



Debates

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Thursday, 31 October 2013

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Thursday, 31 October 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.

**Strengthening families initiative
Ministerial statement**

MS BURCH (Brindabella—Minister for Education and Training, Minister for Disability, Children and Young People, Minister for the Arts, Minister for Women, Minister for Multicultural Affairs and Minister for Racing and Gaming) (10.00), by leave: I would like to thank the Assembly for the opportunity to speak about the strengthening families initiative. Some families in our city have multiple and complex needs requiring access to a range of services in order to meet the day-to-day challenges of their lives. These challenges include living with mental illness, disability and chronic health conditions, as well as involvement with statutory services such as child protection. These challenges can lead to financial stress, isolation and cycles of crisis.

Today, I will speak to you about some of the issues facing these families and the challenges for all governments in meeting their needs. I will also report on the exciting work that this government is doing under the strengthening families initiative to work towards a more positive future which will put these families at the centre of their own support network.

In late 2011 a whole-of-government project was initiated to achieve integrated service delivery for ACT families with multiple and complex needs. The project was initiated by the ACT Public Service Strategic Board as a one government approach to a complex public policy issue. The strategic board recognised that some families were not succeeding despite the involvement of multiple services and, at times, long-term engagement with the service system. A lack of success included poor outcomes for individuals, including children, compared with other community members, and migration to higher cost services and interventions. This issue is not unique in any way to the ACT. However, this government is committed to making changes to improve lives.

In early 2012 the Community Services Directorate commenced a research project aimed at better understanding the experiences of families accessing multiple services in the ACT. This work was undertaken through an innovative co-design approach with families, government and community service providers. The work involved a small number of people, but had a big impact on the way we understand the service experience in the ACT.

We found that while the service system works well for most, it is complex and not responsive enough for some families with multiple needs. Families were given a voice and asked to tell their story in their own words and based on their own experiences. I am sure this in itself provided them with a sense of empowerment. Families described

feeling misunderstood by the service system and not knowing what to expect from services. Families also said there appeared to be insufficient collaboration between the different services supporting them, which left them in the frustrating position of having to tell their story time and again.

One of the families who participated explained that lack of collaboration between service providers led to mixed messages and prolonged hardship. In their case, everything changed when a care and protection worker took responsibility for coordinating all of the services which were involved with the family. In their own words:

Alex brought everyone together to work on a plan. For the first time in two years we feel as though we're listened to.

We learnt that some families do not always fit into the service system categories and therefore miss out on the supports they require.

These experiences were then used to analyse underlying barriers and possible solutions, once again in conjunction with the families themselves. It was identified that while there were currently multiple layers of coordination across the service system, support workers do not have the authority to make decisions and bring about the wraparound solutions which are needed. Finally, the research highlighted the need to ensure early access and coordination of services to achieve better outcomes.

As I mentioned, these issues face all governments and are not unique to the ACT. Research conducted by Professor Baldry of the University of New South Wales found that complex needs have a compounding effect and positive interactions between support services are key to the achievement of positive outcomes. Further, research demonstrates that in New South Wales high cost services, such as policing, hospitals and corrective services, continue to be associated with a small number of people, many of whom would benefit from earlier and less intensive responses which could prevent the cycles of crisis from occurring.

Having gained a solid understanding of the issues, we began a testing stage to implement an improved approach with a small group of families. The strategic board established the Directors-General Strengthening Families Committee to authorise the improved approach to support families with multiple needs.

This one-government approach brought together the Community Services, Health, Education and Training, Justice and Community Safety, and Chief Minister and Treasury directorates to work towards a holistic solution for these families. The Directors-General Strengthening Families Committee included representation from the Australian Federal Police and the commonwealth Department of Human Services, in recognition of the cross-jurisdictional challenges of integrating service delivery in the ACT.

The Directors-General Strengthening Families Committee provided oversight for the next phase of work, which sought to test out the ideas arising from the initial research with families accessing multiple services in the ACT. Community partnerships were

key to the success of the approach, in particular Northside Community Centre, Woden Community Centre, the YWCA, and Gugan Gulwan. These organisations were involved in the design, planning and implementation of the approach, providing a valuable whole-of-system perspective. The initiative was designed with the dual objectives of delivering direct benefits to participating families and creating long-term systemic improvements for all families in the ACT.

The work commenced with an initial family engagement in April of this year. A total of 10 families participated in the testing phase, providing significant insights into the experience of families with different backgrounds, experiences and needs. An independent evaluation is underway which will soon report on the success of the project.

We are, however, in a position to share some initial findings with the Assembly today. We learnt that timing is critical; and often our system is unable to provide support early, or to continue supporting families, once the crisis has been addressed. Often it is in times of wellness where families are able to move forward, to identify changes required, and to put in place strategies to prevent crises from occurring in the future. One lead worker noted that the family they were supporting were “in a good space now” and that “this is a good opportunity to build capability and focus on goals”. Another lead worker noted, “Just because families aren’t in crisis doesn’t mean they aren’t still living with risks and complexity.”

This process enables services to transition with families as needs change, rather than requiring families to transition through different services.

Families were supported to identify a lead worker from within their existing support network. Lead workers were authorised to work with, and on behalf of, each family, and to develop a tailored support offer which matched the family’s needs, avoiding duplication and confusion. This required support from services to allow their workers to operate flexibly according to the needs and objectives of the family, rather than being bound by program guidelines and role definitions.

Lead workers said the process enabled them to “walk the journey with their family, developing a relationship based on trust and understanding”. This was because:

Case Managers (working from a service) can be affected in their case management role by the changing priorities of their service or funders. Lead Workers are there for the family, to respond to their priorities.

Understanding the needs of these families is the first step towards providing the right supports. Families were supported to share their story with their lead worker. A lead worker described this process as helping them understand the family better. In their words:

... doing the map changed my perspective—

of the client—

She had developed a label of being disengaged but the map showed all the times that she had “knocked on doors” but was not listened to.

For families, this provided the opportunity to be heard, and to recognise that their future story does not need to be determined by their past. One family member stated that the process:

... made me see more clearly that what happened to me as a child wasn't right and shouldn't have happened. It was not my fault. It's made me feel like a better person within myself. I don't have those thoughts that I am a nobody anymore.

Lead workers and families also mapped the people currently providing support in order to determine how coordination can best be achieved. Often this involves supporting families to connect with informal supports and to develop strategies for supporting themselves. One family member described this process as helping them to move on. They said:

It helped me to identify the damaging people in my life and move away from them. It helps to see who supports me and build my confidence. I am going to uni. I would not have done that without this support. It's built up my spirits to focus on what I want to focus on.

A lead worker also shared the service changes which occurred through the project. In their words:

... there is the same number of services involved with this family but the services have changed from crisis driven to sustainable supports.

This finding highlights the important shift which can occur by providing the right supports that can prevent families from cycling in and out of high cost and intensive crisis services.

The process then enabled families and lead workers to tailor a service to meet the family's needs, on the basis of what is desirable, possible and sustainable for government. These principles included ensuring the focus is on family-identified outcomes as a starting point; enabling constructive conversations around possibilities, including harnessing family strengths to achieve their own outcomes; and intervening to resolve barriers which will lead to longer term sustainable outcomes for the families directly, and for the broader service system.

The project also prototyped a family information profile to support consumer-driven information sharing across the service system. This concept came from the families involved in the initial research and aimed to address the issue of having to tell their story time and again. The profile is intended to provide a valuable record of the family support network, past and present, and will assist in providing continuity when families move out of crisis, and no longer require intensive support. Feedback from families will be used to inform any future development of the family information profile here in the ACT. This phase of work will be independently evaluated by the Australia and New Zealand Institute of Governance at the University of Canberra to identify outcomes for individual families as well as improvements in the way services operate.

The project is not a novel attempt at changing outcomes for a small number of families but an enduring approach that can be applicable to all families with multiple needs. The long-term objective is to implement and sustain a whole-of-government, one-system response for families with multiple needs; to redesign the ACT's service offer to these families to be citizen-centric, consumer controlled and family focused; and to allow families to self-manage and self-service where possible, to build capacity within families and to build capacity within the ACT service system. It is about identifying systemic barriers and potential solutions and reducing inefficiencies by achieving better outcomes with the same or less funding investment.

There is a great deal of excitement around this initiative, not only from government but from colleagues in the community sector and, most importantly, from the families we are supporting. We have seen that these families are strong and resilient in spite of difficult and enduring challenges. They have dreams and aspirations for their future, and with the right support can work towards achieving them.

We know there are barriers to address in order to support these families to achieve positive progress, reduce cycles of crisis and improve overall wellbeing. This initiative is, however, demonstrating that those barriers can be overcome. Insights from working with these families are being incorporated into a road map for systemic implementation of the approach across the ACT.

I would like to finish by thanking all the participants in this exciting project—the directorates, the community partners and, most importantly, the families involved.

I present the following paper:

Strengthening Families—Ministerial statement, dated 31 October 2013.

I move:

That the Assembly takes note of the paper.

Question resolved in the affirmative.

Australian Capital Territory (Ministers) Bill 2013 (No 2)

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

Title read by Clerk.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (10.15): I move:

That this bill be agreed to in principle.

The bill I introduce today seeks to provide for an increase in the number of ministers that can be appointed within government. The Australian Capital Territory (Self-Government) Act 1998 (Commonwealth) provides for this Assembly to determine the number of ministers to be appointed, by enactment. I propose that to meet the needs of our growing community and the increased complexity in our portfolio responsibilities, growth in the size of the ministry is required. Now is the time to act and to create greater flexibility for future governments.

Early into the term of this government I commissioned an expert reference group to undertake a review into the size of the ACT Legislative Assembly. As part of this review I asked the ERG to consider the previous reviews into the size of the Assembly, limitations of the Hare-Clark system and options for increasing the size of the Assembly.

Not surprisingly, the ERG provided commentary on the size of the ministry and recommended an increase. The report, released publicly in April this year, provided compelling evidence that the small size of the Assembly, and particularly that of the ministry, poses a significant risk to the good governance of the ACT.

Prior to the ERG report, Dr Allan Hawke's review of the ACT public service argued that there was "an overwhelmingly sound case for increasing the size of the Assembly", and recommended the ministry also be increased. As we enter our second century as a city and approach 25 years of self-government, this bill goes part-way to implementing the necessary growth to better serve our constituents. A larger ministry will simply enable a better spread of workloads across the executive arm of government.

The ERG's report found that the ACT has fewer ministers than any other Australian jurisdiction. The report went on to say:

Given that ACT ministers carry both state and local government responsibilities it would be reasonable to conclude that the ministry be increased to at least the number found in Tasmania and the Northern Territory. This would suggest that eight or nine members would be an appropriate size for the ACT ministry.

As I said at the time of tabling the report, it is time to act on the size of the Assembly. No change, I do not believe is an option.

The bill I introduce today looks many years into the future and allows for a maximum of nine ministers, which would make us more comparable to other jurisdictions. It does not increase the ministry in itself, but it creates the capacity to do so. Under our Westminster system of government and the current provisions of the self-government act, ministers are drawn from the ranks of elected members. As a result, a key issue to consider along with this bill is whether the size of the ministry can expand without an increase to the size of the Assembly.

This government believes that the Assembly needs to be of a sufficient size to permit the appointment of an appropriate number of ministers and government backbenchers

to fulfil parliamentary roles, as well as allowing for a robust opposition and crossbench. More Assembly members would allow for greater diversity or specialisation, more manageable workloads, higher quality committee work and stronger, more responsive governance overall.

The current workload of ministers is significant. This has been recognised by the expert reference group and many of the public submissions that they received through the review. With 25 portfolios spread across five ministers, keeping abreast of day-to-day matters, being responsive to both community members and the media and prioritising emerging issues that need our immediate attention is a considerable task, but we embrace this challenge daily.

Scope to expand the ministry is in the best interests of the ACT. While this bill provides for up to nine ministers, this number is an upper threshold and appointment will be determined by the Chief Minister of the day. The precise drafting of the bill has been undertaken in accordance with the Solicitor-General's advice and is technically more appropriate than a similar bill introduced by Mr Hanson. This bill accords with the permissive nature associated with the Chief Minister's appointment powers. It also states the purpose for which it is made, hence clause 3(1).

Given the strong arguments from two recent and significant reports for an increase to the size of the ministry, and the opposition introducing its own legislation on this matter, I would expect that debate of this legislation will be straightforward and supportive when it is debated in the November sittings. I commend this bill to the Assembly.

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

Payroll Tax Amendment Bill 2013 (No 2)

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

Title read by Clerk.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (10.21): I move:

That this bill be agreed to in principle.

The Payroll Tax Amendment Bill (No 2) implements the government's election commitment to provide a payroll tax concession of up to \$4,000 to businesses who hire a recent school leaver with a disability. This initiative will provide a greater opportunity for young people with disabilities to participate in employment by providing an incentive for large businesses to hire them. This concession is another way in which the government is delivering more to Canberrans with a disability, their families and their carers.

The concession is aimed at large businesses in the territory who are liable for payroll tax. In the ACT a business is required to pay payroll tax once its annual Australia-wide wages exceed \$1.75 million. If a business in the ACT is liable for and paying payroll tax they may be eligible for the concession. The concession will apply where employment commences on or after 1 July 2013 and will continue to be available for two years. Employment must commence prior to 1 July 2015.

To claim the concession, businesses must hire an eligible person. An eligible employee must be aged 17 to 24 years and must be employed for at least eight hours per week. The employee must also have a qualifying disability. In this bill the definition of disability used is that of the ACT Disability Services Act 1991. This definition aligns with that used by the commonwealth disability employment services program, which includes the employment support service. This service assists people with a permanent disability who require long-term, regular and ongoing support in the workplace. This is the target group of eligibility for this concession.

The bill provides these criteria to help to ensure that the concession is not open to abuse and that vulnerable members of the community are protected in their employment. Should a business employ a person who meets the determined criteria and for whom taxable wages are paid, a concession will be applied by the ACT Revenue Office to the eligible business at the time of the annual payroll tax reconciliation process. This will take place at the end of both 2013-14 and the 2014-15 financial years.

Those businesses not paying payroll tax will not be able to access the concession. This includes entities that are not liable for payroll tax such as charities and some government agencies. The concession amount will be determined by the length of time the eligible person has been employed. For employment of more than 13 weeks but less than 26, a concession of \$2,000 will apply. For employment of more than 26 weeks the concession amount will be \$4,000.

This government believes that it is important to support the vulnerable members of our community and to assist those who need it, when they need it and where it is required. Increased employment opportunities for people with a disability in the ACT can help them achieve a better standard of living, more social inclusion, independence and financial control.

This concession will assist in giving young people living with a disability the opportunity and support to achieve their full potential and be valued as equal participants in the ACT community. I commend the Payroll Tax Amendment Bill 2013 (No 2) to the Assembly.

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

Crimes Legislation Amendment Bill 2013

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

Title read by Clerk.

MR CORBELL (Molonglo—Attorney—General, Minister for Police and Emergency Services, Minister for Workplace Safety and Industrial Relations and Minister for the Environment and Sustainable Development) (10.25): I move:

That this bill be agreed to in principle.

I am pleased to present the Crimes Legislation Amendment Bill 2013. The bill will address a number of criminal justice legislation issues that have arisen in the ACT and amend laws to make important improvements to the criminal justice system. I am progressing amendments in this bill to ensure that prosecutions for particular historic sexual offences can be brought. Currently, prosecutions for certain offences that occurred in the past cannot be commenced. This is a result of limitation periods in the current law that came into force in 1951 and 1976 and provided that prosecution had to be commenced within 12 months of the offence being committed. Offences affected by the limitation period include some sexual offences against children. Clearly these circumstances are unacceptable.

There is no present justification for the existence of the statutory bars created by these laws. Provisions in this bill will repeal the limitation periods so that these sexual offences, where appropriate, can be prosecuted. The offences in question are: carnally knowing a girl between 10 and 16, attempt to carnally know a girl between 10 and 16, indecent assault of a girl under 16, buggery, attempt to commit buggery, and indecent assault of a male.

These types of offences are plainly serious and are likely to result in significant and ongoing pain and anguish for victims long after the physical offences are committed. Sexual offences have far-reaching impacts, affecting not only survivors themselves but their families and others close to them into the future. We as an Assembly need to take these offences very seriously and need to ensure that such serious offences are capable of being prosecuted whether they occurred last week or decades ago.

The gravity with which our society rightly regards these types of offences is reflected in the establishment of a royal commission into institutional responses to allegations of child sexual abuse, which was announced in November last year. This amendment will afford victims of historic sexual offences the opportunity to have a prosecution brought against the alleged offender, providing victims with access to the justice system that has been previously denied to them.

It is particularly important to provide this opportunity to historic sexual offence victims as it is well documented that sexual assault and abuse victims are likely to delay reporting of the crime for a number of reasons and would therefore not have been likely to report the offence within the 12-month limitation period.

Existing safeguards in both the common and statute law, together with amendments provided in this bill, will ensure that the right of defendants to a fair trial and rights in criminal proceedings will not be unduly limited. The amendment will have the effect

of placing both the victim and defendant in these historic sexual offences in the same position as victims and defendants in other historic sexual offence cases where no limitation period applies.

I would also like to foreshadow government amendments to the bill during the debate stage in the next sitting to ensure that the law deals with people who criminally photograph or film private sexual acts or sexual parts. While existing offences, such as the act of indecency without consent and commonwealth telecommunications offences, cover a broad range of conduct in the ACT, concern has been raised about the adequacy of these offences. The concerns warrant a timely and proactive response to ensure the community is properly protected.

This issue raises a number of complex social and technological issues. As a result I have asked my directorate to expeditiously engage with justice stakeholders to allow me to move appropriate amendments when the Crimes Legislation Amendment Bill 2013 is brought on for debate.

The bill will also amend the Drugs of Dependence Act to allow police to issue simple cannabis offence notices in a greater number of cases. The bill does this by increasing the maximum quantity that a simple cannabis offence notice, known as a SCON, can be issued for from 25 grams to 50 grams. This change will allow a police officer to serve an offence notice against a person possessing up to 50 grams of cannabis, instead of laying a criminal charge. This increase brings the ACT closer into line with other jurisdictions which use similar schemes.

The ACT's current ceiling amount of 25 grams of cannabis for a SCON is low compared to the other cannabis expiation notice schemes in Australia. The equivalent maximum in the Northern Territory is 50 grams of cannabis and in South Australia the equivalent amount is 100 grams. This amendment will improve access to diversion away from the criminal justice system through police intervention consistent with the ACT's harm minimisation approach to drugs.

The possession of cannabis for personal use will remain illegal in the ACT. Police will continue to have the discretion to impose an on-the-spot fine where they find an adult in possession of small amounts of cannabis. One of the most common quantities of cannabis reportedly purchased by drug users in the ACT for personal use is an imperial ounce, equivalent to 28.35 grams. An increase to the ACT's simple cannabis offence notice amount to 50 grams aims to promote more appropriate diversion where a person is in possession of cannabis for personal use.

Almost 10 per cent of those aged 14 and over surveyed in the ACT report using cannabis in the past 12 months. This is an estimated 26,000 people in the ACT according to the 2010 national drug strategy household survey report by the Australian Institute of Health and Welfare. A person charged and convicted with possession of an illicit drug can have a criminal record. This will affect their employment opportunities. In some cases, it will be more appropriate to allow police to divert the person from the criminal justice system through the use of a SCON.

Taking the matter to court can cost the community more than police dealing with the matter by issuing a fine. It can also be a poor use of police time, taking police away from pursuing more serious criminal matters. The proposed changes to the maximum quantity for a SCON is consistent with the harm minimisation approach to illicit drugs recognised in the ACT alcohol, tobacco and other drug strategy 2010-2014.

The bill will amend the offence of receiving stolen property to address issues with that offence noted by the ACT Court of Appeal. The amendment, which will provide that a chain of title does not need to be proved as an element of the offence, will also bring the ACT into line with other Australian jurisdictions.

The bill also amends forensic procedure legislation. Currently a practitioner performing an intimate forensic procedure must be the same sex as the person on whom the procedure is performed. The bill seeks to amend legislation so that a practitioner can perform an intimate forensic procedure on a suspect, serious offender or volunteer even if they are of the opposite sex to that person. However, the person must be asked for their consent to have the forensic procedure carried out by a practitioner of the opposite sex and they can refuse consent. If the person refuses consent, a practitioner of the same sex must perform the forensic procedure.

The bill will give powers to the courts and police to secure the attendance of a serious offender before a court for a forensic procedure application hearing. A forensic procedure may be carried out on a serious offender in order to obtain evidence relevant to unsolved crimes. Experience in Australia suggests that a small percentage of the population is responsible for the majority of crime. Forensic information can be entered onto the national criminal investigation DNA database to be used by commonwealth, state and territory law enforcement agencies in criminal investigations.

This amendment is important as it is generally not appropriate for this type of matter to proceed without the serious offender present at the hearing. If a person does not consent to an intimate procedure, they should have the right to have the issue considered by a court.

This bill will also provide that police officers can issue infringement notices to young people for minor criminal offences without complying with certain current safeguards, such as contacting the young person's parents before issuing the notice. The proposed amendment only applies to offences at the minor end of the scale of criminal conduct, such as urinating in public and certain Liquor Act offences. The changes are appropriate in light of existing safeguards, such as the fact that a young person can dispute a criminal infringement notice.

The bill also introduces a requirement to register firearm frames and receivers. These major component parts of firearms are currently regulated under the Firearms Act and can only be purchased from licensed firearms dealers. It is important to further regulate these major parts because they can be used to manufacture complete firearms.

The bill also requires firearms licence holders to register any frame or receiver they currently have in their possession. The change will also mean that a licence holder will need to obtain a permit to acquire before purchasing a new firearms frame or receiver. The amendments include a three month amnesty to allow people in possession of one of these items to either register them or lawfully dispose of them.

