in which the ACT government have gone about their commitment to spending \$614 million of taxpayers' money on a project that has rapidly been reverse engineered. The reason I say that is, of course, because the government decided to go ahead with light rail well before they had done the proper research, done the proper studies, done the due diligence that you should be doing before you commit to \$614 million of taxpayers' money.

Anybody who is actually engaged in territory politics—I admit there probably are not too many in Canberra—would know that this is, in fact, a political decision. Only now is the ACT government trying to almost buy opinion as to why light rail is the best alternative. We on this side of the chamber reserve the right and reserve the opportunity to support the construction of light rail if we see the evidence. But the fact is that we have not seen the evidence to support the construction of light rail. We have not seen the evidence.

It is all very well for Minister Corbell to talk about light rail and to talk about why he is so wise. But if he is indeed so wise, if he is indeed this prophet of all things transport in the territory like he pretends to be, it makes you wonder why he is going ahead with light rail when the dollar return is \$2.34, but the bus rapid transport return is \$4.78. By his own report, \$2.34 for light rail; \$4.78 for bus rapid transit. One has a spend of about \$280 million; one has a spend of \$614 million. It will be interesting to see whether, in fact, the ACT government has used the same methodology that the Labor government in Queensland used when they were trying to promote Q-Link up at the Gold Coast.

Of course, it was the Labor government up in Queensland which said that light rail on the Gold Coast was going to carry 45,000 passengers a day; 45,000. Just a fortnight ago the Liberal government in Queensland, amongst many other discoveries in the books in Queensland, actually found out that, no, it will not be 45,000. It will be 17,000. So you would think that the economies would somewhat change when you expect to have 45,000 on one day, but the truth is more like 17,000.

But then you look here in the ACT at what the ACT Labor government, as part of their commitment with the Greens, are proposing. It is a patronage of 4,500 people per peak. Yet currently we have got about 3,000 people using the Northbourne corridor.

So \$614 million to carry an extra 1,500 people down Northbourne Avenue; 1,500 people. It is a lot of money to spend—\$614 million for 1,500 people.

What is the expense of this? That is \$614 million spread across every ACT household. That is \$4,400 per household for construction—just for construction. It is not for operations, not for the ongoing costs, not for the liability, not for depreciation; just for construction. I am yet to see the real evidence as to why the government is going for light rail over buses.

The government cites the URS report. But the URS report, in their assessment, is neutral for light rail and positive at six by their positive measure for bus rapid transit. It really is only in the last sentence of that report that it is stated, “Buses are the most economical and efficient. However, light rail provides the best overall outcome.”

So Minister Corbell talks about the best overall value, the best social value. If you are going to go down that track, you would think it would have been included in the cost-benefit ratio because the cost-benefit ratio does, in fact, take into account environmental and social costs. It takes into account things such as noise, things such as emissions, things such as time and things such as traffic. All the social indicators which Minister Corbell claims are supportive of light rail are, in fact, already included in the cost-benefit ratio. So at 4.78 for buses and 2.34 for light rail, you have got to wonder what other information the ACT Labor government have that supports their decision to go ahead with light rail.

The government has also spoken about uplift—that is, if you build light rail you can redevelop parts of Northbourne Avenue. Quite frankly, you can redevelop parts of Northbourne Avenue with or without light rail. You can do the uplift on the “do nothing” scenario. There has been talk about redeveloping government land up and down Northbourne Avenue for years and years. Yet this government has made no progress on that. They can do it today. They can redevelop land along Northbourne Avenue, whether you do light rail or not. Therefore, it should not simply be contingent upon light rail, because it could be delivered under any scenario. Neither bus nor light rail would be a necessity.

Of course, the real hurdle that the ACT Labor government has restricting this whole process is Infrastructure Australia, the experts in this field. What do the experts think? The heading of the assessment was “Not recommended”. Not recommended was what Infrastructure Australia said with regard to the August 2012 submission that the ACT Labor government made to Infrastructure Australia. One of the reasons that they gave was, of course, that it is pretty hard to support light rail when their own submission says that buses are better. They pointed to the cost-benefit ratio. They pointed to many other things that are stumbling blocks for this government.