The bill also makes a number of more minor amendments to ensure consistency across laws and allow for the effective operation of criminal law legislation. I commend the bill to the Assembly.

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

Long Service Leave (Portable Schemes) Amendment Bill 2013

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

Title read by Clerk.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for Workplace Safety and Industrial Relations and Minister for the Environment and Sustainable Development) (10.37): I move:

That this bill be agreed to in principle.

The Long Service Leave (Portable Schemes) Amendment Bill makes sure our portable schemes keep pace with changing circumstances. The bill makes several small but significant amendments to the Long Service Leave (Portable Schemes) Act 2009. While the bill does not give effect to any material change in policy, it does ensure that the authority is able to effectively administer each of the four portable schemes.

The bill clarifies that a person can be an employer for the act and must be registered for a portable scheme if they employ someone to carry out work in the industry for another person who is engaged in the industry, whether or not they are engaged in the industry or part of a traditional employment relationship. This will ensure that labour hire arrangements, which are widely used in several covered industries, are clearly captured by the act.

Under these arrangements, individuals work for agencies that hire them out to organisations as they are needed. Often the labour hire firm is the relevant employer for the purposes of the portable scheme. This change is not, however, designed to capture those people that are simply employment agents who only introduce prospective employees to employers.

The bill also changes the definition of building and construction industry for that industry's portable scheme to confirm that repair work is within the scope of the scheme.

Amendments also put beyond doubt that apprentices carrying out building and construction work through a registered training organisation must be registered for the scheme. The government is strongly committed to supporting and encouraging apprentices. For that reason, employers that register apprentices are not charged a levy even though the apprentices can begin to earn long service leave. The authority also works with the Education and Training Directorate to make sure employers know how to register their apprentices.

It is important that workers that are eligible for a portable scheme are registered. The bill supports this objective by clarifying that senior staff who directly supervise workers on building and construction sites should themselves be registered.

The act currently provides for the responsible minister to provide certainty in specific circumstances by declaring whether or not a person is a worker or an employer for a portable scheme. The bill clarifies when it is appropriate to exercise this power and the matters that should be included in a ministerial direction. It also makes clear that the power may be exercised in relation to both individuals and classes of people under the act.

The bill also addresses a number of technical and administrative matters brought to my attention by the ACT Long Service Leave Authority. Since the act was last amended, the authority has worked closely with the Office of Industrial Relations to review how the law operates in practice. As part of this process, several small but important changes were identified that would assist the authority to more readily interpret and apply the law in specific circumstances.

The definition of ordinary remuneration will be changed to add additional detail, explicitly dealing with payments for workers compensation, superannuation and termination of employment. The new definition also clarifies that travel, meal and protective clothing allowances are not ordinary remuneration for the purposes of the act. These changes reflect longstanding practice by the authority in administering the schemes.

Changes will also be made to put it beyond doubt that the registrar has no power to re-register a worker with a new registration date where that worker is already registered with a portable scheme.

The bill will also allow courts to require an employer to pay late fees or levies they owe without finding them guilty of an offence under the act. The bill provides improved certainty and flexibility for the authority in managing the funds of each portable scheme under the direction of the governing board.

Amendments will clarify what comprises authority money and expressly allow that money to be applied in payment of the authority's administrative costs. It also explicitly allows the authority to establish a common fund to pay joint expenses and obligations and to invest moneys jointly on behalf of more than one covered industry.

In administering the act, the authority has identified several minor changes that would assist employers and workers to comply with their duties. These are also reflected in the bill. Firstly, it confirms that the act does not affect workers who have more beneficial long service leave entitlements under a contract of employment.

The bill also clarifies how a worker can elect to take their long service leave under another law when they have accrued some entitlements with the authority. In addition, it makes clear when the registrar is able to reimburse a payment made to an employee under another long service leave law. Finally, the bill makes minor consequential amendments to give effect to the changes I have described and to make the law easier to understand and apply.

The territory has the most comprehensive portable long service leave schemes in Australia. In January this year, a portable scheme came into effect for the security industry. In the first six months of this scheme, the Long Service Leave Authority registered 17 new employers and more than one 1,000 workers. By allowing workers to take their entitlements with them, portable schemes protect workers' entitlements. These schemes also contribute to the sustainability of industries by helping to attract and retain workers, rewarding those who choose to stay in the industry.

The reality is that, for many workers, moving between employers and between contracts is a fact of life. In establishing past schemes, the government has selected industries characterised by frequent changes in working arrangements. This is indicated by factors such as a high proportion of short-term, casual and part-time work as well as contract work.

The government is committed to protecting the entitlement to long service leave. Later in 2013, I will introduce a bill to extend the contract cleaning scheme to waste workers. This step recognises the importance of this sector and its workforce to the ACT community and seeks to improve attraction and retention of workers in the future. Extending the portable scheme for the contract cleaning industry to these workers will enable a broader range of workers to qualify for long service leave in the future and will ensure the territory remains at the forefront of protecting workers' rights and assisting to build these essential industries. I commend the bill to the Assembly.

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

Nature Conservation Bill 2013—exposure draft Papers and statement by minister

MR CORBELL (Molonglo—Attorney—General, Minister for Police and Emergency Services, Minister for Workplace Safety and Industrial Relations and Minister for the Environment and Sustainable Development): For the information of members I present the following papers:

Nature Conservation Bill 2013—

Exposure Draft.

Draft Explanatory statement to the Exposure Draft.

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

Leave granted.

MR CORBELL: I am pleased to table today an exposure draft of the Nature Conservation Bill 2013 and to release it for public consultation. This is a bill which will strengthen the ACT's existing nature conservation framework. The bill addresses a range of issues that have arisen out of a review of the Nature Conservation Act 1980 and subsequent policy development.

The Nature Conservation Act has been the primary ACT law for the protection and handling of native plants and animals, the identification and protection of threatened species and ecological communities, management of national parks and nature reserves and the conservation of the ACT's natural resources.

The protection and management of biodiversity is fundamental to the achievement of a sustainable city. This bill builds on the strong framework that the Nature Conservation Act created by improving alignment of ACT law with those of other jurisdictions. The bill provides for additional accountability and transparency, and facilitates flexible approaches for the management of species and ecosystems. The nature conservation strategy will support the implementation of the bill by providing a vision for nature conservation in the ACT over the next decade.

Proposed amendments have been informed by public consultation through the discussion paper on the review of the Nature Conservation Act 1980 that was undertaken in 2010-11, public consultation on the draft nature conservation strategy in late 2012 and recommendations made by the Commissioner for Sustainability and the Environment.

The bill replaces the Nature Conservation Act 1980 and aims to update nature conservation processes and procedures to allow more efficient, flexible and effective application of nature conservation policy and to make processes more accountable and transparent. The bill aims to rationalise regulatory approaches while maintaining appropriate and efficient environmental standards. Consequential changes to the Planning and Development Act and the Tree Protection Act are also covered in this bill.

I wish to highlight some of the key elements of this exposure draft today. Turning to administration, the Nature Conservation Act would be administered by the Minister for the Environment and Sustainable Development and the Environment and Sustainable Development Directorate and, by delegation, the Territory and Municipal Services Directorate.

The bill clarifies, and in some areas expands, the role of the Conservator of Flora and Fauna. The role has been expanded to provide a statutory basis for monitoring and reporting of the state of nature conservation and the effectiveness of management programs. It also proposes to reduce the role of the conservator in urban tree protection matters. This was agreed in principle in the government's response to the

Commissioner for Sustainability and the Environment's report into tree protection. A tree curator, created through consequential changes to the Tree Protection Act, will take responsibility for all tree protection matters in the territory.

The bill continues the role of the ACT Parks and Conservation Service in managing conservation reserves. Conservation officers provide advice to both the land custodian and the conservator.

The Flora and Fauna Committee will be renamed the Scientific Committee and will have a clear role in reviewing and making recommendations on action plans and species conservation plans.

Key strategic documents are retained under the bill and new plans introduced to allow better conservation of species and ecological communities, both within the ACT and where they cross into other states. The nature conservation strategy provides high-level strategic direction.

Action plans will remain the key strategic documents for managing threatened species, ecological communities and threatening processes. A migratory species action plan has been proposed to improve the availability of information on migratory species and their habitats. Native species conservation plans are proposed as a flexible management tool that can be applied to species that are not threatened but require management, such as conservation-dependent species.

The exposure draft bill also contains provisions for controlled native species management plans. These plans will enable the management of native species that cause unacceptable economic, social or environmental damage within a strategic framework and aim to maintain the species while managing its impacts on other species and the ecosystem.

Planning for conservation reserves has been brought into the Nature Conservation Bill. This will bring management planning for conservation reserves under the same act they are managed under. Management of reserves will be more flexible under the act. Activities declarations, backed up by signage, will make it clear what can and cannot be done in each area based on the provisions of a management plan, consistent with the purpose of the reserve and its management objectives. Permits will be issued under the Public Unleased Land Act in consultation with the conservator.

The bill also proposes to include resource protection areas as a new provision for reserve management. This provision allows for parts of reserves to have more restricted access or activities to allow for restoration or rehabilitation or, for example, to protect sensitive breeding habitats of threatened species. This will also ensure that areas can recover quickly—for example, if they are damaged through wildfire. Resource protection areas will be managed by the Parks and Conservation Service.

The bill proposes that the conservator allocates IUCN—the International Union for the Conservation of Nature—protected area management categories to all reserved areas in the ACT. This provision responds to a recommendation by the Commissioner for Sustainability and the Environment in her July 2011 report into the Canberra nature park.

This bill proposes to align the threatened species and ecological community categories for listing with the categories used under the commonwealth Environment Protection and Biodiversity Conservation Act 1999. A provisional listing is also proposed in the bill. This listing will ensure that an item is protected while a formal listing process under one of the threatened species or ecological community categories is progressed.

As well as the proposed amendments to the threatened species categories, amendments are also proposed for protected species with three categories identified. These are “of-trade concern,” “rare” and “data deficient”. While a protected species provision is provided in the current act, no categories were identified.

The arrangements for licensing of actions relating to plants and animals have been modernised. Many of the current arrangements for licensing are included in regulations and disallowable instruments. To aid clarity, much of this subsidiary regulation has been brought into the bill. The processes are not significantly different to those established previously, but now mirror those of the Public Unleased Land Act 2013.

A new licensing provision proposed in the bill relates to biodiscovery. This amendment will ensure that commercial benefits obtained through research or collection of flora and fauna in ACT reserves are shared appropriately with the ACT government and any traditional owners. This was prompted by Australia signing the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits arising from their Utilisation, a global agreement made under the Convention on Biological Diversity in January last year. Australia has taken a leading role in its implementation, serving as a model for other countries.

The majority of the offences within the bill are continued from the Nature Conservation Act 1980. These have been reviewed and are consistent with comparable offences in other ACT laws or with similar offences in other jurisdictions. Provisions relating to offences and penalties have been revised to ensure compliance with the Human Rights Act.

The most serious offences within the bill relate to either clearing vegetation or damaging land in reserves. Penalties for these offences are on a sliding scale, depending on whether or not the offending action was intentional, reckless or negligent. The penalties also reflect the seriousness of the damage, with a higher level offence for clearing or damage that impacts on significant biodiversity assets. The range of offences for clearing and damaging land have not changed significantly from what was in the Nature Conservation Act 1980.

Enforcement powers of conservation officers under the Nature Conservation Bill are proposed to more closely align with conservation officers under the Fisheries Act 2000 and authorised officers under the Environment Protection Act 1997. This will allow additional certainty for officers, while authorisation under a range of acts will allow more effective and efficient regulation.

I wish to reiterate that the protection and management of biodiversity are fundamental to the achievement of a more sustainable future. It is therefore timely to ensure that this bill reflects the range of contemporary management of biodiversity practices while still maintaining traditional protection for species and ecosystems.

Public consultation on the exposure draft of this bill is now open for comment for six weeks. Submissions will be accepted until 13 December 2013. All public comments received by that date will be considered by the government. Copies of the draft bill, explanatory statement and details of consultation arrangements are available from the ACT government's legislation register website.

I commend the papers to the Assembly.

Standing orders—amendments

MR GENTLEMAN (Brindabella) (10.54): I move:

That standing order 77(e) be amended by:

- (1) inserting “or Executive Members’ business” after “Assembly business”; and
- (2) adding “provided further that at any time during the consideration of Assembly business any Member may move that Executive Members’ business be called on and the question on such motion shall be put forthwith without amendment or debate.”

This is an administrative motion to allow us to get to executive members’ business. It has been quite clunky in the past. I do not think there is a need for any further discussion. I think most members understand what it is there for.

MR HANSON (Molonglo—Leader of the Opposition) (10.55): We will let this get through today, although I note that without Mr Barr here we could, if we wanted to, prevent it. But I will use the occasion to rise again to talk about executive members’ business.

I note that today we have a situation where the executive members’ business that is to be debated is agreed to by the government, so why one minister is essentially getting his business done in this place instead of in cabinet still eludes me. I would have thought this is something that could have been achieved perhaps by an email or a discussion—or perhaps Mr Rattenbury does not want to talk to Ms Burch and perhaps this is some sort of power play or grandstanding by Mr Rattenbury to his political base. It still eludes me.

What we are seeing here essentially is just a change in process to make it easier for Mr Rattenbury to do his grandstanding to his political base and to perhaps in some regard try to attempt to be the pseudo education minister. I am not quite sure what the purpose of this is today. We will let it go through, but I will not do so without noting that obviously this executive members’ business really, from the Labor Party’s point

of view, was just to secure Mr Rattenbury support for government. From Mr Rattenbury's point of view, it is really just to send a message to his base on whatever probably gets raised at the latest Greens party meeting when they are dissatisfied with his particular stance on animal liberation or whatever it might be.

No doubt this is something that perhaps came out of a Greens party meeting. Certainly a number of the Greens members that we have spoken to from the party have expressed their dissatisfaction with the fact that Mr Rattenbury sold out to the Labor Party. We know that he has a bit of trouble inside his party, and this is all part of that political mechanism.

I watch on with some bemusement as to how this all plays out. I would have thought that a simple memo internally could have addressed these issues, but Mr Rattenbury just wants to telegraph this to his base. I understand that this is a political environment. Let us just be very aware that this is what is playing out. I think this is a bit of a nonsense but we will not be obstinate—although we do, I note, which is rare in this place, have the numbers.

MR GENTLEMAN (Brindabella) (10.58), in reply: In closing, and for clarification, I should note that this motion does come from the admin and procedures committee.

Question resolved in the affirmative.

Legislative Assembly—proposed commissioner for standards

Debate resumed from 24 October 2013, on motion by **Mr Rattenbury**:

That the following continuing resolution be adopted:

COMMISSIONER FOR STANDARDS

That this Assembly requests the Speaker to appoint a Legislative Assembly Commissioner for Standards on the following terms:

- (1) Before appointing a Commissioner the Speaker must consult with the Chief Minister, the Leader of the Opposition and Crossbench Members.
- (2) The Commissioner may be dismissed only following a resolution of the Legislative Assembly resolving to require the Speaker to end the Commissioner's appointment—
 - (a) for misbehaviour; or
 - (b) for physical or mental incapacity, if the incapacity substantially affects the exercise of the Commissioner's functions.

However, a motion for such a resolution may only be debated after the Standing Committee on Administration and Procedure has reported to the Assembly that it is satisfied that the Commissioner is unfit for the office or unable to fulfil the Commissioner's functions.

- (3) The function of the Commissioner is to investigate specific matters which have been referred to the Commissioner by the Speaker or Deputy Speaker relating to the conduct of Members and to report to the Standing Committee on Administration and Procedure.
- (4) Members of the public, members of the ACT public service and Members of the Assembly may make a complaint to the Speaker about a Member's compliance, or to the Deputy Speaker about the Speaker's compliance, with the Member's Code of Conduct or the rules relating to the registration or declaration of interests.
- (5) If the Speaker or Deputy Speaker receives a complaint about a Member's conduct, the Speaker or Deputy Speaker may refer the complaint to the Commissioner for investigation and report if the Speaker or Deputy Speaker believes on reasonable grounds that there is sufficient evidence that the Member's Code of Conduct or the rules relating to the registration or declaration of interests may have been breached in such a manner as to justify investigating the matter.
- (6) In exercising the functions of Commissioner the following must be observed:
 - (a) No report may be made by the Commissioner to the Committee in any case where the Member concerned has agreed that he or she has failed to register or declare an interest if:
 - (i) in the Commissioner's opinion the interest involved is minor or the failure was inadvertent; and
 - (ii) the Member concerned has taken such action to rectify the failure as the Commissioner may have required within any procedure approved by the Committee for this purpose.
 - (b) The Commissioner may not provide a report to the Committee unless the Commissioner has:
 - (i) given a copy of the proposed report to the Member who is the subject of the complaint under investigation;
 - (ii) the Member has had a reasonable time to provide comments on the proposed report; and
 - (iii) the Commissioner has considered any comments provided by the Member.
 - (c) The Commissioner must report each year to the Speaker on the exercise by him or her of the functions of the Commissioner.

This resolution has effect from the date of its agreement by the Legislative Assembly and continues in force unless amended or repealed by this or a subsequent Assembly.

And on the amendment moved by **Mr Hanson**:

Omit all words after “adopted”, substitute:

“COMMISSIONER FOR STANDARDS

That this Assembly requests the Speaker to appoint a Legislative Assembly Commissioner for Standards on the following terms:

- (1) The Speaker must, after each Assembly is elected or whenever the office becomes vacant, appoint a Commissioner for the life of that Assembly and the period of three months after each election. The initial appointment is for the term of the 8th Assembly and the period of three months after the election at the conclusion of that term.
- (2) Before appointing a Commissioner, the Speaker must consult with the Chief Minister, the Leader of the Opposition and Crossbench Members.
- (3) The Commissioner may be dismissed only following a resolution of the Legislative Assembly resolving to require the Speaker to end the Commissioner’s appointment—
 - (a) for misbehaviour; or
 - (b) for physical or mental incapacity, if the incapacity substantially affects the exercise of the Commissioner’s functions.

However, a motion for such a resolution may only be debated after the Standing Committee on Administration and Procedure has reported to the Assembly that it is satisfied that the Commissioner is unfit for the office or unable to fulfil the Commissioner’s functions.

- (4) The functions of the Commissioner are to—
 - (a) investigate specific matters referred to the Commissioner—
 - (i) by the Speaker in relation to complaints against Members; or
 - (ii) by the Deputy Speaker in relation to complaints against the Speaker; and
 - (b) report to the Standing Committee on Administration and Procedure (‘the Committee’).
- (5) Members of the public, members of the ACT Public Service and Members of the Assembly may make a complaint to the Speaker about a Member’s compliance with the Members’ Code of Conduct or the rules relating to the registration or declaration of interests.
- (6) If the Speaker—
 - (a) receives a complaint about a Member pursuant to paragraph (5); and
 - (b) believes there are reasonable grounds for the complaint;the Speaker may refer the complaint to the Commissioner for investigation and report.
- (7) Members of the public or members of the ACT Public Service may make a complaint to a Member of the Assembly about the Speaker’s compliance with the Members’ Code of Conduct or the rules relating to the registration or declaration of interests.

- (8) If a Member—
- (a) receives a complaint about the Speaker pursuant to paragraph (7); and
 - (b) believes there are reasonable grounds for the complaint;
- the Member may refer the matter to the Deputy Speaker.
- (9) If a Member of the Assembly, on their own initiative, believes on reasonable grounds that the Speaker has not complied with the Members' Code of Conduct or the rules relating to the registration or declaration of interests, the Member may refer the matter to the Deputy Speaker.
- (10) If the Deputy Speaker—
- (a) receives a complaint about the Speaker pursuant to paragraphs (8) or (9);
and
 - (b) believes there are reasonable grounds for the complaint;
- the Deputy Speaker may refer the matter to the Commissioner for investigation and report.
- (11) In exercising the functions of Commissioner, the following must be observed—
- (a) Subject to paragraphs (b) and (c), the Commissioner must not conduct an investigation into a complaint nor make any report in relation thereto unless the Commissioner is satisfied—
 - (i) there are reasonable grounds for the complaint; and
 - (ii) the complaint is not frivolous, vexatious or only for political advantage.
 - (b) If the Commissioner refuses to conduct an investigation into a complaint made to the Speaker about a Member, the Commissioner must write to the Speaker indicating that the investigation would not be conducted and a report would not be made and stating the reasons therefore. The Speaker must give a copy of the letter to the complainant and the Member about whom the complaint was made.
 - (c) If the Commissioner refuses to conduct an investigation into a complaint about the Speaker referred by the Deputy Speaker, the Commissioner must write to the Deputy Speaker, indicating that the investigation would not be conducted and a report would not be made and stating the reasons therefore. The Deputy Speaker must give a copy of the letter to the Speaker and to the Member who referred the matter to the Deputy Speaker.
 - (d) The Commissioner must not make a report to the Committee if the Member or the Speaker about whom the complaint was made has agreed that he or she has failed to register or declare an interest if—
 - (i) in the Commissioner's opinion the interest involved is minor or the failure was inadvertent; and
 - (ii) the Member concerned has taken such action to rectify the failure as the Commissioner may have required within any procedure approved by the Committee for this purpose.