It is easy to say that Infrastructure Australia does not really matter. But it matters on several counts. Firstly, it means that the ACT Labor government will not get commonwealth funding for this project. If you do not get commonwealth funding for the project, that leaves you with two options. You have either got to fully fund it yourself or you have got to seek private sponsorship. But if you are going to seek private sponsorship, you actually do need Infrastructure Australia’s support, because

under new rules passed by the commonwealth Labor government you get the taxation concessions as a private investor if the infrastructure project is recognised by Infrastructure Australia as a priority.

If Infrastructure Australia do not give it the green light, it means that private sector investors will not get a tax concession. If you are not getting a tax concession that is yet another barrier. It is yet another disincentive to go with this infrastructure project rather than any of the other infrastructure projects which are on offer elsewhere around Australia or, indeed, around the world.

Something that we have not heard of yet is the off-peak patronage projections. In my discussions with transport economists and transport engineers they have all said to me that it is the off-peak patronage which is critical for the success of any public transport program, the reason being that during peak time just about any public transport system will be at capacity. (*Time expired.*)

MR SMYTH (Brindabella) (8.52): I refer members to the report of the Select Committee on Estimates. There is an entire section on the Capital Metro Agency. The recommendations start at No 97 and go all the way through to 107. So there are 10 recommendations there that clearly show the interest that the committee had in the Capital Metro Agency project. Recommendation 97 is:

The Committee recommends that the ACT Government make publicly available the current Cost Benefit Analysis and that all further analysis be publicly available as it is completed.

Recommendation 98 is:

The Committee recommends that the Capital Metro Agency publish a detailed timeline of the light rail project on an ACT Government website.

Recommendation 99 is:

The Committee recommends that the ACT Government release the submission to Infrastructure Australia and all other documents relating to light rail.

And I note, "all other documents relating to light rail". Recommendation 100 is:

The Committee recommends that the Capital Metro Agency publish a detailed budget of the light rail project on an ACT Government website.

Recommendation 101 is:

The Committee recommends that the ACT Government detail how the Capital Metro project will be funded.

Recommendation 102 is:

The Committee recommends that the ACT Government release all details concerning the cost of running the Capital Metro, the amount expected to be

collected through the fare box, the degree of supplementation to be paid and the exposure of the Territory in a Public Private Partnership due to an under achievement of projected boarding.

Recommendation 103 is:

The Committee recommends that the ACT Government detail how much rates and land tax will increase on the Capital Metro route.

Recommendation 104 is:

The Committee recommends that the ACT Government make publically available maps detailing the areas of expected greater density along the route of the Capital Metro.

Recommendation 105 is:

The Committee recommends that the Government detail what impact Capital Metro will have on ACTION.

Recommendation 106 is:

The Committee recommends that the ACT Government detail the projected patronage of Capital Metro.

Recommendation 107 is:

The Committee recommends that the governance arrangements for Capital Metro, including names of planning and steering committee Members, be published on an ACT Government website.

So there is a comprehensive range of recommendations covering a vast range of issues in regard to the capital metro project.

It is interesting to go to the government's response. In regard to releasing the submission and all other documents, the response is:

Agreed in principle.

Yet again we have got this new era of transparency, but only in principle. The response to the committee's recommendation on publishing on an ACT government website a detailed budget of the light rail is:

Not agreed.

They are not going to tell us what the cost of this project is. We are being asked to sign up but we are not allowed to know. The response is:

Not agreed.

Indicative costs associated with various elements of the project, used in preliminary costing exercises have been made available through Project Updates and other material released by the Government, and published on the ... website. Publication of a detailed project budget at this time is neither practical nor prudent given the commercial sensitivity associated with the design, procurement and delivery of the project.

The Chief Minister says we should be collaborative, we all should participate and we should have transparency, except where it does not suit the government.

Again, as we made the point this morning, we are being asked to sign up for a project for which we do not know the details. We are being asked to give the government the go-ahead. It is only a small amount of money for capital metro in this year's budget, but that money will grow and they will constantly come back and say, "You were there at the start. You could have stopped it, but you did not." But we do not know what it is that we are being told.

There are some other ones that I will go to. The response to detailing how the capital metro project will be funded is:

Agreed in principle.

But we know that the minister said the other day, "If we do not get the money from Infrastructure Australia we will do it ourselves." The response to recommendation 102, releasing all details concerning the running cost and the amount expected to be collected through the fare box, the degree of supplementation to be paid and the exposure of the territory, is:

Not agreed.

Detailed analysis of the matters raised in this recommendation is a key element of the project.

There you go. It is a key element; so the committee got that bit right. Then:

The commercially sensitive nature of them, particularly in terms of engagement with the private sector in the delivery of the project, would be such that they could not be published at least until the conclusion of any financial negotiations on the project.

There we are. The government is going to go away and negotiate with somebody else about the cost of this project, but the degree to which it will be supplemented will come back to this place. And we have a right to know what we are signing up to. I think we have a right to know what we are signing up to before the government signs up, and that is the problem with the approach of this government. "We are doing this come hell or high water. It does not matter how much it costs. The cost is not a problem for us because we think it is a good policy idea, and we are not going to tell you the detail."

When we come back some years from now—and ACTION’s supplement is what, what is the subsidy for ACTION? Well over \$100 million, \$111 million—what will be the supplementation on the capital metro project? We are being asked to sign up, but we are given none of the detail and we are certainly not being allowed to know what it is likely to cost in the future. And that is just ridiculous.

Recommendation 103 is:

The Committee recommends that the ACT Government detail how much rates and land tax will increase on the Capital Metro route.

The government’s response is:

Noted.

Total revenue from rates and land tax will increase, over time, in line with the increase in the number of properties in the corridor. Land tax will also increase in line with any increase in the value of the property. Detailed analysis of likely rates and land tax returns from properties directly affected by the Capital Metro is a key element of the project.

If it is a key element of the project, why cannot we know? If there is a case that this is good for the ACT and we have got an uplift then why cannot we know? It is curious that, during the estimates process, the specialist adviser offered to do some work on the uplift. We asked for approval to do that and the members of the government, Mr Gentleman and Dr Bourke, voted against it. They did not want extra work done on capital metro because the specialist adviser to the committee, in discussions with me, said, “They never get the uplift they predict.” So we had an opportunity to validate that statement but, of course, the members of the government who are hogtied by the government’s commitment to capital metro, no matter what the cost, of course did not want that information.

So there we go. Transparency, participation, collaboration—that is the new era, except it does not apply to anything. They are just words that come from the Chief Minister that none of her members or her ministers will back up. So there we have it. “We know that the rates are going up, but we are not going to tell you.” Why will you not tell us? Why not? What happened to this new era of collaboration? It does not exist.

Recommendation 104 is:

The Committee recommends that the ACT Government make publicly available maps detailing the areas of expected greater density along the route of the Capital Metro.

The response is:

Agreed.

The Territory Plan identifies current land use zoning for land along the corridor. These existing policies identify provisions for increasing density of development.

“Go to the territory plan.” As Mr Coe just pointed out, the territory plan already exists, and the ability to have greater density on the corridor already exists totally independent of capital metro. It goes on:

As more detail becomes available throughout the development of land use considerations along the corridor, community engagement activity will include relevant maps and development intensity information. Any changes to existing land use controls would require a formal Variation to the Territory Plan.

Again, we have, “We are going to do this. When we have worked out how we are going to do this then we are going to tell you how we are going to do this.” And the community engagement will come afterwards. Again, this is a government whose process is flawed, is false and is not serving the community. It is only serving themselves and, of course, appeasing the Greens-Labor agreement.

Recommendation 105 is:

The Committee recommends that the Government detail what impact Capital Metro will have on ACTION.