- (e) The Commissioner must not make a report to the Committee unless the Commissioner has—
 - (i) given a copy of the proposed report to the Member or the Speaker who is the subject of the complaint under investigation;
 - (ii) the Member or the Speaker has had a reasonable time to provide comments on the proposed report; and
 - (iii) the Commissioner has considered any comments provided by the Member or the Speaker.
 - (f) The Commissioner must report by 31 August each year to the Speaker on the exercise of the functions of the Commissioner.
- (12) The Committee must review the operation of the Commissioner after two years following the initial appointment of the Commissioner and report to the Assembly in the first sitting period in 2016.”.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (10.58): It is great to have the opportunity to speak about the commissioner for standards motion on the notice paper this morning. The government will be supporting this motion with amendments put forward by Mr Hanson and Mr Rattenbury. It was a very rare occasion yesterday when Mr Rattenbury, Mr Hanson and I met in the anteroom for a short period and worked through a range of amendments. It was very civil, people listened to each other’s views and, amazingly, at the end of it we came up with a united position. I do not think I have been involved in such a meeting in this place before. I think it is important to know that there is a unanimous view on the way to go forward with the commissioner for standards.

This motion today establishes a new body for the Assembly that we have not had in the past. It appoints a commissioner for standards who will receive complaints, once they have been through a process through the Speaker, about members’ conduct as it relates to the code which the Assembly passed last week. This is a new arrangement and, in order to give the arrangement the best chance of success, I believed that a unanimous view of all members would give it its best shot.

As members would be aware, last week we agreed on a new code of conduct for MLAs as a suitable pronouncement of the standards expected of all elected members. The code appropriately emphasises the general obligations of elected officials. It covers the main areas relevant to ethical standards and does not move into matters more appropriate to executive influence. It is consistent with the ministerial code of conduct, although that code imposes more stringent requirements given the particular responsibilities, privileges and powers of ministers in the ACT government.

The Assembly’s ethics adviser, Mr Stephen Skehill, in his review of the current code, noted that, without commitment from those subject to the code, appropriate conduct and a willingness to enforce compliance, the code will not achieve its aims. With this in mind, it is important that the code be regarded as setting expectations for MLA behaviour at all times, be objectively enforced and be applied consistently across all parties and members. Considering the variety of ethical questions MLAs face, it is also reasonable that the code is principles based and flexible enough to provide guidance in different contexts.

The government supports the independent oversight of the code, particularly in the event that members cannot resolve all issues themselves. In this context I have publicly stated that I agree to the concept of a standards commissioner. As the code of conduct is a statement of general ethical principles rather than a prescriptive set of rules, interpretive assistance will at times be necessary. Therefore, being able to call upon a person with the relevant expertise to assist with application of the code in specific circumstances will be beneficial.

It had been suggested that the current ethics and integrity adviser could perform a dual role by taking on the role of the commissioner for standards. I am glad that this is not being pursued as it could raise a potential conflict of interest, one which I think the ethics and integrity adviser pointed out to members. I think it is important to retain a separate ethics and integrity adviser who can provide advice to members when requested by members themselves and have a distinct commissioner for standards to investigate specific matters referred by the Speaker or the Deputy Speaker.

While I believe a commissioner for standards is an important role to have on hand if problems arise, I am concerned about the potential cost this could place on the territory, especially if there are a few issues for the commissioner to consider, which we hope will not be the case. I have flagged this concern with members on several occasions and have made suggestions such as putting a suitable person or a panel on retainer to fill the position on an as needs basis. However, I believe the specific arrangements around engagement of the commissioner are appropriately the subject of further discussions once there is the agreement on this motion today.

In terms of the specific amendments to the motion as amended by Mr Hanson, one of these is aimed at strengthening the provisions around which the Speaker may refer a complaint to the commissioner for standards. Where the Speaker believes on reasonable grounds that there is sufficient evidence as to justify investigating the matter and where the complaint is not frivolous, vexatious or only for political advantage, the Speaker may refer the complaint to the commissioner for investigation and report. The initial wording had this as the commissioner for standards deciding if there are reasonable grounds on whether the complaint is frivolous, vexatious or only for political advantage.

There are further amendments which clarify that members of the public, members of the ACT public service and members of the Assembly may make a complaint to the Deputy Speaker, rather than to another member of the Assembly, about the Speaker's compliance with the members' code of conduct or the rules relating to the registration or declaration of interests. This provides a clearer point of reference for any such complaint.

The government will be supporting the amendments. In a sense, I hope the commissioner for standards does not ever need to be used. We have not had reason to have a commissioner for standards in the past. I think the appointment shows a growing maturity of the parliament and also a willingness to put in place measures that send a very strong message to members about expectations of their conduct as

members and that there is an avenue for complaints of members to be pursued where one is made, whether by a member of the public, the ACT public service or other members.

I think the challenge for this going forward will be to make sure that it is as depoliticised as possible. I think the work that we have tried to do with Mr Hanson and Mr Rattenbury has sought to achieve that. This is not necessarily about this parliamentary term. It is about all of the terms going into the future. The fact that we are establishing it and that we have been able to resolve this motion with the unanimous support of all members sends a very strong message that the office of commissioner for standards should not be abused. It is over to members of this place to make sure that it works and that it is not caught up in the hurly-burly of political activity or discourse.

The government will, with those amendments, support the motion as outlined on the notice paper today. I hope we do not need the commissioner for standards, but if it is needed I believe that the arrangements we have put in place will ensure that it operates as smoothly as possible and without political interference.

MR RATTENBURY (11.06): With the agreement of members, I will speak briefly to the amendment and then move my amendments. Further to Ms Gallagher's comments, I also appreciate the conversation that was had yesterday in the antechamber. I think we were able to finally get focus on this matter. It has been on the paper for some time now, and I think that through that process of collaboration we have actually been able to come up with a good outcome.

I seek leave to move the amendments circulated in my name together.

Leave granted.

MR RATTENBURY: I move:

“(1) Omit paragraph (6), substitute:

“If the Speaker receives a complaint about a Member pursuant to paragraph (5) and the Speaker believes on reasonable grounds that—

(a) there is sufficient evidence as to justify investigating the matter; and

(b) the complaint is not frivolous, vexatious or only for political advantage;

the Speaker may refer the complaint to the Commissioner for investigation and report.”.

(2) Omit paragraph (7), substitute:

“Members of the public, members of the ACT public service and Members of the Assembly may make a complaint to the Deputy Speaker about the Speaker's compliance with the Members' Code of Conduct or the rules relating to the registration or declaration of interests.”.

(3) Omit paragraph (8).

(4) Omit paragraph (9).

(5) Omit paragraph (10), substitute:

“If the Deputy Speaker receives a complaint about the Speaker pursuant to clause (7) and the Deputy Speaker believes on reasonable grounds that—

(a) there is sufficient evidence to justify investigating the matter; and

(b) the complaint is not frivolous, vexatious or only for political advantage;

the Deputy Speaker may refer the complaint to the Commissioner for investigation and report.”.

(6) Omit paragraph (11), substitute:

“In exercising the functions of Commissioner the following must be observed:

(a) The Commissioner must not make a report to the Committee if the Member or the Speaker about whom the complaint was made has agreed that he or she has failed to register or declare an interest if—

(i) in the Commissioner’s opinion the interest involved is minor or the failure was inadvertent; and

(ii) the Member concerned has taken such action to rectify the failure as the Commissioner may have required within any procedure approved by the Committee for this purpose.

(b) The Commissioner must not make a report to the Committee unless the Commissioner has—

(i) given a copy of the proposed report to the Member or the Speaker who is the subject of the complaint under investigation;

(ii) the Member or the Speaker has had a reasonable time to provide comments on the proposed report; and

(iii) the Commissioner has considered any comments provided by the Member or the Speaker.

(c) The Commissioner must report by 31 August each year to the Speaker on the exercise of the functions of the Commissioner.”.

These amendments reflect the discussion that was had yesterday. They pick up additional points that have been added through the course of discussion in the last week or so. I thank members for their contribution. I will speak to each of the amendments briefly.

Amendment No 1 seeks to substitute text in clause 6. In Mr Hanson's amendment, there was a broader threshold for deciding on whether or not to undertake an investigation. This amendment seeks to preserve this threshold for the Speaker and the Deputy Speaker as the decision maker as our further amendments have removed from the commission the role of deciding whether to conduct an investigation or not. We certainly did not want to throw out the threshold just because we were moving the decision from the commissioner.

I do note that we have also picked up the text that is in addition to the very first version of this motion, where it talks about a complaint not being frivolous, vexatious or only for political advantage. I think there has been some concern amongst members that this mechanism could be used inappropriately and for political purposes and I think this is good text that has been added by other members to be very explicit about our expectations but also in providing the Speaker with a mechanism for ruling out complaints so that they do not go too far and that there is a discouragement to that kind of behaviour.

The next one, amendment No 2, takes out some of the more complex processes that did get added through discussion where MLAs receive complaints about the Speaker. It simplifies where the formal decision-making process sits and whether to proceed with complaints. My view is that it is unnecessary to have MLAs also having to apply a formal threshold test and that the role should sit clearly with the Deputy Speaker or the Speaker, depending on whom the complaint is in regard to.

I think it is appropriate that an MLA can make their own decision about whether to take a complaint further but it is overly complex to apply a formal threshold test for each MLA; rather, we should focus that decision with the Speaker or the Deputy Speaker who, of course, then has the formal support of the Office of the Legislative Assembly in providing advice on that matter. As such, our amendments remove that sort of additional layer. Subsequently, amendments 3 and 4 omit clauses 8 and 9 which flow from that.

On amendment No 5, it is the agreed view that if the Deputy Speaker receives a complaint about the Speaker pursuant to clause 7 and the Deputy Speaker believes on reasonable grounds that there is sufficient evidence to justify the investigation and it is not frivolous, vexatious or for political advantage, the Deputy Speaker may refer the complaint to the commissioner.

The amendment to clause 10 of Mr Hanson's amendment merely aligns the threshold test about the Speaker by including the additional threshold of not frivolous, vexatious or for political advantage.

Finally, amendment No 6, the changes to Mr Hanson's amendment to clause 11, removes the reference to what the commissioner does when refusing to undertake an investigation, and this flows from earlier amendments that I have spoken to.

MR HANSON (Molonglo—Leader of the Opposition) (11.10): I indicate at the outset that the opposition will be supporting Mr Rattenbury's amendments to my proposed amendment. These were, as the Chief Minister and Mr Rattenbury have indicated,

resolved in a Christmas 1914-like meeting as the battle raged around us. We were on, I think, the convention centre motion. We all moved off to a quiet corner and made sure that these were negotiated to a point where they could be agreed by all three parties. As the Chief Minister has indicated, I think that is important. I must reflect we are disappointed we did not get the same outcome on the code.

Where possible on these sorts of issues, it is important that, if we are going to remove any controversy around these, we do, where we can, seek to have a tripartisan view. I think that there has been some give and take on all sides to make sure that we get that outcome and I think that the outcome is certainly a workable solution.

I thank Mr Rattenbury for having, in the process of these negotiations, essentially amended what he was going to put forward, with a view particularly to the fact that the Speaker is now required to consult but not necessarily seek the agreement of certain members. I think that is important. The Speaker can actually make sure he or she can appoint someone and is not stymied by someone essentially refusing to accept the particular nomination.

I think also that the review clause is important so that we can come back to this place and make sure that the motion is working effectively, as it is intended.

The other amendments that have been moved essentially are matters of debate, in essence, about who can complain about whom and who then can make decisions around that. I think that there is some argument either way. I think that the amendments are workable, equally as my amendment to the original motion is workable. But certainly in the interests of making sure that we have a tripartisan view, as I indicated, the opposition is happy to accept Mr Rattenbury's amendments.

This obviously now is going to get passed, and the opposition welcomes that. We have done what we can to make sure that, when and if issues do arise, they can be dealt with in a proper fashion and that where possible, noting that this is a political environment, these sorts of issues are not mounted for political purpose. But we do make sure that if situations do arise where there is concern over a member's particular conduct, we now have a process and a way forward of dealing with that and taking some of the perhaps politics and the sort of vexatious nature away from it. So I think it is a step in the right direction and I look forward to the process as it unfolds.

MR RATTENBURY (Molonglo) (11.14): In closing the debate, I will make a few brief remarks now. I simply want to take this opportunity to thank members for their input and support of this process. I think it is important that we have this role to provide a non-partisan mechanism for dealing with disputes in this place. They can be very difficult when they arise. I think this is a wise way to proceed to set up something that gives a space and will give both members of the public and members of the Assembly confidence that there is a mechanism in place to look at these difficult matters.

I think this is the right time to do it, when there is not a matter at hand. We have been able to do this in a way that is relaxed and is not trying to deal with a particular dispute. So I thank members for their support and I commend the motion to the Assembly.

Mr Rattenbury's amendments to **Mr Hanson's** proposed amendment agreed to.

Mr Hanson's amendment, as amended, agreed to.

Motion, as amended, agreed to.

Executive members' business—precedence

Ordered that executive members' business be called on.

Education—students with learning difficulties

MR RATTENBURY (Molonglo) (11.16): I move:

That this Assembly:

(1) notes:

- (a) the importance of ACT schools having a best practice response to the management of children with learning difficulties;
- (b) that the ACT Government and the Education and Training Directorate established a taskforce in 2012 to “consider how to improve assessment and support for children and young people in ACT public schools with learning difficulties”;
- (c) that the Taskforce on Students with Learning Difficulties submitted their final report to the ACT Government in June 2013;
- (d) that the Taskforce identifies 14 strategies under three key recommendations focussed around:
 - (i) A Consistent Systemic Approach;
 - (ii) Building Staff Capacity; and
 - (iii) Building Partnerships with Families;
- (e) that on 16 August 2013, the Minister for Education and Training, Joy Burch MLA, announced that the ACT Government agreed to all the recommendations and strategies;
- (f) that the ACT's Literacy and Numeracy Strategy 2009—2013 is due for review this year; and
- (g) that the Standing Council on School Education and Early Childhood is undertaking further consideration of issues relating to students with a disability;

(2) thanks members of the Taskforce on Students with Learning Difficulties for their time and effort working on the report;

- (3) calls on the ACT Government to integrate the recommendations and strategies from the Taskforce report into any review of the ACT's Literacy and Numeracy Strategy; and
- (4) calls on the Minister for Education and Training, Joy Burch MLA, to report back to the Legislative Assembly with an update of progress on implementing the Taskforce's recommendations in February 2014.

I am pleased to be here today to discuss this motion and to provide an opportunity for the members of this place to give consideration to the issues of learning difficulties faced by children in the ACT and how we can best respond.

I tabled this motion against the backdrop of receiving the report from the task force for learning difficulties and the government response to that task force. The task force was commissioned by the former education minister Dr Chris Bourke as a response to growing concern amongst some parents and advocates that their children's needs were not being met. My former colleague Meredith Hunter also tabled a petition of 625 ACT citizens in regard to students not having their diagnosis of dyslexia recognised by ACT directorates.

The ACT is, by all accounts, performing well ahead of our national counterparts on literacy and numeracy achievement in the early school years. The ACT often scores the highest on overall NAPLAN results as compared to the rest of the country, although we have areas of concern regarding students from a low socio-economic background and Aboriginal and Torres Strait Islander children. Having said that, one would expect that the ACT, with our highly-educated demographic, should be doing better than other jurisdictions.

But even so, some parents of children in the ACT are telling us that that they cannot get the help they need for their child to learn to read properly and that they cannot access the services in a timely manner to get their child assessed for a learning disorder such as dyslexia. When and if they do get an assessment that indicates a learning difficulty, they report that many teachers do not actually know how to teach their child in a way that makes sense to their child. They tell us that there are too few school counsellors and support teachers and that there are limited options about where you can take your children for help. Some of those options offer little more than the same teaching methods, but slower and one on one.

The incidence of learning difficulties in our classrooms is hard to identify, primarily because the definitions of what constitutes a learning difficulty vary so widely. Learning difficulties encompass a range of problems that children have in the classroom. The DSM-V, the new edition of the diagnostic manual used by psychologists the world over, takes a broad approach to defining learning difficulties. They say:

The diagnosis requires persistent difficulties in reading, writing, arithmetic, or mathematical reasoning skills during formal years of schooling. Symptoms may include inaccurate or slow and effortful reading, poor written expression that lacks clarity, difficulties remembering number facts, or inaccurate mathematical reasoning.

Dyslexia is one of those variations of a learning difficulty, but not the only one. But because of differing understanding over the years of what constitutes a learning difficulty, incident rates have remained unclear. Incident rates for dyslexia are also difficult to quantify, depending on what is included in the definition. Some say it is about two to three per cent—those few percentage points who are resistant to a variety of teaching techniques and who need one-on-one assistance. Some say it is 10 per cent or higher. Some include all reading delays as dyslexia.

Still, the reality is that there are children in our schools who are failing to learn to read at the same rate as their peers, children who are struggling in spite of the reading programs implemented in their classrooms. Some academics say that about 25 per cent of all children in Australian classrooms have difficulties learning to read. Maybe in the ACT the rate is not that high, but even here it is not just one or two per cent of students.

The progress in international reading literacy study, or PIRLS, is an international study in 2011 that included 59 countries. Australia participated for the first time, and testing was undertaken on year 4 children. Australia scored lower than 21 other participating countries, including Ireland and Northern Ireland, the United States, England and Canada as well as Asian countries such as Hong Kong, Singapore and Chinese Taipei.

We were the lowest English speaking country surveyed and, interestingly, we had a wide spread of results. While 10 per cent of Australian year 4 students reached the advanced international benchmark, 32 per cent the high benchmark and 34 per cent the intermediate benchmark, almost one-quarter or 25 per cent of students did not reach the intermediate benchmark. The results indicated that Australia has a substantial tail of underperformance.

We shared our place half way down the table with countries like France, New Zealand, Spain and Belgium. The countries that performed worse than us were from the Middle East, Eastern Europe and Central and South America. The report highlighted that Australia would do well to aim to lift this tail of underachievement as well as work to extend the learning of the top achievers.

The ACT is not immune from those international statistics. Certainly averages are high but we need to focus on who is being left behind and why. We cannot pretend, on the back of strong NAPLAN results, that there are not children who are struggling to learn to read in ACT primary schools and that we cannot do something better to help them.

Public debate about how we teach our children to read is not new and, unfortunately, can often be divisive. The so-called reading wars are not helpful to fall into, but it is true that a brief Google search will reveal that when politicians wander into the debate about how we teach children to read, there are two sides in the debate: phonics and whole language, and they emerge with all bows armed. Then each side is backed up by their supporters—linguists and educators that say politicians should butt out of the debate about how to teach kids to read and leave it to the professionals and reading

experts who appear somewhat frustrated at how educational policy developers are ignoring their advice.

Funnily enough, while the political debate between phonics and whole language was traditionally aligned with conservative and progressive sides of politics respectively, times are, in fact, changing. Julia Gillard called an end to the reading wars in 2010 when the national curriculum included, albeit limited, phonics outcomes. In recent days West Australia ALP member for Perth, Alannah MacTeirnan, strongly advocated the inclusion of phonics programs as she took a pot shot at reading academics who she thought were putting their commitment to whole language ahead of the reading development of our children. So the public advocacy on the side of the phonics team is now wider than just the traditional politically conservative side of politics.

My point in touching on all of that was not to engage or stir up the so-called reading wars, but rather to point out that this can be a very difficult issue to discuss in the public domain. But for the sake of improving educational outcomes for our children, we must not shy away from addressing issues with literacy learning in our schools.

There are large amounts of research that have been undertaken to address the big question of how we teach literacy. There are three key national reports that undertook a meta-analysis of this research, perhaps the three most relevant to us here in Australia. In 2000 the US report of the National Reading Panel *Teaching children to read* was released in the US. It is one of the most comprehensive and influential investigations ever undertaken.

In 2004 the then federal education minister, Brendan Nelson, commissioned the National Inquiry into the Teaching of Literacy. Its report was released in 2005. In 2006 in the UK there was the Independent Review of the Teaching of Early Reading, otherwise known as the Rose review.

Each of these reports reached similar conclusions: in order to improve the teaching of literacy to children, literacy curricula needed to include explicit teaching of what is known as synthetic phonics, a bottom-up approach that explicitly and systematically teaches the relationship between sounds and letters. But what I find most interesting is that each of these reports warned against introducing this bottom-up, structured version of phonics tuition without ensuring the ongoing teaching of reading in a rich language environment and in conjunction with other reading and writing activities.

Indeed, reading experts say that a good model of teaching includes five different areas: phonemic awareness, phonics, fluency, vocabulary knowledge and text comprehension. So the push to improve literacy teaching was about additional ways of teaching, not using just one method at the expense of another. This certainly does not need to be a war. After its release, many recommendations from the Rose report were implemented by the UK government. By contrast, there was little implementation of Australia's National Inquiry into the Teaching of Literacy, and that was nearly 10 years ago.

Why is all of this important for children with learning difficulties? It is important because researchers and specialist teachers are telling us that children with learning

difficulties respond to this kind of teaching, that many of the children identified with learning difficulties may well be able to learn to read in the classroom but would benefit from being taught in different ways from how they are currently being taught. The question is: are all ACT classrooms able to deliver on that? I suspect the answer is that, yes, clearly some of them can and are, but not all of them, and perhaps not in a systematic way and not using programs, resources and teaching pedagogy that is endorsed by the directorate.

What do we know about how the ACT currently operates? Let me touch on a few points. We know that in the ACT decisions about methods of literacy teaching are left with the principal of each school. The directorate-endorsed literacy frameworks used are whole-language based. Some individual schools have introduced the teaching of bottom-up phonics but it is unclear how many. Teacher understanding of systematic bottom-up phonics teaching is limited and there is a broad need for staff development. And families with children who have reading difficulties unfortunately do feel unsupported, which takes us to the report released by the task force and the motion that I have moved here today.

The motion seeks to acknowledge how this debate has progressed with the completion of the report from the Taskforce on Students with Learning Difficulties and the government response, which essentially supports all the recommendations and strategies outlined in the report. The task force report was written by a group of professionals, including primary teachers and principals, a speech pathologist and a counsellor, an academic as well as parents of children with dyslexia and a young person with dyslexia.

My motion indicates the Assembly's thanks to the members of that task force for the time and effort they put into preparing the report. I know that the parents of children with learning difficulties would send their thanks too for the work that was done. The report focused on recommendations in three main areas: a consistent systemic approach, including the addition of endorsed evidence-based approaches that would provide a consistent and supportive platform in the teaching of literacy and numeracy.

The report talks about the need to build a high level of understanding across the directorate about learning difficulties so that strategies can be implemented. It is acknowledged that access to specialist services in the ACT can be limited and so a consistent response across schools would assist in children getting the intervention they need when they need it. The report also touches on what is called the response to intervention model whereby the pathway for a child who is struggling to read can be clearly identified by how they respond to what they are being taught, starting with how they respond in the classroom through to how they respond in small groups or one on one.

The second area the report focused on was building staff capacity. Teachers are our great resource in the education system and the report calls for a strategy to build the capacity of staff to meet the needs of students with learning difficulties in partnership with school leadership. This is an interesting issue, because parents report frequently that one of the reasons they do not get the help they need at school is because teachers have not been trained to implement some of the programs and practices that are being recommended to help children with learning difficulties.

Furthermore, there is significant criticism that some teaching institutions are not responding to this issue either and are continuing to rely on only one method of teaching children to read rather than ensuring teaching graduates are armed with the full range of strategies to teach not just children who find reading easy but also children who find reading very difficult. Skills to teach children with learning difficulties should not be restricted to just a small group of specialist teachers, given that learning difficulties are so prevalent across Australian classrooms.

The third area of focus was building partnerships with families. Families are crucial in this debate. It is families that will help support children with learning difficulties to get the assistance they need, but also to improve outcomes for them.

Clause 3(a) of the motion call on the ACT government to integrate the recommendations and strategies from the task force report into any review of the ACT's literacy and numeracy strategy, the current version of which ends this year. I have to say that any effort for that document to be a little more specific and targeted than its predecessor would be welcome.

As I indicated, the government has broadly responded favourably to this report. I would like to acknowledge the positive action taken by Dr Bourke in establishing the task force and Minister Burch for the directorate's genuine engagement on this issue. However, it will be the detail of how the recommendations and strategies are implemented that will make the difference for students with learning difficulties in the ACT.

The directorate indicated that it would keep the minister updated with quarterly reports of progress over the next 12 months. Clause 3(b) of my motion calls for the government to provide the Assembly with an update in February 2014. That is a reasonable time frame for us to receive some meaningful information about implementation, as well being timely with the start of the new school year.

Staff from my office attended the launch of SPELD ACT last week. SPELD stands for specific learning difficulties. SPELD ACT is the newest branch in Australia of the not-for-profit organisation that provides information and services to children and adults. I would like to congratulate them on their launch and wish them well supporting the families of the ACT.

One of the remarks made at the launch was that it is not that children with learning difficulties cannot learn to read; it is that they need to be taught differently. So the question for us is: why are we not doing it? That is the task at hand, and I look forward to hearing from the minister and the directorate about how they progress with that challenge. I commend the motion to the Assembly.

MR DOSZPOT (Molonglo) (11.31): I am delighted to speak on this motion today because it provides an opportunity to resolve in my mind some really conflicting issues regarding Mr Rattenbury's role. I recognise that the five years I have spent in this place have all been within the confines of opposition and, as we all know, opposition members are on the first floor. So I cannot pretend to know or understand

the layout or modus operandi of the current residents of offices on the second floor. Clearly, I have no experience yet of being in government and no experience or familiarity with the communication process of this government or, more particularly, this cabinet. But I realise that the size of this place is not on the scale of, say, federal parliament where the House of Representatives has 150 members who may not know everyone. At last count this place had 17 members, which includes one Chief Minister and four ministers. I make the presumption that cabinet meetings include the Chief Minister and her four ministers.

So this leads to a number of queries I have for the current minister for TAMS, corrections, housing, ageing and indigenous affairs. Is Mr Rattenbury not included in cabinet meetings? Does the minister not feel able to speak with the current minister for education? Does the current minister for education refuse to speak with the current minister for TAMS et al? Does the current minister for TAMS et al not feel able to pick up the phone and speak with the current minister for education? Is the current minister for TAMS et al unable to find the current minister for education's office? Is the current minister for TAMS et al afraid of the current minister for education? Does the current minister for TAMS et al feel that the education portfolio is not in appropriate hands? Does the current minister for TAMS et al not have confidence in how the current minister for education is progressing issues within her portfolio? Does the current minister for TAMS et al have a desire to change the portfolios? Does the current minister for TAMS et al not have enough work in his own portfolio? Does the current minister for TAMS et al want the opposition to speak with the Chief Minister on his behalf to advise how unhappy he is in his own portfolio, if that is the case? Does the current minister for TAMS et al have a yearning to be part of the opposition side of politics and become part of private members' business on Wednesdays? Is the minister suffering from an undiagnosed relevance deprivation disorder?

These are obviously troubling times for the current minister for TAMS. Clearly, he is conflicted. Is he a backbench Green? Is he a frontbench watermelon—green on the outside and red on the inside? Perhaps the opposition can assist the minister in his conflicted state. Would it assist the minister if we were able to put into words what he is trying to say, because this must be what he is implying by this motion. Would it help, minister, if we moved an amendment expressing a lack of confidence in the current education minister? Would it help if we moved a further amendment calling on the Chief Minister to undertake a cabinet reshuffle and install the current minister for TAMS into the education portfolio? As an aside, I can only say that he could not possibly do any worse a job than the current one, but then people with an interest in education are used to getting short-changed with their ministers.

To be serious, this is an insult to parliamentary process and a farce. On a purely financial level, what cost is it to have this matter debated here today and to what purpose? Let us look at the time line here, Mr Rattenbury. The minister established a task force to examine students with learning difficulties, and it reported in June this year. In September, the minister released her response advising that the government had agreed with all the recommendations. It is now only October and already Minister Rattenbury is having doubts that the minister will not progress the recommendations. By comparison, Mr Rattenbury takes longer to answer some of his

letters—those he does not manage to lose—than the education minister has taken with this issue. I am reluctant to appear to be defending the current minister for education, but this is an absurd abuse of parliament, and it needs to be exposed as such.

MS BERRY (Ginninderra) (11.36): I thank Mr Rattenbury for bringing on this motion today because it is a very important subject for this Assembly to be debating. Certainly, it is an important subject for parents who live in my part of the town in west Belconnen who I have spoken to about children with learning difficulties and who learn differently from the mainstream. In fact, the numbers show that one in five children have a learning disability, which means that up to five kids in every classroom of 20 could have a learning difficulty and learns differently from the mainstream. I think it is important, and I agree with Mr Rattenbury, that we should leave it to the experts and that politicians should not be making decisions about how our children learn. For children with learning difficulties, particularly with dyslexia, it takes a lot of practice and a lot of patience, a lot of repeating and a lot of time, and that is what the experts tell us.

I acknowledge and thank the members of the task force, and I also acknowledge Macgregor Primary School, which made a number of submissions to the task force. The response to the task force from the directorate has been really positive, and I am looking forward to seeing the outcomes and what progress the task force makes in February next year.

One of the recommendations is a consistent and systemic approach to maximise specific leaning outcomes of students with learning difficulties. The second recommendation is that of building staff capacity to meet the needs of students with learning difficulties. This is a really important one so that teachers in the schools get the support they need so they can assist our children and their families with their education. The third recommendation is improved partnerships with families and better communication with families about the sorts of teaching methods that are being used to assist their children.

I was particularly interested that the task force noted that a provision for adjustment to assessment tools for students with learning difficulties need to be strongly promoted to parents and carers. I would like to see, instead of a NAPLAN test for children with learning disabilities which says that every child who learns differently from everybody else will always fail in NAPLAN, a different assessment tool which says something like, “Ten weeks ago your child was here. Look where they are now.” That is the sort of assessment that parents with children with learning disabilities would like to see so that at least they can see where their children are moving forward and actually getting through.

One of the other things the task force talked about and identified was that with better understanding of learning disabilities like dyslexia, we know those children are very high in their intelligence; it is just that they learn a little bit differently than everybody else. We need to give those children every opportunity, just like every other child, to have the best learning outcomes. I think we can do that, and this task force is definitely a step in the right direction. I look forward to the report from the government about how the task force recommendations are going and how they are being implemented across the ACT.

MS BURCH (Brindabella—Minister for Education and Training, Minister for Disability, Children and Young People, Minister for the Arts, Minister for Women, Minister for Multicultural Affairs and Minister for Racing and Gaming) (11.40): Thank you, Mr Rattenbury, for bringing on this motion. Clearly this government understands the vital importance of meeting the needs of each and every student and is committed to making a positive difference in the lives of all the students in the ACT. The vision that all young people in the ACT learn, thrive and are equipped with the skills to lead fulfilling and responsible lives is one that schools work towards from the moment a child begins their education. In fact, the lifelong learning skills that schools instil in all young people continue to influence and to form a crucial part in the lives of young people forever. Education, as we know, is the key to bright futures and the tool we never stop using.

For students with learning difficulties, the route may not be as straightforward, but we strive to ensure the outcome is the same. Students with learning difficulties must also learn, thrive and be equipped with the skills to lead fulfilling lives. For this reason, the government established a task force on students with learning difficulties, which has provided the opportunity to consider the way forward to improve the learning outcomes of students with learning difficulties. We have also committed to the national plan for school improvement, and it is through those key directions that the recommendations from the learning difficulties task force will be delivered.

For an individual to experience the best possible education that meets their needs, they must experience quality teaching and learning. The leadership in their school must be empowered to make a difference so students' individual needs are met, and parents need to be aware of the range of crucial ingredients that make their child's education successful. If their child has learning difficulties, they need to know that, as for any other student in the system, schools will be working to ensure their child thrives.

While the ACT's numeracy and literacy strategy is certainly a part of this picture, you will appreciate that it is actually only one part of a wider agenda. Task force members were drawn from people who demonstrated connection and commitment to children and young people, represented key stakeholder interests and had relevant experience associated with children and young people with learning difficulties.

As well as meeting as a group, the task force invited presentations from within the directorate and other relevant government and community agencies, held consultations with directorate staff, parents and carers and students and conducted a professional literature search on evidence-based practices for students with learning difficulties both in Australia and internationally.

The final report of the task force was submitted to the government in June this year, and the report identified 14 strategies under the three key recommendations: a consistent systemic approach, building staff capacity, and building partnerships with families. The recommendations support a systemic approach to supporting students with learning difficulties that present in any classroom from preschool to year 12, and builds on the already high standard of professional practice in our public schools.

The government supports all recommendations and strategies in the report to ensure a best-practice response to the management of children and young people with learning difficulties, and I made that announcement in August of this year.

The following strategies have been agreed upon by the directorate under the key recommendations. For 2014 planning, the directorate will focus on meeting the needs of all learners, including those students identified as experiencing learning difficulties within programs for the school leadership teams. It is essential that strategies in building capacity are undertaken in partnership with school leadership to ensure whole-of-directorate ownership and practice. The directorate has commenced the review of the gifted and talented policy, which will include provision for twice exceptional students—that is, students who are gifted and talented who also present with learning difficulties.

The directorate is currently investigating early intervention models similar to and including the response to intervention model, which is a tiered approach to ensuring that students are receiving responsive, high quality instruction according to their needs. The directorate will assess the appropriateness of such models in the ACT context, including the identification of the support required for implementation.

Building staff capacity to meet the needs of students with a learning difficulty has commenced through the online learning course conducted by the directorate in speech, language and communication and dyslexia and significant reading difficulties. This provides a consistent directorate-wide approach.

Currently, 340 participants have completed these courses, including 36 trained tutors consisting of school-based staff, psychologists, therapists from Therapy ACT and office-based staff. School-based staff and network student engagement teams are working in a collaborative way with other professionals to develop skills to support the needs of students with learning difficulties. This common approach builds the groundwork for developing communities of learners across the networks of schools.

Nationally, these courses have been highly valued, with 89 per cent of those completing the courses still accessing the embedded resources three months following completion of training. Research indicates an online flexible environment with this structured interactive approach based on understandings and assessment of interventions is leading practice in professional capacity building. ETD will incorporate the tutor training and school participation into a comprehensive professional learning pathway within all schools for teachers and learning support assistants.

The directorate will continue to utilise the services of Ms Karen Starkiss from the Consultant Dyslexia Support Service based in Melbourne and previous principal and consultant in the United Kingdom. She has delivered an interactive workshop in the ACT for school based staff and a number of schools have indicated interest in whole-school professional learning with her.

Parent members of the task force were given access to online courses for speech, language and communication and dyslexia and significant reading difficulties. They endorsed the courses and suggested they be utilised by all ACT public schools for professional learning and that the embedded resources are considered particularly useful and evidence based.

A resource base is built into the courses which can be shared by schools with families, so bringing them together in discussing the needs of students with learning difficulties and a personalised plan. The directorate will continue to build on and enhance the current partnerships that support students with learning difficulties, particularly those across ACT Health and Community Services directorates.

The student engagement section of the Education and Training Directorate is currently working with a speech pathologist from Therapy ACT to determine effective strategies in meeting the needs of students with language disorders and learning difficulties as an adjustment to the current delivery of resources.

With considerable work already being undertaken and a clear reform agenda which embraces the importance of meeting the needs of all students, I look forward to presenting the progress of this work to the Assembly in February next year. I look forward to what will be some of the early bits of business in the new Assembly year.

Whilst you are in the chair, Mr Doszpot—I do not know how I can go through the chair to you over there, but I will try—it is important to make sure we do the best for all our students—from the gifted and talented, from the twice exceptional, to those with learning difficulties. For you, as shadow education minister, to use your time in this place to do some political slinging across the chamber was a disappointment. I was looking forward to having your policy contribution in this area. Nevertheless, we are quite clear in supporting this motion. I have no problems with Mr Rattenbury's role under executive members' business. It gives him the same right as members in non-executive positions on private members' day.

I indicate the government's support of this and look forward to coming back in February. I thank all those involved with the task force. They did a very good, clear piece of work and they went out and spoke to the people who mattered—the experts, the families and the students. I commend them for their work, and I look forward to implementing these strategies and improving the outcomes for all our students in the ACT.

MR RATTENBURY (Molonglo) (11.50), in reply: I thank Ms Burch and Ms Berry for their comments today. This is an important issue. It is one that parents in the ACT have raised with me in my office as being of significant concern. The reason I brought it on for discussion today was that it is of great value to bring serious issues in the community before this Assembly, as members often do. All members do it at different times in different ways.

It is quite bemusing that the Liberal Party feel that it is entirely inappropriate for me to raise matters of public concern in this place. We have a range of mechanisms for

doing that. Private members' day, which we all sat through yesterday, is a platform for members to come in here and raise a whole range of issues. Yesterday we had you, Mr Doszpot, raise the issue of an autism-specific school for the second or third time this year in the Assembly; yet somehow you and your colleagues feel that it is inappropriate for me to come in here and raise an issue which I have taken some interest in and which I have received some particular information on.

We have had matters of public importance, another forum through which members raise a whole range of issues. As a member of the executive, I am not able to submit to that process. That is fine, but there is no reason why there should not be a space in the program for me to raise these matters.

It is worth reflecting on history. At the time of the Carnell government, when Michael Moore was a minister in that government who also sat on the crossbench, there was executive members' business. In fact the change to the standing orders that was implemented this term to create this space in the program was taken from that exact era of the Carnell government.

I guess that, with the benefit of hindsight, Ms Carnell was not the reactionary in the way the current mob is. She clearly had the capability for broad thinking and to be more collaborative than perhaps her successors are in this place. I wonder whose character that reflects more on—probably the current mob more than Ms Carnell. As she is not here to speak for herself, I will not make any further comment other than to observe that previous Liberal Party members of this place have been capable of greater thinking than the current mob.

It is poor form, and, frankly, quite appalling, that the shadow minister for education did not have a single thing to say on this very important issue when it comes to educating young people in this town. There may be disagreement about the role that I play in this place, but this is a serious topic. I brought forward a serious motion and I gave a, frankly, quite serious speech about the matters that are at hand for those students. I can objectively say that that was far from a political speech. It was a speech about the substance of the matter and the very serious issues that members of our community face.

When it comes to members' understanding of the parliamentary agreement, I have great sympathy for the fact that they struggle to comprehend it. I cannot understand why that is. It is there. It is available on the web, if Mr Hanson wants to read it. It is clear that Mr Smyth has. It is clear that the Liberal Party apply it as it suits them, because Mr Hanson refuses to either read or acknowledge the parliamentary agreement as it is set out. It sets out very clearly the role that I have in this place.

Mr Hanson: I can't remember signing it.

MR RATTENBURY: Mr Smyth was comfortable citing it yesterday in the motion that he wanted to bring forward on the Australia forum in this place, and appropriately so. I have no qualms with that. It was an acknowledgement of fact—that the Greens and the ALP in the parliamentary agreement acknowledge the desire to move the Australia forum forward.

Mr Hanson interjects that he did not sign the parliamentary agreement. That may be the case, but it is quite clear that there is an understanding of how the Assembly can operate and it is quite clear that, as a member of the Greens party, I have the capacity to bring issues forward in this place as I see fit. The rules have been set out clearly for that. If there is any uncertainty about the operation of the rules, I am certainly happy to discuss clarification of the standing orders if that will make it easier for members of the Liberal Party, who do seem to be struggling with it.

Let me close my remarks by reflecting on the issues at hand. We do have in the ACT young people who are struggling with learning to read. This is a very significant issue. The figures I cited during my speech, which I will not repeat now but which I think give us all pause for thought, are very sobering. They point to the significant issue that our community faces in dealing with this.

I thank Ms Burch and her colleagues for their support of this motion. I welcome the fact that the minister is taking this seriously. And I look forward to hearing the progress report so that all members in this place might be informed on what is an important issue for many members of our community.

Question resolved in the affirmative.

Executive business—precedence

Ordered that executive business be called on.

Justice and Community Safety Legislation Amendment Bill 2013 (No 4)

Debate resumed from 8 August 2013, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

MR HANSON (Molonglo—Leader of the Opposition) (11.56): The Liberal opposition will be supporting the fourth JACS legislation amendment bill 2013. This bill makes a number of minor, non-controversial amendments to legislation administered by the JACS Directorate. Five acts are amended. I will comment briefly on a couple of the amendments.

There are changes to the Coroners Act and the magistrates act to streamline conclusion of a matter on foot in which the appointed coroner or magistrate no longer holds that post or is unavailable to complete the hearing. This will provide more certainty for the people who are involved in matters that would otherwise come to a standstill.

In saying this, however, I do note that it is open for the new coroner or magistrate to deal with a part-heard matter as they see fit. This could include hearing the matter afresh, which will add cost and additional stress to those involved. We will monitor this element and review it if it becomes too cumbersome for those involved. I note

that the amendments to the Coroners Act and the magistrates act come from the recommendation of the chief magistrate.

The Coroners Act is also amended to streamline reporting arrangements such that the Attorney-General may, in certain circumstances, table them and the attorney's response, through the Speaker, out of session. A coroner also will, in future, be required to provide the relevant minister with a copy of their report. This will ensure that the relevant minister, as well as the attorney, is informed of the court's findings at the same time as the Attorney-General, thus enabling the minister to consider what policy changes a report might call for.

In relation to the magistrates act, a second amendment tidies up the requirements for sound recordings and transcripts in relation to certain matters involving the commonwealth Safety, Rehabilitation and Compensation Act 1988 and the Workers Compensation Act 1951. Once again, these amendments have come about because an officer of courts administration has identified potential efficiencies. Matters such as this and the recommendation of the chief coroner are to be commended. It shows that these people are keeping an eye not only on the processes and the outcome but also on ways to save costs and create efficiencies. They are to be congratulated.

Finally, the Victims of Crime Act is amended to provide that the victims of crime levy payable by a convicted offender will increase from \$10 to \$30. This levy provides revenue to improve services for victims of crime. My only concern is that it does end up being used for that purpose and not just to bolster this government's budgetary position.

Madam Speaker, we acknowledge the work of the JACS Directorate in identifying and adjusting these kinds of minor issues and we will support this bill.

MR RATTENBURY (Molonglo) (11.59): I will be supporting the Justice and Community Safety Legislation Amendment Bill 2013 (No 4). This is the fourth bill of this kind for the year, making various relatively minor updates to the legislation administered by the Justice and Community Safety Directorate.

I support this scheme of having regular amendment bills. Members will recall that we recently passed the first TAMS bill of this kind. I expect I will also introduce several more similar TAMS amendment bills. They are a good vehicle for making ongoing minor improvements. Stakeholders often make interesting and worthwhile suggestions for changes, or a particular scenario may reveal an inefficiency in legislation, or one of the many people on the ground in the agency may have a good idea for tweaking the way legislation operates. Regular amendment bills allow these constant improvements. I understand that several of the changes in this JACS bill are improvements that were suggested by stakeholders working under the acts that are to be amended.

The bill makes several changes that improve the operation of the Magistrates Court. It will enable the chief magistrate to arrange for another magistrate to constitute a court in civil matters where the presiding magistrate ceases to hold office or ceases to be available to hear the matter. The bill makes a similar amendment to the Coroners Act

to allow another coroner to constitute the court and complete a matter when it was started by a previous coroner.

The bill streamlines some process in the Magistrates Court by removing a requirement to keep certain records indefinitely. I understand these records are not accessed and are costly. These changes to the Coroners Act and the Magistrates Court Act were suggestions that came from the Magistrates Court.

The bill also makes a technical amendment to the Residential Tenancies Act and the Road Transport (General) Act. Mr Corbell covered these adequately in his tabling speech. I understand that the minor change to the Residential Tenancies Act was a suggestion from the ACT law courts and tribunal administration officers.