The government response is:

Agreed.

The Light Rail Integration Study currently underway will provide base information as to the optimum interaction with ACTION, along with other transport systems along the corridor. The extent of any changes to the ACTION network will be made known through community engagement activity as the project progresses and that level of detail becomes known.

In other words, what the government are saying is that they do not know what impact this will have on ACTION. Already the supplementation for ACTION is \$111 million a year. What we are going to do is put competition on the key routes, on the express routes, the old inter-town routes. We are going to put competition on the routes that bring in the most revenue for ACTION, and therefore ACTION must suffer. So the supplementation for ACTION goes up, which is likely to happen, and there will be supplementation for capital metro. “But we will attend to that later, because basically we have not done the numbers.”

Recommendation 106 is:

The Committee recommends that the ACT Government detail the projected patronage of Capital Metro.

The response is:

Agreed in principle.

Preliminary estimates have been published in material available through the ACT Government website.

And as we found today, as the new Queensland government found when they started, their estimates of 45,000 are not anywhere near that. The estimate is 17,000, just over a third. If we only get a third of what the government projected, we definitely have a white elephant in the making.

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

Adjournment

Motion (by **Mr Corbell**) proposed:

That the Assembly do now adjourn.

School Sport Australia national titles

MR DOSZPOT (Molonglo) (9.03): Last Friday afternoon was a very proud occasion for me, as shadow minister for education and sport, at the 2013 School Sport Australia national titles where I presented the ACT football team with the championship cup in the 19 years and under football championship played here in Canberra. The last time the ACT won this tournament was in 2001, 12 years ago, under ACT coach Ian Shaw and then manager Chris Conti. I congratulate the 2013 team and coach, Njegosh Popovich, and manager and assistant coach, Phil Hopkins, from Belconnen High School.

The players come from various government and non-government schools: Erindale College, Hawker College, Daramalan College, St Francis Xavier College, St Edmunds College, Narrabundah College and Lake Ginninderra College. The ACT were unbeaten in their run to the championships, with a 3-1 win over South Australia, a 3-2 win over Victoria, and draws with New South Wales, Western Australia and Queensland.

The boys team comprised Jakob Cole from Erindale College, Sam Lavella from Hawker College, Nathan Tidmarsh from Daramalan College, Antonio Barbaro from St Francis Xavier College, Sam Ossato from Erindale College, Nic Kier from Daramalan College, Alex Tilley from St Edmunds College, Josh Gaspari from Daramalan College, Jordan Tskenis from Erindale College, Nik Popovich from Narrabundah College, Nico Kresic from Daramalan College, Jeremy Habtemariam from Daramalan College, Cam Dalzeill from Narrabundah College, Romeo J Romeo from Lake Ginninderra College, Jay Kelly from Hawker College and Tim Bobolas from Daramalan College. As I said, the coach was Njegosh Popovich and the manager and assistant coach was Phil Hopkins from Belconnen high.

Congratulations also to the ACT girls under 19 years team under coach Adrian Haynes from Lanyon High School and manager Kate Davoren from Wanniasa School senior campus for taking the ACT to a fourth-placed finish. Congratulations also to the six ACT under 19 boys players and the two ACT under 19 girls players who were selected for their respective Australian school representative teams. A further reward for them will be taking part in an international tour later this year.

The ACT boys selected were Jakob Cole, Jordan Tsekenis, Sam Ossato from Erindale College, Josh Gaspari from Daramalan College, Nathan Tidmarsh from St Francis Xavier College and Nikolas Popovich from Narrabundah College, while Brittany Palombi and Nicole Jalocha were selected in the Australian schoolgirls team after helping the ACT to the fourth-placed finish.

The ACT School Sports Council chair is Chris Nunn, management committee chair is Darryl Stuckey, while the organising committee members are Chris Conti, Sigourney Dunk, Cassie Behrens and ACT executive officer Mark Sterland. And I congratulate them all, and School Sport Australia, for providing the interstate sporting opportunities for ACT students to participate in a range of sports—football, Australian football, hockey, cross-country, netball, softball, cricket and water polo—not only for their sporting benefits but also for the educational, cultural and social interaction benefits they provide for our students.