Lastly, the bill formalises an increase in the victims services levy from \$10 to \$30. This is a levy that is added to traffic infringements and which supports the Victims of Crime Commissioner and his activities through Victim Support ACT. I imagine we all agree that this is a very important service and a very important part of the justice process. It was a suggestion by the Victims of Crime Commissioner, Mr Hinchey. This increased victims services levy will allow Mr Hinchey and Victim Support ACT to continue and to improve these excellent services. With those few remarks, I am pleased to support the bill.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for Workplace Safety and Industrial Relations and Minister for the Environment and Sustainable Development) (12.02), in reply: I simply thank members for their support of this bill.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Workers Compensation Amendment Bill 2013

Debate resumed from 15 August 2013, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

MR SMYTH (Brindabella) (12.03): This bill delivers on the minister's announcement earlier this year to recoup additional WorkSafe inspectors' costs through workers compensation premiums. In the minister's own words, the government has decided it will progressively transfer the cost of regulating the workers compensation and WHS legislation to workers compensation insurers and self-insurers by way of a levy.

The Canberra Liberals have been broadly supportive of the report's recommendations for additional resources for work safety. In fact we have been calling for more inspectors from as early as the mid-2000s. We reiterated this position earlier this year when the minister announced his intention for more inspectors.

Let us look at the government's track record. According to Safe Work Australia data, the ACT has the worst record for construction site safety in the country, with one in every 40 workers expected to experience a serious injury each year—not to mention also that the rate of serious injury is almost double the national average. Madam Speaker, I think before we proceed any further, it should be stated that these are unacceptable figures. Like the minister's mismanagement of the Emergency Services Agency, after over 12 years in government this is a pretty clear case of ACT Labor mismanaging work safety.

In considering the bill we have consulted with the relevant industry bodies and local businesses. Although the HIA has been on record in support of this bill, the general sentiment that we have received has been that this will result in additional costs transferred to businesses in the sector. Recall that earlier this year the minister had also announced an increase in the construction industry levy from 1.75 to 2.5 per cent of gross wages this year, and this is on top of last year's increase of 1.25 to 1.75 per cent. I think it is safe to say that during difficult economic times like at the present moment the minister's go-to practice of making businesses pay for what the government should be providing will test, for instance, the building sector's resources.

The minister has been on the record as saying that for a company with an annual wages bill of \$150,000 this will mean paying up to \$22.50 extra for a workers compensation insurance policy in the 2013-14 financial year. This sounds benign, but we need to take into consideration all other costs that businesses have to incur—not forgetting the increased levy on the industry and other taxes and charges. It is safe to say that, in trying to impose another tax on businesses, the minister is intentionally focusing on the tree and not the forest.

On the same point, in a briefing we received from his directorate we were told that this initiative will cost the industry approximately \$2 million. Recall my earlier quote from the minister that this is part of a progressive transferring of costs. The emphasis to be made here is the claimed cost to business is just a starting point. If the construction industry levy is any indication, the costs to businesses as a result of this bill can and will increase in the future. Equally, in the same briefing we received from the minister's directorate we were advised that the Work Safety Council had agreed to this initiative. However, as part of our consultations, this has not been the case as not all parties within the council agreed to today's bill.

Turning to the bill itself, clause 4 gives power to the DI fund manager to decide whether the insurer or self-insurer must pay their liability, noting that this can be quarterly or when necessary when based on the sustainable functioning of the DI fund. With regard to guidelines for what is meant by "sustainable functioning" and guidelines for using this power, the government has none.

Clauses 9 and 10 together give considerable power to the minister in apportioning the cost of administering the government's scheme. This is to the extent where the minister can apportion liability, even before any actual cost of administering the workers compensation and safety legislation for the year has been incurred. It then also gives the minister power to revoke this. We asked in our briefing for an example of when this might occur. The example we received was a case whereby the insurers and self-insurers had been overcharged.

The point that needs to be made here is that we all agree that work safety in the ACT needs to be improved. Unfortunately, this bill raises more questions than answers and has economic implications that may not be beneficial to our local economy. The present practice of this government, and especially by this minister, is to treat businesses like a cash cow. Perhaps if the government would manage the public purse better it would be better positioned to finance vital services like more work safety inspectors without resorting to slugging businesses. We saw something similar with the government's development tax through the lease variation charge to fund its urban improvement fund. This has stifled business activity and now the fund is financed through an appropriation.

The government should be paying for this service. In this context and in this economic environment it is a bit rich to be proposing a bill in the name of aligning with New South Wales, Victoria and Queensland when it will result in higher costs for local businesses. To date the government has not given any evidence that this initiative will work—namely, improving work safety. As one stakeholder commented, sometimes the default position is to go raise more money and do something, but we want to make sure that what we are doing thus far has been effective.

And here is a thought: if the minister is so committed to bringing the ACT into alignment with other jurisdictions, why not do the same with the first responder medical payment and pay, as is the case in Victoria and New South Wales? The truth is the minister is inconsistent and, one would say, even disingenuous. This bill is nothing more than this government's ploy to slug business to pay for services that already high charges and taxes should cover. It is perhaps worth while to remind the Assembly that the IPA's *Business bearing the burden*, published earlier this year, noted that the ACT, under this ACT Labor government, has Australia's most onerous tax regime.

Madam Speaker, I do recall that the ACT once had a bigger work safety inspectorate. WorkSafe ACT and related organisations play a valuable role in providing information on workplace safety and enforcing work health and safety regulations. The policing aspect of administering safety legislation fulfils a requirement that provides benefit to workers, employers and the community.

In this respect the administration and regulation of work health and safety matters is a normal part of government administration. The cost of that administration should be met by the community in the same way as other elements of government administration. Ours is not an argument for more charges, but one that yet again highlights this government's record of overspending and resulting inability to pay for core services.

According to our consultations with the sector, the cost of taking out a workers compensation insurance policy in the ACT is already comparatively higher than in other jurisdictions, and this will simply make it worse. An additional levy imposed on workers compensation insurers will undoubtedly be passed on to employers taking out an insurance policy. This is exactly the opposite of the desired outcome.

The Canberra Liberals' position is that the government should be making it easier for employers to conduct their business in our city—as espoused by Minister Barr yesterday, but obviously not thought out by this government. Imposing additional costs on employers does not support that position. If this is such an important issue for the government perhaps he should use territory funds for this rather than support his government's mismanagement of taxpayers' funding to pay for light rail at all costs. As such, we will not be supporting this bill today.

MR RATTENBURY (Molonglo) (12.11): The ACT Greens will support the Workers Compensation Amendment Bill. Put simply, the changes in this bill will allow the government to collect funds for work health and safety regulation via a levy on workers compensation insurers. The likelihood is that the insurers will pass these costs through to employers. The system that is established, therefore, is one where employers pay a small levy for the work health and safety regime, administered primarily by WorkSafe, which is of great benefit to those employers and their employees. The benefits of course come through improved health and safety outcomes, which is also an important factor in reducing the insurance premiums of the employers.

It is not a new concept to have the beneficiaries of the work health and safety regime make a contribution to its funding. In all other Australian jurisdictions except the Northern Territory and the ACT, workers compensation insurers already either partly or wholly pay for the costs of work health and safety regulation in a similar manner. The arrangements that are being introduced to the ACT are most similar to New South Wales, Queensland and Victoria in that they aim to recover the whole cost. Some jurisdictions recover part of the cost only.

In addition to this, in the ACT, workers compensation insurers already pay a levy to cover regulatory costs of workers compensation. As I said, the bill today expands the scope of that levy so that it also applies to work health and safety.

I have given careful consideration to the levy, as we should do before we agree to any new cost on a sector of the community or on the broader community. I have decided it is an appropriate way to fund work health and safety improvements, and there are several convincing arguments for this. Firstly, as I said, it is not a remarkable method of funding work health and safety improvements. The system has operated in other jurisdictions for many years and has had the support of both Liberal and Labor governments.

I think it is appropriate that the ACT evolves to using this form of funding as well. Perhaps we should have done it earlier, as it is clear that our work health and safety regime has required improvements. We have discussed extensively in this place the

need for improvements in the construction sector. As the Greens have discussed before, most recently on Tuesday during the MPI, we think there are further steps we can take in the ACT to help address bullying and harassment in ACT workplaces. I believe that providing a sustainable funding base, as proposed in this bill, will at least contribute to improved outcomes in this area, something that I believe all members want to see.

The government has responded positively to work health and safety issues in recent years, and the Greens have been very supportive of these moves. We supported the new work health and safety regime, introduced in 2011. It is widely agreed—and the ACT's Work Safety Commissioner will attest to this—that the new regime is an improvement and is helping create better work health and safety outcomes in the territory.

Last year also saw the getting home safely inquiry and report, which we have all supported in this chamber, which made a cogent case for significant and urgent improvements across the ACT in the work health and safety realm, particularly of course in the building and construction sector. There have been various changes already.

I am sure we have all seen the increased activity and presence of Mark McCabe as the territory's Work Safety Commissioner. An obvious example is the large injection into WorkSafe of almost \$6 million during the last budget. WorkSafe will have 12 new inspectors and new vehicles, something the Greens have supported, including through the last election and the parliamentary agreement. The arrangement established in this bill will help provide a sustainable funding base for the ongoing work health and safety work of Mr McCabe and his WorkSafe team.

I also agree with the government's plan to phase in the levy. The government has made the details of this phase-in plan available via a guidance note on WorkSafe's website. The amount of money collected under the new levy will be subject to a cap so that workers compensation premium rates will not increase by more than 0.015 percentage points each year.

Over the first five years, the government will not collect the full cost from insurers to cover compensation claims by workers whose employer did not have a valid policy of insurance—that is, the default insurance fund. The reduction amount is calculated by an independent actuary. This transition period should mean a smooth introduction of the levy. The capped levy will begin from 30 June next year, which gives sufficient time for insurers and employers to prepare for the changes.

I note also that there has been consultation on this bill. I am advised that the government has spoken in detail to ACT insurers about the proposed scheme. In fact officers in the government have quarterly meetings with insurers. They had input into the detail of the bill, and some changes have been picked up. For example, the legislation apportions the insurer contribution based on gross written premium market share, as opposed to other apportionment options such as total wages market share. I understand this was a request of the insurers, as was the mechanism that sees the annual insurer contribution established at the beginning of a year, which gives insurers certainty about their contribution amount at the time industry rates are set.

Employer stakeholders were also consulted through the Work Safety Council, which has four members representing employers. And my feedback was that the government had not received any negative feedback from employers.

In conclusion, I think the rationale for this bill and the reform it proposes to work health and safety funding is quite clear. We all want improved safety and wellbeing in ACT workplaces, and there are clearly problems that we need to address. The insurer levy provides a sustainable funding base for these improvements provided by the beneficiaries of the regime. And on that basis I am pleased to support it.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for Workplace Safety and Industrial Relations and Minister for the Environment and Sustainable Development) (12.17), in reply: I thank Mr Rattenbury for his support of this bill. I am disappointed that the Canberra Liberals have chosen not to support a reform that will equitably and fairly place the cost of enforcing work safety regulation here in the territory in the sector which actually benefits from it. That, of course, is the purpose of this bill, rather than continuing to accept that the taxpayer should meet the full costs associated with enforcement of work safety regulation which is to the benefit of only a particular part of the economy.

The government announced that it would end the community subsidisation of the territory's work injury management system in February this year. Until 2013 the government had expended around \$5 million per annum on administering and regulating the territory's work health and safety and workers compensation laws. In most Australian states these costs are wholly or partly met by a levy on insurers or through workers compensation premiums. Under those types of arrangements, the costs of running the work injury management system is borne by the system users rather than the community and taxpayers as a whole.

In July this year ACT workers compensation regulatory costs were transferred from the budget to a levy on workers compensation insurers. And that change was implemented under existing laws. However, legislative amendment is needed to similarly transfer the cost of administering work health and safety laws.

The Workers Compensation Amendment Bill will amend the Workers Compensation Act to allow costs incurred by government in administering the territory's work health and safety laws to also be apportioned to workers compensation insurers. The changes allow the government to gradually transfer the cost of regulating work health and safety from the territory budget to a levy on workers compensation insurers commencing from 1 July next year.

Insurers are expected to pass some or all of these costs on to employers via their workers compensation premiums. Consequently, once the new funding arrangements have been fully implemented, the price of a workers compensation policy will more accurately reflect the true cost of work injury prevention and management in the territory. These funding changes are an important part of a wider suite of work injury management reforms announced in February this year to support the expansion of the ACT work safety inspectorate and encourage industry to improve work safety practices.

Members will recall that the 2012 getting home safely inquiry into construction industry work safety compliance highlighted a need for ACT employers to urgently address poor work safety cultures and commit to ambitious injury reduction targets. The government accepted all of those recommendations, including the introduction of new powers for work safety inspectors and increasing the size of the inspectorate. These are important measures and they require a significant investment on the part of taxpayers. The funding reforms introduced by the Workers Compensation Amendment Bill will ensure that industry makes an appropriate financial contribution to the enhancement of the ACT work health and safety regime.

The bill before the Assembly today represents months of careful planning and industry consultation. Red tape reduction measures included in the bill will allow for several insurance levies to be streamlined and administered more consistently and efficiently. These changes have been welcomed by workers compensation insurers and will reduce costs for both insurers and government. The streamlined levy administration arrangements that will be enabled by the bill will also provide protection to employers by helping to prevent insurers from overcharging for workers compensation insurance.

The Workers Compensation Amendment Bill represents a large step towards modernising the territory workers compensation and work health and safety regimes. It will align the territory funding model with New South Wales, Queensland and Victoria and is responsive to user-pays principles. The new funding model also features cost-relief measures for employers. These include a cap on the amount that can be collected through the insurer levy each year and an offsetting reduction in the amount employers are charged for managing uninsured employer workers compensation claims.

Once implemented, the work health and safety component of the insurer levy will cover the costs of services provided by work safety inspectors, WorkSafe investigation and work health and safety licensing and certification staff, work health and safety hotline officers and associated information technology and policy support services. I commend the bill to the Assembly.

Question put:

That this Bill be agreed to in principle.

The Assembly voted—

Ayes 8

Noes 7

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

Question so resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Sitting suspended from 12.26 to 2.30 pm.

Questions without notice
Gaming—Casino Canberra

MR HANSON: My question is to the Minister for Racing and Gaming. Minister, it is reported today that the Casino Canberra is cutting staff and hours of operation. They cite the ban on poker machines as a key contributor to this decision. Minister, what is the rationale for the government's stance on banning the casino from having poker machines?

MS BURCH: I thank the member for his interest in the casino. Yes, I too read the report today. It has been a longstanding position of the ACT to support the community model of poker machines, which supports our community clubs, which are not-for-profit entities.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Minister, what analysis has the government done of the competitive disadvantage faced by Casino Canberra against interstate casinos and local gaming operations such as the Canberra Labor club?

MS BURCH: I will repeat that it has been a long-held position, I think since gaming machines were introduced to the ACT, that they sit with the community club environment, which includes a number of fabulous clubs here in the ACT that continue to support many in our community. I would encourage those opposite to recognise the value—

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

MS BURCH: the benefit of the community club model.

MADAM SPEAKER: A point of order has been raised. Please sit down, minister.

Mr Hanson: The supplementary question I asked was specifically about any analysis the government had done about whether there was a competitive disadvantage faced by Casino Canberra either with interstate casinos or locally against entities that have gaming machine operations such as the Canberra Labor clubs. So it is not about just the model that the ACT has. It is about whether there has been any analysis of that competitive disadvantage. I ask the minister to explain if any analysis has been conducted. If so, what is it? If not, tell us.

MADAM SPEAKER: I uphold Mr Hanson's point of order. His question was clearly about analysis of competitive disadvantage. I was listening for the minister to come to the point and I would ask her to come to the point now.

MS BURCH: Certainly in my time we have not considered a disadvantage because the model is as it is. There is no appetite to introduce poker machines in the casino. I have had those conversations with them. They regularly raise this as a matter that they think is important for them, but the model has always been with community clubs.

In reference to—it is almost like a gaming machine. There is a little snide comment in there about the Labor club. I also would say that Vikings, Southern Cross, Ainslie—
(Time expired.)

MADAM SPEAKER: Supplementary question, Mr Smyth.

MR SMYTH: Minister, do you have a conflict of interest with poker machine policy, given your party's own poker machines?

MS BURCH: No.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, why is Casino Canberra at a competitive disadvantage compared to casinos elsewhere in Australia?

MS BURCH: Again, I go back to the model that we have here, which is that, with community—

Mr Smyth: The question is all about the model.

MS BURCH: It is, Mr Smyth. I note the interjection and I will note every time there is an interjection from across the floor. The model here is very clear. When the casino licence was given, they knew the model in which they were operating.

Gaming—poker machines

MR COE: My question is to the minister for gaming and racing. Minister, does the Labor Party have a direct financial interest in poker machines?

Mr Corbell: On a point of order, can you ask a question of the minister for gaming and racing in relation to a matter that is about the Australian Labor Party?

MADAM SPEAKER: Could I ask Mr Coe to read the question for me again, please?

MR COE: Yes. The question, as I read it, was: my question is to the minister for gaming and racing. Does the Labor Party have a direct financial interest in poker machines? In support of this question to the minister for gaming and racing, who is responsible for the regulation of poker machines, I think it is quite reasonable that she be across the relative arrangements that the operators of gaming machines have.

Mr Corbell: On the point of order—

MADAM SPEAKER: I will hear your submission on the point of order, Mr Corbell.

Mr Corbell: Thank you, Madam Speaker. The question was, “Does the Labor Party have a direct financial interest in poker machines?”—not whether or not the Labor Party, through its clubs, operates poker machines or has poker machine licences. It is about the financial matters of the Australian Labor Party. I do not think Mr Coe can ask a question of any minister in this place about the financial interests of the Australian Labor Party.

Mr Smyth: Just on the point of order, if the question had been, “Does the Canberra Southern Cross Club have a direct financial interest in poker machines?” I am sure nobody over there would be objecting and it would be entirely in order, as this is entirely in order. She is the minister responsible for, ultimately, the issuing of poker machine licences.

MADAM SPEAKER: I will not allow the point of order. It is a question asked of the Minister for Racing and Gaming—I want to get the term right—and the Minister for Racing and Gaming is clearly responsible for the administration of poker machines in the Australian Capital Territory. It may not be within her capacity to know the exact arrangements, but I think that the question is in order and it is up to the minister to answer to the best of her ability.

MS BURCH: All arrangements and approval for gaming machines in the ACT are accountable and have gone through the gaming and racing commission.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: As the Minister for Racing and Gaming, what assessment have you made regarding the relationship between the Labor Party and the Canberra Labor Club, which is a holder of gaming machine licences?

MS BURCH: Again, the Gambling and Racing Commission, a body of integrity and independence, studied the relationship between the clubs and the Labor Party and the connection to any member of this executive, and it was found to not be there.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, what is the association between ACT Labor and the Canberra Labor Clubs?

Mr Corbell: A point of order.

MADAM SPEAKER: Mr Corbell.

Mr Corbell: How is the minister for gaming and racing at all responsible for the relationship between two entities, neither of which are owned, operated or within the portfolio responsibilities of the minister?

Mr Coe: On the point of order.

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

Mr Coe: Firstly, the Gambling and Racing Commission is under the minister's control, and they are the regulator in this space; in addition to which the minister mentioned the relationship, and indeed she mentioned a study that had taken place which assessed the relationship. Therefore I think it is quite reasonable, as a supplementary to her answer, that she expand upon what she had given in the earlier question.

Mr Corbell: Well—

MADAM SPEAKER: On the point of order, I am sorry, Mr Corbell; we could go on and on. I have listened very carefully to the questions and I think they are within the bounds of the minister's responsibility in relation to gaming. Minister Burch.

MS BURCH: I go to my previous answer and say that we have an independent statutory authority called the Gambling and Racing Commission that has all these matters—

Mr Coe interjecting—

MADAM SPEAKER: Mr Coe!

MS BURCH: Again, interjections. But if the point is that there is a concern around people here going and participating in clubs' activity, I say to each and every one of you: why do you go to ClubsACT dinners? Why do you turn up to the Southern Cross Club on a Sunday afternoon when they give out grants to communities—

Mr Hanson: A point of order.

MADAM SPEAKER: A point of order.

MS BURCH: if you think there is a concern.

MADAM SPEAKER: Sit down!

Mr Hanson: Could I—

MADAM SPEAKER: Before you do, Minister Burch, I think there have been three times in the last sitting period that I have drawn to your attention that when there is a point of order, you have to sit down. I directly relate it to you. I should not have to persist in doing this.

MS BURCH: I am sorry, Madam Speaker. Oftentimes, if there is an interjection coming—

MADAM SPEAKER: No, I am talking to you.

MS BURCH: Yes, I know, but sometimes I cannot hear you, Madam Speaker.

MADAM SPEAKER: I do not think you failed to hear me then. I do not think you fail to see me put up my hand to indicate that you should sit down. On the point of order, Mr Hanson.

Mr Hanson: Madam Speaker, it is about relevance. The question is very direct: what is the association between the Labor Clubs and ACT Labor? You have ruled it in order. Talking about where people go to dinner is not relevant and I would ask the minister to come to the point and explain what that association is, and it is not making a judgement on it; it is the explanation of that association.

MADAM SPEAKER: I uphold the point of order. I ask the minister to be directly relevant.

MS BURCH: I have answered the question, Madam Speaker.

MADAM SPEAKER: Supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, have you ever declared a conflict of interest regarding gaming machine policy?

MS BURCH: I have not declared it because I do not believe there is one.

Planning—proposed Civic stadium

MR SMYTH: My question is to Minister Barr as Minister for Economic Development. Minister, what is the current status of the government's plans for a stadium in Civic?

MR BARR: They are being progressed as part of the city to the lake and city plan projects.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, how much has the government spent on this initiative to date, what reports have been commissioned, and will you table those reports?

MR BARR: Very little, no and no.