Time permitting, the girls team comprises Rebecca Luttrell from Merici College, Sonia Sheedy from Erindale College, Gabriella Ciardullo from Daramalan College, Elizabeth Read from Daramalan College, Celia Brown from Radford College, Jamie Duke from Lake Ginninderra College, Nicole Jalocha from Lake Ginninderra College, Monica Cerro from Daramalan College, Georgia Stewart from Daramalan College, Brittany Palombi from Radford College, Sheniya Whyte from Melrose High School, Kristy Helmers from Erindale College, Madelyn Whittall from Campbell High School, Ruth Kravis from Orana Steiner School, Sarah Whitfield from Narrabundah College and Rachel Corbett from Gold Creek School. As mentioned earlier, the coach is Adrian Haynes from Lanyon High School and the manager is Kate Davoren from Wanniasa High School.

Work safety Youth—wills

DR BOURKE (Ginninderra) (9.08): Whether through a work accident, motor vehicle accident, illness or other cause, the death of a young adult is deeply felt by family and friends. A young person cut down unexpectedly with so much still to do, to see, is unlikely to have thought much about their own death and the consequences for those around them.

Statistics show young people are much less likely than older people to have a will. We have the notion that a will is about passing on the wealth and assets of a lifetime. Basically, it is for old people. However, young people also have assets: loan agreements, superannuation, perhaps a child, perhaps a failed marriage and no formal, legal recognition of their current partner. Often they have no will to resolve the legal issues that can arise from an untimely death and to clearly state their intentions.

Ben Catanzariti was a young construction worker who died through a workplace accident on the Kingston foreshore on 21 July 2012. At the memorial service on the recent anniversary of his death, his mother Kay called for more young people to make a will. Anyone who was at the memorial service, as I was, would have been touched by Kay's story and her advocacy on this issue. No-one in her situation should have the added distress at such a time of facing the legal complexities from the lack of a will.

Her plea was backed by the ACTU. Members of many unions, such as the CFMEU, the CPSU and the Australian Services Union, already have access to free legal advice in drawing up a will. We need more young people to take up the offer.

Any death on a worksite is one too many and a tragedy for loved ones and the community. Work safety is everyone's concern. Workers should be able to return to their loved ones at the end of the day uninjured. They must have the appropriate training for the task they are required to perform, and we must do our best to have the work health and safety laws in place to minimise risk and enforce the laws.

Together, workers and employers should honour occupational health and safety laws, not just to the letter but to honour the spirit that no-one should be injured at work through a preventable accident. Backing Kay Catanzariti's plea for young people to be encouraged to make a will honours Ben and his mother and means we learn something from this tragedy.

Ensuring young people have the sobering experience of making a will can also reinforce for them why work safety measures are so important and really are a matter of life and death. The construction industry is a more dangerous industry than most. That is why it is a hard hat, fluoro-collar workplace. But it also means we have to work harder to ensure worker safety.

We also need to ensure the loved ones of someone who dies too young do not suffer the added burdens from lack of a will. A good place to learn more about wills is the ACT Public Trustee's website.

Property Council ACT awards

MR COE (Ginninderra) (9.11): I rise tonight to speak about the work of the Property Council of the ACT. The Property Council is the leading advocate for the property industry, and its mission is to champion the interests of the property sector. The council's members include most of Australia's major investors, property owners and developers and the property industry professional service and trade providers. The Property Council seeks to represent the interests of its members in the political arena and focuses on the areas of tax reform, planning strategy, development and building controls, urban policy and economic growth, environment, lease legislation and trade powers.

The council has a reputation for being fierce and vocal but reasonable advocates for the development of Canberra, and I commend them for their strong stance on behalf of their members. The Property Council provides its members with the opportunity to network, build knowledge and continue to learn about the industry. I would like to congratulate the executive of the Property Council of the ACT on the significant work they do for the property industry here in the ACT. The executive director is Catherine Carter, and members of staff are Mary Wood, Andrew Lowcock, Jodi McColl, Rebecca Scott and Nick Westenberg.

On 2 August, I was pleased to attend the Property Council ACT awards night and gala ball. The awards night was held in the great hall of Parliament House, and the theme of the evening was night circus. I would like to place on the record my congratulations to all the award winners for 2013. The winner of the ACT property development of the year, sponsored by Rider Levett Bucknall, was RM Hope Building, 2 National Circuit, developed by ISPT Pty Ltd, designed by Fender Katsalidis Architects.

The ACT property business of the year was sponsored by GHD, and the winner was GEOCON. The Allan Wylucki property professional of the year was sponsored by Hays Property and the winner was Mark Chappe, director, Rider Levett Bucknall. The winner of the ACT future leader of the year, sponsored by the ACT Building and Construction Industry Training Fund Authority, was Karen Billington, sustainability manager of Northrop Consulting Engineers. And the executive director's award for outstanding contribution to the Property Council went to Brendan Bilston, the principal of Point Project Management.

I would also like to put on the record my thanks to all the sponsors of the awards night. They include Brookfield Johnson Controls, Hindmarsh, Rider Levett Bucknall, GHD, ACT Training Fund Authority, Built, Canberra CBD, Doma Group, Maxim Chartered Accountants, National Museum of Australia, Village Building Co, New Best Friend, Showpony Events, and the *CityNews*. Once again, I would like to congratulate all the award winners on their achievements and thank all those involved in making the night a success.

For more information about the work of the ACT division of the Property Council of Australia, I recommend that members visit their website at www.propertyoz.com.au/act.

Question resolved in the affirmative.

The Assembly adjourned at 9.15 pm.

Schedule of amendments

Schedule 1

Construction and Energy Efficiency Legislation Amendment Bill 2013

Amendments moved by the Minister for the Environment and Sustainable Development

1

Clause 31

Page 18, line 1—

omit clause 31, substitute

31

Rectification orders

Section 38 (1), new example and note

insert

Example—stated action

rectified work must comply with a stated performance requirement of the Building Code of Australia

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

2

Clause 32

Page 18, line 7—

omit clause 32, substitute

32

New section 38 (1A)

insert

(1A) The rectification order may also require the entity to give the registrar written information about a thing required to be done under the order.

Examples

- 1 a structural engineer's report about whether rectified work complies with relevant structural standards
- 2 certification from a building certifier that finished work complies with this Act

3

Clause 86, heading

Page 50, line 11—

omit the heading, substitute

86

Dictionary, definitions of ACT plumbing code and AS/NZS 3500

4

Clause 87

Page 50, line 16—

omit

Australian Standard 3500

substitute

AS/NZS 3500

5

Clause 92

Page 52, line 9—

omit

Australian Standard 3500

substitute

AS/NZS 3500

6

Clause 95

Page 53, line 1—

[oppose the clause]

7

Clause 96

Page 53, line 9—

omit

Australian Standard 3500

substitute

AS/NZS 3500

8

Clause 97

Page 53, line 15—

omit

Australian Standard 3500

substitute

AS/NZS 3500

9

Clause 101

Page 54, line 15—

omit

Australian Standard 3500

substitute

AS/NZS 3500

10

Clause 103

Page 55, line 3—

omit

Australian Standard 3500

substitute

AS/NZS 3500

11

Clause 105

Page 55, line 10—

[oppose the clause]

12

Clause 106

Page 55, line 18—

omit

Australian Standard 3500

substitute

AS/NZS 3500

13

Clause 107

Page 56, line 4—

omit

Australian Standard 3500

substitute

AS/NZS 3500

14

Clause 108

Page 56, line 10—

omit

Australian Standard 3500

substitute

AS/NZS 3500

15

Clause 112

Page 57, line 10—

omit

- Australian Standard 3500

substitute

- AS/NZS 3500
-