MADAM SPEAKER: Supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, how many trips have you and officers from your directorate taken, where, and how much did this cost?

MADAM SPEAKER: Mr Doszpot, can I ask you to rephrase that question to be relevant to the previous question.

MR DOSZPOT: Minister, in relation to the stadium, how many trips have you and officers from your directorate taken, where, and how much did this cost?

MR BARR: I refer the member to the published ministerial travel reports.

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Minister, what will be the benefits of this proposed stadium to the Canberra community?

MR BARR: I thank Dr Bourke. It is well known that the average life expectancy of a piece of stadium infrastructure is around 50 years. That is the industry-accepted standard. The facilities that we have—the old athletics track at Bruce that was upgraded 15 or so years ago—are heading towards 40 years of age. We are in the process of examining alternate options for new infrastructure through that process. It has had a number of iterations over the last four or five years. We have determined to adopt a two-stadium approach for Canberra—an oval facility at Manuka that we are currently upgrading and the investigation of a new CBD stadium as part of the city to the lake project. That work is progressing.

The key advantages of a CBD location are improved transport access and more economic activity associated with events. We are particularly looking at an indoor stadium to allow utilisation for more than 20 or 30 events in any given year, and we recognise the value of a purpose-built facility. Most other cities when they redevelop their stadia are bringing them closer to their CBDs and major transport hubs. There are significant economic benefits and night-time economy opportunities that come from having this infrastructure closer to the CBD.

At the moment, the experience at Canberra Stadium is that people drive out, the stadium is ringed by 10,000 cars and then people drive home. Very little economic benefit accrues outside of the stadium itself on event days. The experience in other cities with their stadia in the CBD is entirely different. Other cities have made this change, and we are looking at the options for Canberra.

Government—executive contracts

MR DOSZPOT: My question is to the Chief Minister. Since September, Chief Minister, the executive contracts that you have tabled in this place have not specified any duties to be performed by the relevant person or outlined any performance measures to be met. Why do the new executive contracts not contain any reference to duties or performance indicators?

MS GALLAGHER: My understanding is that performance agreements need to be signed within three months of the contract being signed. In regard to some of them, in the interests of tabling within the six sitting days of the signing of the contract, that work is still to be done.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Chief Minister, how are ministers meant to evaluate the performance of executives given that there are no performance indicators indicated in the contract?

MS GALLAGHER: I expect that ministers monitor the performance of their executives not just by what is written on paper but by how they perform with their day-to-day duties and based on feedback of other managerial staff.

MADAM SPEAKER: Supplementary question, Mr Wall.

MR WALL: Chief Minister, why do public servants no longer have duty statements when ordinary public servants do?

MS GALLAGHER: As I said, the performance agreements are required within three months of contracts being signed. In our efforts to ensure compliance within the six sitting days, that work will follow.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Chief Minister, why is the government reducing the information it provides to the Assembly about executive contracts?

MS GALLAGHER: We are not trying to reduce the information to the Assembly. I am trying to be compliant with section 79 of the Public Sector Management Act. I will have something further to say about this at the end of question time when I table further executive contracts. I will flag that I am looking at the process. I think it is cumbersome. I do not think the way that it has been put in place is manageable. I do not think it ensures timely accountability to the Assembly. They are the changes I am currently discussing with the head of the public service.

National Arboretum Canberra—success

MR GENTLEMAN: My question is to the Chief Minister. Chief Minister, with the National Arboretum now open for almost nine months, can you inform the Assembly how our latest attraction has added to the visitor experience, particularly in this centenary year?

MS GALLAGHER: I thank Mr Gentleman for the question. The arboretum stands as a powerful symbol of Canberra's recovery from the 2003 bushfires. It has become in its short time in this city a place of enjoyment, recreation, tourism, research and learning. With over 350,000 visitors since it opened in February 2013, the arboretum is fast becoming an iconic Canberra destination.

I think that anyone who has been up there would have seen just what a wonderful place it is. It has been attracting many visitors from Canberra, Australia and around the world. Although in its infancy, the arboretum will allow visitors to immerse themselves in the many exotic forests of the world without having to leave Canberra. With our changing seasons and the evolution of the forests, people get a new experience every time they visit.

As well as adding to the visitor experience in Canberra, the arboretum is also contributing to the protection of tree species and tree diversity worldwide as well as generating new research and understanding about how trees grow, survive and adapt. The arboretum also serves as an outlet for the community to participate in many volunteer activities provided through the Friends of the National Arboretum, through STEP—Southern Tablelands Ecosystems Park—and the Friends of the National Bonsai and Penjing Collection.

Most recently the arboretum offered daily bus tours over the Floriade period, a range of school holiday activities, including camel rides, forest walks, reptile encounters and bonsai workshops. There are also a number of regular experiences on offer at the arboretum through free guided walks. By using the free map for self-guided walks, visitors can walk through some of the 90 forests with over 48,000 trees that have already been planted.

They can surround themselves with the established forests like the Himalayan cedar, cork oak and pine forests. They can visit the village centre, visit the restaurants, have a look at the national bonsai and penjing collection, visit the Canberra discovery garden, and enjoy a demonstration of local native trees and plants growing at the STEP garden. Of course, more recently, they can enjoy and explore the children's pod playground.

In addition, last weekend, with the Minister for Territory and Municipal Services and Dr Bourke, I opened the Centenary Trail. This provides a 145 kilometre self-guided non-motorised loop trail for walkers and touring cyclists, which also includes a short part through the National Arboretum.

It is great to see the ongoing success of the arboretum. We are working hard to make sure that we listen and respond to visitor feedback. A community survey published in June this year showed that the arboretum had an 88 per cent visitor satisfaction level, which is great. I think the success has exceeded our expectations in the first year. All those who questioned the arboretum must surely now look at its wonderful success and thank those that were responsible for pushing this interesting, innovative and clearly well-loved Canberra icon forward.

MADAM SPEAKER: Supplementary question, Mr Gentleman.

MR GENTLEMAN: Chief Minister, can you please provide information on how the children's playground and the Margaret Whitlam Pavilion have contributed to the growing success of the that arboretum.

MS GALLAGHER: The opening of the children's pod playground in June has expanded the arboretum's market reach considerably. Over 800 children used the playground within the first hour of its opening, and it continues to be one of the most popular areas of the arboretum. I visit the playground at the National Arboretum regularly, and it is always packed with children, even in non-school holiday or normal weekday times.

The playground was inspired by the arboretum's competition-winning design of 100 forests of rare and endangered trees from around the world. It does challenge the conventional idea of a play environment as it features giant acorn cubby houses waving in the sky and enormous banksia cones nestled on the forest floor. The playground does offer an alternative experience at the arboretum which does cater for our younger visitors.

The opening of the Margaret Whitlam Pavilion has also given us a new and unique venue to host events and provides an alternative to the larger village centre as a more intimate event space, catering for smaller events. While serving primarily as an event space, the pavilion is one of the standout features of the arboretum. The eastern terrace captures a panorama of Lake Burley Griffin, Canberra city and the mountains beyond. The views continue from inside the venue, with customised doors on both the north and south terrace that open to give uninterrupted views of the panorama and of the forest below.

Both the Margaret Whitlam Pavilion and the playground have helped support the ongoing success of the arboretum in the 11 months since it has been open.

MADAM SPEAKER: A supplementary question, Mrs Jones.

MRS JONES: Minister, given the success of the new playground at the arboretum, is there a plan to complete the fence around this new facility to allow those who are caring for children with high needs to be cared for appropriately? Currently there are two openings in the fence with no closing gates at all.

MS GALLAGHER: We are, of course, taking feedback from people who are using the playground. There were some changes made fairly quickly to have a meeting post put in when, due to the overwhelming success, no-one could find their children once they entered the playground. We have looked at the issue of fencing. We have not taken any decisions to change it at the moment. Part of the issue is whether or not you lock it up and close it when the visitors' centre closes, because that closes at 4 o'clock, whereas in daylight saving the arboretum and the playground do not close until 8.30. So there are some issues there. I have not had any concerns about children escaping. I have my own issues with children in the playground at the arboretum but I have not had any specific complaints or requests that I can recall. But I would happily follow it up if you have one.

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Chief Minister, what is the government doing to ensure that we are responding to feedback from visitors and strengthening visitor experience to make sure the success of the National Arboretum continues to grow?

MS GALLAGHER: I think we are very much open to feedback from people who are visiting the arboretum. It is within our first 12 months of operations, and we had no idea how successful the arboretum would be or how many people would visit there and, indeed, through the different seasons, the changes that would have on visitor

numbers. It is interesting that, despite going through our first winter, we did not see a large drop-off. I think one of the biggest weekends the arboretum has seen was in June this year. We are learning all the time.

There are a number of feedback systems currently in place. The usual one is the Chief Minister's talkback, ringing the radio station, but then there are other ones. There is a feedback book. There is also feedback to Canberra Connect which has been provided, I think, to the shop and the restaurant up there.

In its early days, there was a lot of concern around the coffee or the wait for food and drink. We have been trying to respond to that with the addition of coffee carts, both inside the visitor centre and—

Mr Coe: Are they vending machines?

MS GALLAGHER: with the playground now operational, outside the visitor centre, with healthy choices, you will be pleased to know, Mr Coe. There is the occasional sweet treat, I think, on the menu. They have been encouraged to look for healthy alternatives or, importantly, bring their own food up there, where we welcome people's healthy picnics. Enjoy the great outdoors and engage in all of that wide space for all that physical activity that you need to complement your healthy diet and lifestyle.

National Arboretum Canberra—photography

MRS JONES: My question is to the Chief Minister. Minister, on 21 October this year a member of the public posted online that the National Arboretum wanted to charge PHOTOWALK Canberra—a free community photography event—\$200 for a permit to take photographs at the National Arboretum. Additionally, the *Canberra Times* on 3 July 2013 reported that the National Arboretum would charge \$200 an hour for couples who are married elsewhere but use the arboretum for their wedding pictures. I understand that this decision has possibly been reversed. Minister, why would the arboretum be charging the public to take photographs in that place?

MS GALLAGHER: The decision to have a photo fee put in place from the beginning—and this was something that was put to me as minister and I agreed to at the time—was to align it with similar facilities around Australia and, as I understand it, places like the Botanic Gardens, where they charge a fee for professional photography use associated with weddings.

I was never convinced about that fee, but I am also interested in getting a revenue stream for the arboretum. It has a \$3 million operational budget. We are trying to make it self-funding. That is what we would like to see. At the beginning it was about making sure that we had fees in there that would ensure a revenue stream. However, I said at the time that I would review it.

I have certainly had correspondence on this issue. It would be probably, outside of the lines for coffee, the biggest issue I have had in the last 12 months. Last week, during a

meeting I had with the arboretum staff, I asked that that fee be removed. I do not think it makes any sense and I think it is generating negative publicity for the arboretum when it does not need it.

MADAM SPEAKER: A supplementary question, Mrs Jones.

MRS JONES: Minister, why did the government change the policy and, more importantly, will people who have paid already be refunded?

MS GALLAGHER: The interesting news on that front is nobody has paid it, which supported my decision to remove it. It was not generating money; it was generating bad publicity. Those charges are in place in other facilities, but, to me, it did not make sense. We said we would review it. I have reviewed it. It is not needed. It has gone.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Chief Minister, how much money did you budget to receive from these fees and now where might that revenue come from?

MS GALLAGHER: We did not have a budget associated with those fees. In fact we honestly did not know how much money. We did not know how many people would hire the village centre, how many people would hire the Margaret Whitlam Pavilion and, with the introduction of pay parking, how much that would generate. My understanding is that, year to date, with the arboretum—and the shop, of course, which TAMS also runs at this point in time, although that will go out to tender at some point in the future—the last figure I saw was that the arboretum has generated revenue in the order of \$400-odd thousand since its opening. So it is nowhere near covering its operational budget but there is some revenue generated.

Mr Coe: A point of order.

MADAM SPEAKER: A point of order, Mr Coe.

Mr Coe: Madam Speaker, Ms Lawder's specific question was about the revenue expected to be received from the photography fee. To date she has not actually said how much that—

MS GALLAGHER: I did. You were not listening.

MADAM SPEAKER: In fairness to the Chief Minister, I think she said, "We didn't know."

MS GALLAGHER: We did not have a budget for it.

MADAM SPEAKER: Have you finished answering the question?

MS GALLAGHER: Yes.

MADAM SPEAKER: A supplementary question, Ms Berry.

MS BERRY: Chief Minister, could you outline to the Assembly the arboretum membership program or fee and how this will support the ongoing development of the National Arboretum?

MS GALLAGHER: I thank Ms Berry for the question. There is a new membership program that people can sign up to if they are minded. The process is a bit clunky. You cannot do it online; you have to print the form and do it, but we are fixing that. It is \$50 an individual and \$75 a family. All of that money stays with the arboretum, and you also get a handy parking permit so you do not have to pay for parking, which I know is a bugbear of Mr Smyth's when I have met him up there in the car park. So you can get your own sticker and you do not have to worry about paying a parking fee for the whole year.

Human services—blueprint

DR BOURKE: My question is to the Minister for Community Services. Could the Minister for Community Services please advise the Assembly on the human services blueprint announcement he made this morning.

MR BARR: I thank Dr Bourke for the question. I was pleased to announce today that the government is developing a human services blueprint and I was also pleased to release a public discussion paper for comment.

Canberrans are well supported by a committed human services system that is available to help people at different stages of their lives. A few examples that demonstrate the breadth of human services available in the territory are after-school and vacation care programs for young people with a disability; homework clubs at primary schools; the provision of affordable, secure accommodation in public housing; targeted assistance and concession programs to help offset cost-of-living pressures for households; interest-free loans for women on low incomes to establish or further develop a business through the microcredit program; and walking groups, business mentoring and other programs to support the social wellbeing and participation of ACT seniors.

Our human services system has developed over many years in response to community needs. However, we must recognise that there are challenges for the future, with increased demand for services and a growing and ageing population. The introduction of the national disability insurance scheme will also bring about significant change to the sector, with the introduction of choice and control for people with a disability. This gives us an opportunity to look at the entire human services system to make sure that our community is getting the best value and the best services now and into the future.

The blueprint will initially focus on those core human services delivered or funded by the Community Services Directorate, but will also consider the interface with other important human services such as health, education, justice and the range of services provided at the commonwealth level such as Centrelink and Medicare. We will be looking at how to develop a more joined up and responsive system where people can

get help to access all the supports that they need at once rather than needing to navigate multiple services and tell their story multiple times.

The blueprint will be designed in partnership between the ACT government and the community sector. I would like to take this opportunity to thank the sector for its contribution to this important piece of work. I was pleased to announce earlier today membership of a high-level taskforce to help guide the development of the blueprint. The taskforce will include Susan Helyar from ACTCOSS; Gordon Ramsay from UnitingCare Kippax; Emma Robertson from the Youth Coalition; Simon Rosenberg from Northside Community Service; Leanne Wells from the ACT Medicare Local; and Stephen Fox from National Disability Services. Government representatives will include the Director-General of Chief Minister and Treasury; the Under Treasurer; director-generals of Health, Justice and Community Safety and Education and Training; the Chief Police Officer; representatives from the commonwealth Department of Human Services; and the Director-General of the Community Services Directorate, who will chair the group.

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Could the minister explain why the government is undertaking this work?

MR BARR: It is always important to be planning for our future. Development of this blueprint is essential to make sure that we have the services we need and the services that will deliver the best possible outcomes for the community. This is especially important when the government and the community sector, who are responsible for funding and delivering the overwhelming majority of human services, are faced with a range of significant challenges and changes, particularly through the introduction of the NDIS.

The blueprint will explore how we can plan our services for the future and how we can reduce demand for services, which ultimately means more people participating more fully in our community. It will also be about ensuring the viability of the community sector and harnessing technology, for example, through the use of apps and social media. The blueprint will be launched next year to provide a three-year plan with annual priorities and tangible steps to enhance our human services system.

MADAM SPEAKER: A supplementary question, Ms Berry.

MS BERRY: Could the minister also let the Assembly know what consultation will be involved in the development of the blueprint?

MR BARR: The government considers it critical to develop this blueprint in partnership with the community sector. That is why we have established the task force that I referred to in my earlier answer.

The task force will be supported by a working group of community sector and ACT government representatives and will undertake intensive work such as researching best practice examples of service reform, mapping existing activities underway and providing advice on the blueprint's content.

The government is also keen to ensure that people who use and deliver services have a say in the design of the blueprint.

In addition to the discussion paper I have released today, the government is also asking a series of questions on people's experiences with the existing human services system. These are available online on the Time to Talk website.

A two-day conference will be held in December to test ideas, and service user and provider focus groups will also be held. The government wants to ensure that this consultation is wide and that it is deep. I certainly encourage people to get involved in the process.

MADAM SPEAKER: A supplementary question, Mr Gentleman.

MR GENTLEMAN: Minister, how will the blueprint help the ACT's human services system become more accessible and responsive?

MR BARR: I think it is important that we take this opportunity to assess the existing framework and that we look to opportunities to streamline our service provision to ensure that, for those wishing to interact with the human services system, they do not have to navigate through a maze of different ACT government agencies and commonwealth agencies. We respect and recognise the different roles and responsibilities that different areas of government and different levels of government bring to human services.

We also believe that, through the use of technology, through the use of consolidated pathways to service delivery, we will be able to significantly enhance the service offerings. We know and we recognise that the challenges will grow in the future and that the resource base may not necessarily grow at the same rate.

We will have a discussion later today, I imagine, around how we can ensure that there is a sufficient resource base to meet those growing community needs in the future. Working on the basis of current trends in resources for state and territory governments, if we do not make changes to our service delivery models, we will simply not have the resources and the capacity to deliver the services that our community needs in the future.

Emergency services—levy

MR WALL: My question is to the Treasurer. Treasurer, this year's budget papers show a forecast 19 per cent increase in the fire and emergency services levy. Treasurer, how much more will Canberra residents be paying in addition to the existing \$120 fixed charge?

MR BARR: Those figures are outlined in the budget paper.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Treasurer, what impact will these increases have on local businesses?

MR BARR: They will be offset by reductions in other taxes.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, can you specify where the anticipated additional \$5.4 million in revenue will be going?

MR BARR: Across a range of services. But I note that the cost of provision of emergency services is significantly more than revenue raised through this line item.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Does the expenditure on emergency services this year go up by \$5.4 million then?

MR BARR: I would imagine it exceeds that amount.

ACT Ambulance Service—culture

MS LAWDER: My question is to the minister for emergency services. On Monday you ordered a review into the culture of the Ambulance Service. The Human Rights Commission, WorkSafe ACT and Comcare are also conducting separate reviews of the Ambulance Service. A year ago the Transport Workers Union raised concerns about a “dysfunctional and toxic” management culture in the service. Minister, why have you allowed this “dysfunctional and toxic”—which is a direct quote from the Transport Workers Union report—culture to develop within the Ambulance Service?

MR CORBELL: I thank Ms Lawder for her question. First of all, the Human Rights Commission and the other agencies that Ms Lawder refers to in her question are not conducting reviews into the Ambulance Service. They are responding, respectively, to different complaints about particular circumstances and particular instances. In total, I am advised that there have been six matters over the past three years that have resulted in some form of investigation when it comes to a bullying or related inappropriate behaviour incident. It is a small number of matters. But these are not reviews of the Ambulance Service per se; they are reviews of complaints handling in relation to particular incidents.

Secondly, I do not accept that the culture in the Ambulance Service is toxic. I said that earlier this week. I do not accept that it is toxic. It is not what I see or hear on the ground amongst ambulance officers. The union can speak for itself in relation to these matters, but I do not accept that characterisation.

What we have seen in the Ambulance Service is a very dramatic growth in the organisation over the past four to five years—a very dramatic growth in its scale and scope of operations and in the number of personnel employed within the organisation. That is because this government has made significant investments in employing more

front-line paramedic staff, more clinical support staff and more management support for a growing organisation. We have made investments in new ambulances, we have increased the number of ambulances on shift and we have opened and developed new ambulance facilities.

That has meant a very significant change in the type of organisation that is the ACT Ambulance Service. I think it is timely that we look at how the culture is within the organisation because of those very significant structural changes. We look at that both in the context of employees and management, and I think it is a timely and appropriate thing to be doing.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, I believe you referred to complaints over a period of six years. Why has it taken the government so long to act on concerns about the culture of the Ambulance Service?

MR CORBELL: It has not, and I did not say six years. I said six incidents in relation to inappropriate behaviour over three years.

The government has not been tardy in this matter. The union raised the matter with me last year and I agreed this matter should be progressed. Since that time, the union and the government have been in discussions about the nature of the review, its terms of reference and who should conduct it. And those discussions have been conducted in a good spirit and in a cooperative manner, and I am confident that we are close to finalisation of those matters.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, when will you get the report of the review you have ordered, who will conduct the inquiry, what are the terms of reference, and will you table them?

MR CORBELL: As those matters are yet to be finalised, it would be speculative to address those other points Mr Smyth raises.

MADAM SPEAKER: A supplementary question, Ms Berry.

MS BERRY: When will the minister table the outcome of the review in the Assembly?

MR CORBELL: I thank Ms Berry for the question. That is a matter I will consider once the review has reported to me.

Health—reusable bags

MR SMYTH: My question is to the Minister for Health. I refer to advice by Professor Hugh Pennington of the University of Aberdeen published online on News.com.au about the danger of carrying meat in reusable bags. Professor

Pennington stated that meat “shouldn’t be going into hessian or cotton bags, even if they are wrapped, because the outside of their packages carry bacteria.” He said, “Raw meats should be separated from the rest of shopping—particularly from unwrapped things that will be eaten raw.” Minister, what advice has the government received about the health risks of shoppers carrying raw meat or vegetables in reusable bags?

MS GALLAGHER: In relation to meat, my understanding is that there is usually some barrier between that and the carry bag. But rest assured, Mr Smyth, I did see that in the media some months ago. I did seek specific advice from the Chief Health Officer about any potential health risks associated with this. He advised me that basically there was no evidence to suggest that there were health risks associated with the information that was in the media.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, will you table the advice, and what action is the government taking to advise shoppers about this risk?

MS GALLAGHER: Well, the advice is that there was no risk, so would you like me to put something out saying that there is no risk? I will check the form in which the advice came. I believe it was a written brief, and I do not see any reason why I would not provide it to the Assembly.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Did the government receive public health advice prior to going ahead with the plastic bags ban?

MR CORBELL: I will answer that question, given my responsibilities as Minister for the Environment and Sustainable Development and the minister responsible for the development of the plastic bag ban, Madam Speaker. This issue was considered at that time and advice was sought at that time from public health officials. The advice was the same as the Chief Minister has indicated, and it is worth reiterating that meat is, of course, able to be separated, as are fruit, vegetables and other loose items, with the use of what are known as barrier bags or bags on a roll. All of these matters have been addressed in the review on the ban on plastic shopping bags, which is publicly available. I would encourage members opposite, given their interest in the matter, to go and have a look at that review.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, can bacteria from products other than meat accumulate in bags and, therefore, is there a public health risk with the use of general grocery items as well?

MS GALLAGHER: The advice I got from the Chief Health Officer, when I formally referred this, was that there is no evidence that there is a risk to people, other than the risks that exist for all of us in day-to-day life where bacteria normally occur and that

the general advice is to keep clean, to wash your hands, that kind of extra advice. Rest assured, everyone, if you have reusable bags and you are using them in the shops and you are taking normal care of those, there should be no risk to your health.

Courts—industrial court

MS BERRY: My question is to the Attorney-General. Can the Attorney-General please update the Assembly on the establishment of a new industrial magistrates court in the ACT?

MR CORBELL: I thank Ms Berry for the question. Of course, earlier this week the Assembly adopted the government's legislation to establish a new industrial court as part of the ACT Magistrates Court, within the broader ambit of the ACT Magistrates Court, for a dedicated industrial magistracy. This new court is an important initiative that will give well-deserved attention to the issue of worker safety in our court system and allow our courts and our magistrates to develop further specialisation in the area of workplace safety law and also workers compensation law.

Now that the law has been passed, I expect that the Magistrates Court will start to prepare for the implementation of the new law. It is worth highlighting that the implementation of this new law will encompass the existing jurisdiction of the Magistrates Court in terms of the value of matters that are heard before it, a maximum of a quarter of a million dollars in value. The normal sentencing arrangements and therefore thresholds for matters to be heard in the Magistrates Court and the Supreme Court will continue.

The establishment of this court is an important reform on the part of the government. I was delighted to see the presence in the chamber earlier this week of representatives of building trade unions in particular, but indeed other unions in the ACT as well, who recognise that this is a reform that they have long fought for, one which they believe is important in giving a dedicated focus to judicial consideration of worker health and safety and compensation matters and one that they, I know, consider to be critical in ensuring that we continue to build the case law around the sentencing from convictions when it comes to certain types of workers compensation and work health and safety matters.

This reform will achieve those outcomes. I know that the Magistrates Court is already giving consideration to how it will proceed with this reform. We look forward to working further with the court on that matter.

MADAM SPEAKER: A supplementary question, Ms Berry.

MS BERRY: Minister, can you please outline how the new court will help to improve workplace health and safety in Canberra?

MR CORBELL: I thank Ms Berry for the supplementary. The *Getting home safely* report recommended the implementation of these new arrangements. The report commented on the need for courts to apply appropriate penalties, particularly as work health and safety is now harmonised across Australia. As the report pointed out, it is

incumbent on our courts to have a consistent approach in dealing with breaches of work health and safety law and consider the likely deterrent effect of the fine or penalty imposed. I agree with those sentiments, as I know the court does also. The appointment of an industrial court magistrate will help to achieve this goal.

MADAM SPEAKER: A supplementary question, Mr Gentleman.

MR GENTLEMAN: Minister, what are the views of the community on the formation of the new court, and what has the government done to take these views into account?

MR CORBELL: I thank Mr Gentleman for the supplementary. The government engaged widely with stakeholders in the development of the proposal, including the magistrates themselves, the Law Society, the Bar Association, WorkSafe ACT, the HIA, the MBA, Unions ACT, the CFMEU, the Communications, Electrical and Plumbing Union and the ACT Work Safety Council. A range of views were raised.

One of the most obvious was the issue around the jurisdiction of the new court and whether or not high value common law claims above the \$250,000 threshold should be included. Initially these were included in the bill, but, following representations from stakeholders, it was agreed by the government to reform that and, of course, as members know, the bill has, as passed, adopted the threshold of \$250,000.

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Minister, how will the new sentencing database, as well as the interstate equivalents, assist this new court?

MR CORBELL: I thank Dr Bourke for the supplementary. The government is progressing the new sentencing database initiative, and I look forward to that starting to be rolled out in the coming months. The sentencing database will allow magistrates, judges and also members of ACAT to have easy access to contemporary sentencing information in related matters as they consider their sentencing or decision-making responsibilities.

The sentencing database will therefore assist the industrial magistrates court and the industrial magistrate through the process of considering previous cases and previous precedent around sentencing. This will be a more streamlined, effective and timely process than that which has previously been the case.

It will also mean that all of our judicial officers and tribunal members will have access not only to sentencing data here in the ACT but also to relevant sentencing data in New South Wales, which we are drawing on for the sentencing database. This will be important, particularly in the context of harmonised penalties and harmonised laws such as those around work health and safety.

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

Supplementary answers to questions without notice
Housing—homelessness
Alexander Maconochie Centre—capacity

MR RATTENBURY: During question time on 30 October, as the Minister for Housing, I answered a question from Ms Lawder on the Auditor-General's report on homelessness. She asked me:

... how is it that the ACT government misreported the number of houses built under this scheme to the federal government, claiming 21 houses were built when in fact it was only 20, according to the Auditor-General's report?

In response, I can inform the Assembly that the funding agreement with the commonwealth required the ACT government to match the commonwealth government's contribution of \$5 million. The ACT's contribution was in the purchase of 20 blocks of land to the value of \$4,884,362. The total construction cost was \$6,194,467. The ACT government applied the remnant funds from the land purchase, being \$115,638, and made up the difference with an additional \$1,078,829 to meet the full costs of the 20 properties.

Unfortunately, due to a change of address to one of the properties in the quarterly report provided to the commonwealth, this was mistakenly reported as being an additional property and took the number of properties reported to 21. The agreement with the commonwealth was that 20 properties be constructed under the program, and a full acquittal was made to the commonwealth.

Further, Madam Speaker, on Tuesday, 29 October, Mrs Jones asked me a question in regard to forecast numbers for an ACT prison from 2002. Mr Hanson interjected as I attempted to answer the question, suggesting that he knew the answer. In fact, he was wrong, and I now wish to provide the Assembly with further clarification.

Mrs Jones asked me:

... did the government have Treasury advice which showed that the capacity of the AMC in 2013 should be between 320 and 351?

The answer to Mrs Jones's question is in fact no. While I was not in government at the time, I understand that the figures referenced by Mrs Jones are actually from a table produced by the consultants Ross Petsas Luksza in 2011. These figures are from one of a number of sets of updates of Treasury's original 2003 figures from the May 2003 proposals for future ACT corrections facilities document.

Public Sector Management Act
Papers and statement by minister

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

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

Long-term contracts:

Meredith Whitten, dated 24 October 2013.

Short-term contracts:

Derek Kettle, dated 10 and 11 October 2013.

Grant Kennealy, dated 8 and 12 August 2013

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

Leave granted.

MS GALLAGHER: These documents are tabled in accordance with section 79 of the Public Sector Management Act, which requires the tabling of all executive contracts and contract variations. Contracts were previously tabled on 24 October 2013. Today I present one long-term contract and two short-term contracts.

After question time on Tuesday, I foreshadowed that one of the contracts I would be tabling today is late. This short-term contract, for the position of Registrar of the Supreme Court, was signed on 12 August and commenced on 28 August. It expires on 5 November. The Chief Ministry and Treasury Directorate were made aware of the existence of this contract on 25 October and papers were made available for tabling. This contract should have been tabled by 19 September.

On 24 October, I informed the Assembly:

I am advised that the tabling of these contracts today means there are no current executive contracts overdue for tabling.

Whilst that statement accurately reflected the directorate's knowledge of the state of affairs at the time, it was incorrect and did not take account of this contract. I corrected the record on 29 October 2013.

In light of continuing concerns in relation to the tabling of executive contracts, Shared Services are now conducting a further compliance audit, with the aim of providing definitive advice on current and expired executive contracts.

Some further administrative changes have been put in place to ensure compliance with legislative obligations in relation to executive contracts. These changes include the following: multiple avenues for the approval of executive contracts will be consolidated to a single channel, through the withdrawal of the current delegation from the Head of Service to director-generals to authorise contracts under three months duration; fewer short-term contracts will be offered, as a result of greater reliance being placed on the application of delegations rather than using temporary contracts to cover very short term absences, which are often as a result of leave being taken; and the sequence for signing contracts will be reversed so that the executive signs a contract first so they are immediately available for tabling when they are countersigned by the public service delegate and formally come into existence.

I am still considering whether legislative reform is required in this area, not to reduce accountability but to improve the process of ensuring that information is provided to the Assembly in a timely way. The details of all contracts tabled today will be circulated to members.

Taxation—reform

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:

ACT Government's Tax Reform—Modelling—Analysis undertaken—
Government response, dated October 2013.

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

Leave granted.

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MR BARR: In 2010 the ACT government commissioned a review of the ACT taxation system to advise on the efficiency and sustainability of the territory's revenue collection following the Henry tax review at the commonwealth level. The ACT review, the Quinlan review, and the commonwealth review, the Henry review, concluded that the ACT's tax system, like all other jurisdictions, is inefficient and unsustainable.

The ACT is in a unique position to pursue tax reform. It has the roles of both a state and local government and hence has access to a broad-based tax in the form of general rates.

In the 2012-13 budget, a five-year reform program was issued, and the government committed to the target of the full abolition of the inefficient taxes, particularly conveyance duty.

The first tranche of major reforms announced included abolishing duty on insurance policies over five years, abolishing conveyance duty over 20 years, abolishing commercial land tax, increasing the tax-free threshold for payroll tax, and making residential land tax and the general rates system more progressive. These reforms put the territory on a strong footing for the future and provide flexibility to deal with our demographic changes and fiscal challenges and to respond to external economic circumstances. The ACT was the first government in Australia to undertake such reform.

An underlying principle of the reform is to ensure revenue neutrality for the budget overall, whilst preserving capacity for government services and ensuring that future generations do not bear the higher economic costs of an unfair and inefficient tax

system. Further, conveyance duty is an inefficient tax. It is transaction based; its incidence is uneven, impacting on a small percentage of the population only in any given year; and hence it has a distortionary economic burden. The amount of revenue raised fluctuates greatly from year to year, making it difficult to estimate future revenue with any degree of certainty, hence making budget planning difficult.

Under the taxation reform plan, the extent of budget reliance on inefficient taxes will reduce significantly over time. The cumulative economic benefit of improved economic efficiency was estimated to be \$169 million in the first five years of tax reform. The government said at the outset that reform of this extent cannot be a set and forget exercise; this is necessarily an ongoing and dynamic reform program that requires monitoring, adjustment, flexibility and responsiveness over the short and long terms.

This is demonstrated as follows. Firstly, undertaking reform over two decades provides the appropriate amount of time for the market to adjust to changes; defining the first five years allows the market to operate with certainty as to the direction of the changes. Second, the government will have regard for the impact on Canberrans and establish mechanisms to preserve broad equity in the tax system and ensure the impact of the change is not excessive for any particular groups or at any particular stage of the reform program. Thirdly, the government committed to providing updated taxation reform figures annually for the coming forward estimates periods as part of the budget.

Forecasting decades ahead is not without its challenges. Quite simply, you would need a crystal ball to try to predict what property prices, economic growth and interest rates will be over such a period. That is why the government has focused on annual updates within rolling five-year reform programs.

We have also analysed the longer term pattern of revenue replacement between the revenue lines impacted by taxation reform. The analysis continued the shifting of taxes between inefficient transaction taxes to more efficient tax lines over two decades. A range of scenarios have been considered, with a range of underlying assumptions for those parameters which will impact the experience across these revenue lines. These assumptions include the wage price index, property values, property turnover rates and population growth.

The analysis provided a range of possible target revenue paths. No single path is definitive; no single path was intended to be used as a defined reform approach or revenue replacement amount. Rather, the analysis provided tools by which to measure the overall progress and pace of the reforms and assess the efficacy of either accelerating or slowing the rate of individual reforms of taxation lines based on prevailing economic circumstances, the broader fiscal strategy of the government and the assessed financial capacity of ACT households and businesses.

It is important to note that the tax reform program must also have regard for the broader budget context and remain flexible to respond to external impacts on the budget, which will undoubtedly occur but cannot be predicted, over a 20-year period. The tax reform program should be implemented to be consistent with, and to support where appropriate, the government's overall fiscal strategy.

Own-tax revenue is a significant component of budget revenue, and the general rates and conveyance components are a significant part of own-tax revenue. The other significant components of revenue are, of course, commonwealth government grants, which include GST revenues. The own-tax revenue reform program should consider the potential for changing circumstances in regard to commonwealth funding arrangements and frameworks.

To illustrate this, a range of scenarios can be considered. For example, GST revenue is a major component of commonwealth funding; consequently ACT revenue is particularly sensitive to the GST. A change in the ACT's relativity from the current 1.2 to, say, 1.4 would result in an increase in revenue from this source of around \$150 million in 2014-15, which is about 30 per cent of the revenue across these three lines. Equally, a two per cent reduction in ACT government expenditure, whilst preserving national partnership and specific purpose funding commonwealth grants, would free up about \$80 million in 2014-15. These scenarios serve to illustrate the importance of the broader budget and fiscal context in designing a program of tax reform over an extended period.

The government will consider a range of options in managing its budget and advancing tax reform. The principles of our approach, however, will be to favour efficient over inefficient taxes, simple rather than complex taxes and fair rather than unfair taxes.

I commend the response to the Assembly.

Mr Smyth: Perhaps the minister could move that the paper be noted.

Mr Barr: I am responding to a motion of the Assembly.

Mr Corbell: It is not question time, Mr Assistant Speaker.

Mr Smyth: It is not a question; it is a standard point of order that goes on all the time in this place.

MR ASSISTANT SPEAKER (Mr Doszpot): Mr Smyth, would you please resume your seat.

Planning and Development Act—variation to the territory plan No 306

Paper and statement by minister

MR CORBELL (Molonglo—Attorney—General, Minister for Police and Emergency Services, Minister for Workplace Safety and Industrial Relations and Minister for the Environment and Sustainable Development): For the information of members I present the following paper:

Planning and Development Act—Variation to the Territory Plan No. 306—
Progress of technical variations related to V306, dated October 2013.

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

Leave granted.

MR CORBELL: A motion on the monitoring of variation 306 was moved by Minister Rattenbury and passed by the Assembly on 8 May this year. Minister Rattenbury's motion called on the government to invite community feedback on specific clauses of concern that might be addressed through technical variations and report to the Assembly on the progress of any technical variations related to variation 306 by the last sitting day in October 2013.

The Environment and Sustainable Development Directorate have been in regular discussions with industry about the changes included in variation 306. Various interest groups attended briefing sessions held by the Environment and Sustainable Development Directorate, including community representatives, certifiers, architects, building designers, planners and the building industry.

A technical amendment was prepared in response to specific provisions of concern that have been raised with the Environment and Sustainable Development Directorate. Technical amendment 2013-10 was available for public comment between 2 August and 30 August this year, during which time seven submissions were received. Overall the submissions were supportive of most of the changes. Minor changes were made to the technical amendment after review of the comments received.

A second technical amendment addressing further issues in relation to variation 306 was prepared, with technical amendment 2013-12 released for public consultation on 25 October this year. This document will be available for public comment until 25 November this year.

While many of the issues that were raised with the Environment and Sustainable Development Directorate were addressed through the two technical amendments, other issues were not. The majority of these were policy issues that were either specific policy changes introduced with variation 306 or related to policies that were contained in the previous codes. These issues will be considered by the Environment and Sustainable Development Directorate in any future review of relevant policy.

Children and young people—early intervention

Discussion of matter of public importance

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

The importance of early intervention in improving outcomes for Canberra's children and young people.

MR GENTLEMAN (Brindabella) (3:42): I am very pleased to rise today to discuss this matter of public importance. All Canberrans, especially our most disadvantaged residents, are supported by a committed human services system that includes public and community housing, child, youth and family support services, disability services and more.

The human services blueprint, as Minister Barr announced today, will build on the strengths of the current system to ensure a focus on people and their needs rather than on programs and structures. I encourage Canberrans to share their views on the development of the human services blueprint, which is designed to be a three-year plan to make the ACT human services system more accessible and responsive.

On this, early intervention is of vital importance in improving the lives of children and young people at risk in the ACT. We know that children who get off to a good start in life are more likely to do well. We also know that young people who have strong, protective factors in their lives, such as a supportive family environment, are more likely to do well as they move into adulthood.

We are fortunate in the ACT that most young people are able to safely navigate their path to adolescence and adulthood. They receive the guidance, support and opportunities that they need to prepare for life as an adult. However, some children and young people and their families need additional assistance and support to learn to understand their environment and to help them grow up and be strong, safe and connected.

Early intervention when issues arise is critical. Identifying a concern early in the life of a problem or need is important in being able to identify appropriate action and maximise the opportunity for issues to be addressed. Early intervention is not just about age; it is important that early intervention occurs as soon as possible the first time an adolescent offends, parents are involved in allegations of abuse and neglect or a medical or developmental delay or disability is recognised or diagnosed.

Early intervention has a particularly critical role to play for vulnerable children and young people, including those at risk. Early intervention assists in improving children's quality of life. Experts such as Professor Eileen Baldry from the University of New South Wales tell us that "early holistic support is crucial for the development of wellbeing for children with mental health disorders, cognitive impairment and those with disadvantaged backgrounds". Professor Baldry indicates that, without early intervention, the "costs to government can be extremely high".

We continue to have excellent early intervention services in the ACT for vulnerable children and young people. Many are provided through the three child and family centres located in Gungahlin, Tuggeranong and Belconnen which encourage families to access support and services in the local region, such as child health nurses, relationship counselling and specialist advice on developmental delay, and provide opportunities for other issues to be identified, and for families to be referred to appropriate and valuable services.

The centres provide a range of universal and targeted parenting support programs which are aimed at assisting parents and promoting positive developmental trajectories for children. There are new and exciting programs at the centres that focus on early intervention, such as the pilot program the minister launched last month with a focus on parent-child interaction.

Care and Protection Services are now providing prenatal support services through the three child and family centres. When concerns exist for an unborn baby, the prenatal teams encourage voluntary engagement with the expectant parents to help put supports in place to ensure newborns are well cared for and further intervention is not required by Care and Protection Services in the future.

Caseworkers may become involved if there are issues regarding accommodation, parenting issues, a prior history of involvement with Care and Protection Services, misuse of alcohol and/or drugs, mental health issues or domestic violence.

Following the birth of the child, families are encouraged to engage with ongoing supports, including maternal and child health, and more targeted services such as the mental health support services. Early indications show that this early intervention approach is having positive outcomes for vulnerable families.

Child and family centres offer intensive parenting support. Over time, a range of more complex referrals have been received by the child and family centres requesting intensive parenting advice and support beyond the scope of parenting programs currently on offer, such as best foot forward and the PPP program—the positive parenting program. These referrals, often for very vulnerable families, from Care and Protection Services are entirely suitable but require a different response to other programs offered by the centres.

Those of us that may be attending the Caroline Chisholm school fete tomorrow afternoon will note the opportunity to look at the best foot forward program. The program talks about the four-week parenting course for parents of children aged four to eight years of age, and it is based on a developmental approach to understanding children's behaviour. Its aims are to foster positive relationships between parents and children to enhance the health and wellbeing of the family as a whole, including strategies for self-care; to provide parents with some positive parenting strategies for creating a safe, engaging and positive home environment; to provide information to parents to assist them to manage their children's behaviour and set realistic expectations; to provide an opportunity to gain useful information and build on knowledge as well as using problem solving; and to support families' individual needs and build on parents' strengths and skills. Parents will be supported in their parenting role through opportunities for reflection and discussion and handouts will be provided during the course.

As mentioned earlier, the minister recently launched a new pilot program called parent-child interaction therapy, or PCIT, at the Tuggeranong child and family centre. This pilot project is being delivered in partnership with the Education and Training Directorate and Marymead and is a therapy program being delivered to children—and

their parents—who are displaying challenging or difficult behaviours in the home or at school. The emphasis of the parent-child interaction therapy is on improving the quality of the parent-child relationship and changing parent-child interactions.

Research is clear that an investment in early intervention services will result in significant savings later in the life of the child or the “problem”. Parent-child interaction therapy has been widely researched and it is known that the children who participate in the program are less likely to have further involvement with child protection services and school issues.

The government has shown its commitment to early intervention in this area by expanding the successful parents as teachers program at a cost of \$1.2 million over four years. This is another key investment in prevention and early intervention responses for vulnerable children and their families.

Parents as teachers is an intensive home visiting program for children aged six months of age and under, with regular monthly visits by experienced professionals until the child turns three. It is provided at the child and family centres, as the centres have extensive experience in engaging “hard to reach” families. The program gives parents the knowledge and skills to handle complex parenting situations, and the relationship between parent and adviser allows targeted interventions based on areas of concern. Parents have reported that the program has helped them to address feelings of isolation, gain confidence in parenting and access other services.

The new funding will allow three additional parent educators to be appointed to work in the child and family centres; they will commence work in early 2014. I am pleased that the expansion of this program will more than double the number of families who will be able to access the parents as teachers program.

The ACT government has committed funding in the 2013-14 budget to the development and operation of the new trauma recovery centre in the ACT. The aim of the centre is to provide a high-quality, trauma-informed therapeutic program to children who have experienced abuse and neglect. Early therapeutic intervention when abuse and neglect have occurred maximises the opportunity for the best outcomes for children and young people. The centre will contribute to the range of support services available and the service will also undertake research into client outcomes. The centre will provide intensive treatment for children and young people and provide specialist parenting support for carers to ensure their parenting strategies are aligned with the child or young person’s developmental and therapeutic needs.

Childhood trauma has a lasting impact on the developing architecture of the brain and on the formation of a secure attachment between the child and their caregivers. Consequently, adverse childhood experiences are one of the strongest predictors of poor life outcomes. With this new centre, the ACT government is committed to reducing the impact of trauma on children within the ACT.

We must not forget that there are children in the ACT with disability and developmental delay who may experience challenges in accessing their community,

school, sport or other forums that we take for granted. Early intervention in the life of these children will give them the best possible opportunities to live a fulfilling life and contribute to the community.

Evidence suggests that some of the most significant leverage points in bringing about change for children with developmental delay and disability are at the early stages of their life or at early points during important transitions. Therapy ACT provides an extensive range of services for children and young people with developmental delay and disability. Prioritisation of Therapy ACT services is based on the principles of early intervention occurring at all levels of the service.

The therapy assistants program provides assessment and intervention for children in preschool and kindergarten who are identified by their teachers as experiencing delay or disability. In 2012 the program provided a direct service from therapy assistants to children who had communication needs or fine or gross motor needs. More than 40 per cent of those students had not been previously identified as needing intervention and were starting their school life potentially not having the skills needed to learn and develop. In the first year of the program 80 per cent of children reached or exceeded the goals set for them. As a result these young people are better equipped to engage with the curriculum and reach their potential.

In 2014 mainstream schools partnering with Therapy ACT have been identified in suburbs with significant economic and educational need, so that as many children as possible with early intervention needs can access this program. This includes schools with high numbers of Aboriginal and Torres Strait Islander enrolments, so that the unique needs of this population for early intervention can be addressed more effectively.

In addition to the therapy program, more than 2,000 children aged from nought to five years access Therapy ACT services each year for speech pathology, occupational therapy, physiotherapy, social work and psychology interventions. For more families, this early intervention will form the basis of a positive start for their child and they may not need further assistance to fully engage with the community. Where children do not receive this vital early intervention, the outcomes can result in disengagement from school, poor educational outcomes and limited vocational choices.

Another vital initiative in the area of early intervention is the child, youth and family gateway, which commenced operation in December 2012. The gateway is the primary point of contact for referrals to the child, youth and family services program network. It is a service for children, young people and families who are looking for help with the “tough stuff” but are not sure where to go. Gateway workers have assisted families by attending meetings with a range of parties, advocating on the family’s behalf and providing support letters, actively referring families to an extensive range of support services provided by the government and community partners, and providing practical assistance such as food vouchers. The practical assistance offered by the gateway is the kind of assistance that families at risk really need. The intention is to strengthen this model and continue servicing the Canberra community through coordinated service delivery.

As I have already discussed, the government is committed to ensuring the best outcomes for the ACT's children and young people. For young people who are at risk of coming into contact with the youth justice system, intervening at the right time can transform their lives and set them on the path to a positive and fulfilling adult life.

By nature, young people are risk takers. But research and experience tell us that by strengthening protective supports, people will be less likely to engage in antisocial behaviour.

MR RATTENBURY (Molonglo) (3.57): The term “early intervention” is used widely to define a range of services for a wide range of people. It can define intervention that occurs at a particular point in a process, such as identifying a medical disorder early in its onset, but it is often related to the interventions that are targeted towards children and young people with a view to intervening early enough in their development so as to impact on their life outcomes.

Early intervention can also be about intervening at crucial stages of development and transitions between services such as between preschool and primary school and primary school and secondary school, for example. There is a strong body of evidence to now suggest that identifying children at risk—perhaps due to biological or environmental disadvantage—and intervening can improve health, social and educational outcomes and set children and young people on a path to better lives. Early intervention can focus both on individual children but also on parents and families as they provide a crucial support for a child to thrive.

Early intervention can also prevent the development of future problems, such as emotional and social problems, substance abuse and criminal behaviour. The theory of early intervention accepts the notion that a person's experience in early childhood is crucial in determining health and wellbeing outcomes. Identifying and targeting populations that are at risk of social and developmental disadvantage and investing in services that target the young reflects better outcomes across education and even employment. Investing in the young delivers lifelong benefits both to the individual but also ultimately to the community as a whole.

As such, the cost of providing early intervention services is invested to deliver a long-term benefit. This can sometimes make it very difficult to accurately measure the impact of an early intervention service, especially when an individual may have been targeted by more than one service over their early years. It is easy, perhaps, to measure the success of an early intervention language program for two to three-year-olds by measuring the changes they have made over a short period of time but harder to estimate the impact such a program might have on their ongoing educational outcomes and, therefore, their employment opportunities or their propensity to actively engage in their community.

A parenting program that seeks to intervene in families identified as being at risk of social isolation could have unexpected outcomes in terms of connecting families to each other and delivering not only benefits to the children involved but also to the parents themselves in terms of their social supports.

Sometimes this lack of clarity about benefit or difficulty in measuring benefit can mean early intervention services are not as readily funded as they ought to be or that they are more susceptible to funding cuts, because when the service is withdrawn, most people do not notice the immediate impact. It means that, as policymakers, we need to have an ongoing commitment to early intervention and remember the research that continues to support its importance.

In regards to early intervention programs that focus on children's development, one of the main reasons the research supports intervening is that children under eight years of age are particularly responsive to clinical intervention. This is biological. Their neuroplasticity means their brains are ripe for learning new ways of doing things. The years between zero and five are especially important. We all know the astounding development a child demonstrates during these years. In fact, it is in these years that we can lay down those patterns of behaviour and cognitive function that serve our children well throughout their schooling. It is for these reasons that intervening early is so important under so many circumstances.

For example, a child who is identified through screening as having a hearing loss gains an extra year of quality language development if that problem is identified at two instead of three years. Further, a child who is identified as being in a deprived environment can gain such an opportunity in regards to their plain cognitive development if their parents are brought into a play group or parenting group or connected in with other families.

It is obviously not just about having enough services; it is about early intervention being targeted to the right children and young people with the right service at the right time. In the area of young people we know there are some key milestones and life points of increased risk and, therefore, they should be considered areas of increased resourcing. The ages of eight to 14, often referred to as the middle years, are such a risk. Advances in neuroscience over the past few years have brought to light a wealth of understanding about the growing and changing nature of adolescent brains. It is a time of profound change.

Adolescents are making decisions and have mature bodies but have immature nervous systems. Behaviour at this age is less adequately controlled. We know that in the first year of high school and then again in year nine there is increased risk of social isolation and learning difficulties becoming entrenched patterns that often manifest as truancy, alienation and poor educational and employment outcomes in later life.

This is a time when coaches, school counsellors and youth workers can be a vital bridge to improved outcomes later in life. It is another of those life points where there is an increased risk and, therefore, should be considered for increased resourcing. There are many, many more key points in a person's life where early intervention has been recognised as effective, but the truth is that it can be needed at any time.

I mention the strengthening families initiative Minister Burch spoke about this morning. This project epitomises many of the principles of early intervention, even though many of the families targeted would have ongoing services over a long period.

The project is about identifying a specific population that is at risk in the community and preventing families from going in and out of crisis services. In the longer term, it is about helping young people to achieve more in their lives when they are older.

I would also like to briefly touch on children's health. Early intervention plays an important role in ensuring good health in children and young people. The Greens have long been advocates of preventative health, and for young people this includes maintaining a healthy lifestyle, keeping a healthy diet and exercising regularly. We all know habits started at a young age are very hard to change later in life. Unfortunately, problems relating to obesity can start at a young age, and the ACT has seen an increase in rates of younger children being overweight and obese. By the time children are in year 6, one in four children in the ACT is now overweight or obese. This is a worrying statistic and one which we can work to address now.

Teaching children what foods are healthy, introducing them to a broad range of fruits and vegetables and helping them to understand that treats are, indeed, only occasional and not a regular part of their diet is a big part of that. As well as parents doing this at home, schools and childcare centres are also playing an increasing role in this learning. The government's recently released towards zero growth healthy weight action plan includes a broad suite of ideas which can be implemented across many government directorates and which will contribute greatly to improvements in children's health.

Increasing levels of daily exercise in children's lives is another important step, and this can be done not only at school but also by parents enabling their children to walk or ride to school, not even necessarily every day. But if parents are able to factor this into their timetables at an early age, it pays back in the long term by children being able to get to school by themselves at a later age as well as being healthier.

Encouraging children to get involved in regular sporting activities, swimming classes or team sports is also very important, not just for their health but also for their social and emotional lives as it helps them develop friendships which revolve around sport and exercise.

In summary, the timing of this MPI is very positive as it coincides with the launch of the discussion paper on the blueprint for human services launched by Minister Barr. This important work which will engage all of the community services ministers—Mr Barr, Ms Burch and me—will seek to address some of these key life points and develop a better, more comprehensive, flexible and responsive early intervention system. It is important that we all recognise that early intervention is an investment in our future and that governments sometimes need to pay more now to reap the social benefits later.

MR DOSZPOT (Molonglo) (4.06): I welcome the matter of public importance that Mr Gentleman has proposed for discussion today. However, it leaves me a little perplexed as to exactly what is going on within the ranks of government. Yesterday we had the minister for education failing to support what is arguably the most significant single advancement in improving outcomes for Canberra's children through early intervention services. Today, Mr Gentleman has brought on this matter for debate—his MPI being the importance of early intervention in improving

outcomes for Canberra's children and young people. That is precisely what we argued for yesterday, and those on the government benches, including the Greens minister, refused to support it.

The education minister earlier today suggested that she was looking forward to my contribution to the policy debate on learning difficulties, especially dyslexia. With respect to the minister, there was an opportunity yesterday to hear the Liberals policy on autism, and for the third time she rejected it. So it would appear we are damned on this side of the chamber when we offer policy options and damned if we do not.

Those issues aside, there is no question as to the importance of early intervention when children are at risk, irrespective of what that risk might be—whether it is, as we discussed yesterday, the realisation your child has an autism spectrum disorder or, more broadly, where a child is economically disadvantaged, intellectually compromised, physically handicapped or socially challenged. There is a responsibility to provide opportunity for improvement, whether that intervention be through educational support, intensive occupational therapy, family counselling or financial supplement.

Governments at both the territory and federal government level have a range of programs that address the needs of children and young people. As I outlined yesterday and as was outlined earlier today, in the area of learning difficulties a range of programs is available. Are they best practice? Probably. Can they be improved? Clearly.

On the question of early learning difficulties, the opposition last year staged several forums to hear the views of parents who were struggling to find improved learning outcomes for children with learning difficulties, specifically dyslexia and autism. We heard from parents who had moved their children from a state school setting to a non-government setting because their local school was unable to provide the type of additional support they were seeking. We heard of others who had moved interstate and overseas to access what they believed were better prospects for their families.

In respect of dyslexia, we heard of the frustrations of parents with children in ACT schools. The ACT department of education and training did not recognise the diagnosis of dyslexia as a disability for funding. Schools only provided non-targeted learning support for dyslexic students at the principal's discretion. There was no consistency between schools. Although ACT government schools have literacy and numeracy coordinators, there were no accredited MSL educators registered in the ACT and trained in the appropriate targeted tuition required by dyslexic students.

Individual education plans—IEP—or individual learning plans—ILP—did not provide the necessary help for dyslexic students due to the lack of targeted support and assistance. The task force the minister reported on last month goes a long way to addressing these concerns. But, as I said yesterday in respect of a child's disability and a parent's wants and needs, enough is so often never enough.

A key to improved outcomes for children with any sort of inequality is improved opportunity. For children with learning or behavioural issues, one key is to ensure our

teachers are equipped with the latest professional learning opportunities. In the ACT election the Liberal Party advocated for an increase in the professional learning fund for teachers because we recognised there was simply not sufficient opportunity for teachers to obtain the additional skills they need to deal with the range of student disabilities they found in their classrooms.

On the issue of support for young people, I note this morning's *Canberra Times* refers to a report by the Institute of Child Protection Studies that has identified a need for more support to be provided to as many as 400 children of prisoners at the Alexander Maconochie Centre. As the report and the organisation that commissioned it says, children of prisoners are too often overlooked. But it is often a moot point as to when and if governments should intervene. We know or can reasonably presume that many cases that come to Care and Protection Services are the result of dysfunctional home life. Whether it is a dysfunction caused by lack of educational opportunity, unemployment, drugs or other social or health issues, we know children can be caught up in them.

As to when government should intervene, or even if there a legal opportunity to do so, it is sometimes difficult to determine and even more difficult to manage. The Public Advocate of the ACT highlights that difficulty. The advocate's last two annual reports have expressed concern at the difficulty of meeting demand for individual advocacy in children and young people. The 2012-13 report said that providing monitoring and oversight of services for the protection of children can be challenging with the staffing level they have—in this case, one senior advocate.

In the latest reporting year, for example, there were 29 hearings for 14 young people, an increase from 19 the previous year. At ACAT—the ACT Civil and Administrative Tribunal—a total of 45 young people were provided with specific mental health advocacy on 13 occasions and 48 young people were voluntarily admitted for mental health reasons. There were 44 reports of abuse or neglect of children or young people in out-of-home care affecting 41 individual children and young people. These were children or young people for whom the Director-General of the Community Services Directorate has parental responsibility.

Elsewhere, the report talks about a total of 852 children and young people being brought to the attention of the Public Advocate for a range of reasons. If you combine that figure with the number of young people currently resident in Bimberi, you have to wonder where the system broke down and what might have prevented them being sent there.

When it comes to improving outcomes for children and young people, we need to be open minded and not reject out of hand any well-reasoned and researched approach that might be presented, even from the other side of politics. I thank Mr Gentleman for bringing this matter to the Assembly for discussion.

MS BURCH (Brindabella—Minister for Education and Training, Minister for Disability, Children and Young People, Minister for the Arts, Minister for Women, Minister for Multicultural Affairs and Minister for Racing and Gaming) (4.13): Thank you, Mr Gentleman, for bringing this matter to the Assembly today. The government

does continue to focus on the importance of early intervention, and I am pleased to be able to have the opportunity to talk about some of the programs on offer. Early intervention and prevention activities help children and young people and their families receive supports at the right time and right place so that they can have the best opportunities to grow, learn, develop and be safe and connected in the ACT community.

There is a growing body of international evidence on the importance of early intervention, and the programs being implemented in the ACT have been developed from that evidence base. Data collection from services that are being provided confirms that these programs are making a difference. Evidence suggests that the early years are critical for brain development, that quality early intervention programs can significantly improve the outcomes for young children as they grow and that therapy interventions with children in this age group can be especially effective.

Children experience rapid change and development between the ages of zero and eight, and they respond particularly well to intervention. For children with disabilities, the early years are critical for a number of reasons. Locally, nationally and internationally, provision of universal, early intervention services to children aged between zero and eight is recognised as important and effective in changing the life course of these children. The Productivity Commission's report in 2011 on the NDIS acknowledged this:

Early interventions seek to reduce the impact of disability for individuals in the wider community, for example, by mitigating or alleviating the impact of an existing disability, and/or preventing deterioration in an existing disability. They may occur as soon as the disability is first identified or appears, when there is a discrete change in the disability, or at particular lifetime transition points.

This is why Therapy ACT programs provide an essential range of services for children and young people in Canberra. Therapy ACT provides services including speech pathology, occupational therapy, physiotherapy, social work and psychology interventions. For many families, this early intervention will form the basis of a positive start for life for their child, as they may not then need further assistance to fully engage with the community.

One program I would like to talk about is the new parent-child interaction therapy program being trialled at the Tuggeranong child and family centre. It certainly is based on good evidence. This program uses live coaching and involves the use of a one-way mirror, with trained therapists, social workers and psychologists who communicate with the parent via an earpiece. The parent is essentially taught how to ignore or better manage poor behaviours and to celebrate and encourage good behaviours. The program has been widely researched and is certainly getting off to a very good start in Tuggeranong, and the expected outcome from participating in the child-family interaction therapy is a significant improvement in behaviours and strategies for both child and parent.

The ACT trauma recovery centre is being informed by the current evidence on developmental trauma and attachment and will be guided by a reference group which includes a number of national experts. The centre, to be staffed by consultant

psychiatrists, psychologists and social workers, will provide a healing response to children's trauma and support for families, foster carers and teachers who care for them on a daily basis.

The centre will take an all-of-family approach, providing support to siblings, including foster and kin siblings, and extended family as required. They will be provided with support to understand the impact of trauma as well as support to implement consistent strategies for supporting the child across the whole family. This will be extended to others within the child's network, such as childcare centres and schools, and will work to ensure not only long-term stability of placement but also stability within the educational setting.

For young offenders, there is early evidence that early intervention in planning and programming has positive outcomes. The after-hours bail service, which began in 2011, assists young people who are on community-based orders to meet the conditions of their orders. This may be through arranging transport or arranging suitable accommodation so that they do not breach their bail or a good behaviour order condition.

In the 2012-13 year, the after-hours bail service received client-related matters relating to nearly 170 young people. Importantly, this work resulted in 26 young people in police custody being diverted from custody at Bimberi Youth Justice Centre. In recognition of this success, the after-hours bail support service won the ACT public service award for excellence earlier this year, and I take the opportunity to congratulate the team on their success and recognise their winning of that award. The Community Services Directorate is starting to see long-term impacts of the after-hours bail service and the trends for young people in detention, with both the numbers of young people in Bimberi Youth Justice Centre and the average custody nights declining significantly over the period since the program's implementation.

I note that during the evaluation period, the after-hours bail service was used extensively by Aboriginal and Torres Strait Islander young people. I think that shows the high acceptance rate of this service and the value of the service for Aboriginal young people.

For young people in the youth justice system, a number of early intervention programs have been delivered under the blueprint strategies, and changes at Bimberi include the establishment of the Bendora transition unit, the establishment of a family engagement officer and key worker roles and consultation and engagement with a broader range of community service providers, including Aboriginal and Torres Strait Islander communities, in provision of services and supports to young people.

The unit provides planning and preparation for young people who are in custody and prepares them to re-enter the community, and it has been very successful to date. It ensures that these young people are job ready, relationship ready, and are safely accommodated in the community, with the necessary daily living skills required to sustain themselves. Again, early indications are showing that that program is a great success.

Another initiative we see in the early intervention work is the increased referral of Aboriginal and Torres Strait Islander young people and first-time offenders to the restorative justice process. There has been a 45 per cent increase in the number of Indigenous offenders referred to restorative justice. In addition, 53 per cent of all first-time young offenders are referred to the restorative justice program.

Another early intervention model for young people is the redesign of accommodation support services through Narrabundah House. Representatives of the Aboriginal and Torres Strait Islander community have certainly worked in partnership with the directorate on this program and its new design.

I would like to thank Mr Gentleman for bringing this matter on today, and I am sure that all here will support that early intervention is a very critical part of service provision.

MS BERRY (Ginninderra) (4.21): I rise to speak on this matter of public importance, the importance of early intervention in improving outcomes for Canberra's children and young people. As a parent of two young children, one recently diagnosed with a learning difficulty, I know firsthand how important it is for governments and communities to play a helping role in getting young people to develop to their full potential.

As Mr Gentleman said in his speech, and I will quote him because it is worth repeating:

... early intervention is of vital importance in improving the lives of children and young people at risk in the ACT. We know that children who get off to a good start in life are more likely to do well. We also know that young people who have strong, protective factors in their lives, such as a supportive family environment, are more likely to do well as they move into adulthood.

I know from my experience working with families in west Belconnen how important and helpful services and programs such as child health nurses are in helping young people develop their skills and knowledge for raising their children.

Focusing on the importance of early intervention provides us with an opportunity to highlight the role of active government as a force for good in our society. That a government would have strategies, programs and services in place that are designed to help children and young people and their families as they develop into adults and full citizens is something that most people would expect. It does not come as a surprise, and conversely if we were to roll these programs back it would, I suspect, provoke an outcry.

We on this side see it as a natural extension of democracy and, indeed, our responsibility to ensure that government has a positive and constructive role in the development of our children and young people. It is good policy, and it is the right thing to do.

This view is backed up internationally. The UK Centre for Excellence and Outcomes in Children and Young People's Services report into early intervention determined some of the key principles of good practice in early intervention. According to the centre for excellence, key principles of good practice in early intervention concerned the focus, features and types of interventions for particular target groups. The review stressed the need to focus on issues that affect children profoundly through their lives and recognise the importance of addressing family circumstances. They therefore recommended the following priorities:

- addressing structural disadvantages, such as poverty, poor health and low educational achievement amongst parents/carers,
- providing interventions aimed at meeting the needs of adults and children simultaneously and tackling multiple sources of stress within the family,
- providing opportunities for parents to develop their basic skills—for example, in literacy and numeracy,
- developing parenting skills, especially for young parents and parents of children with behavioural problems,
- supporting looked-after children—especially their learning, mental health and accommodation needs.

And that is from Brodie and Morris in 2009.

We have a responsibility to ensure that the resources of government are targeted at ensuring that our children and young people can develop to their full potential and be active participants in our community. I think it is clear that this government is living up to that responsibility, and I thank Mr Gentleman for raising this matter of public importance.

Discussion concluded.

Paper

Madam Speaker presented the following paper:

Legislative Assembly (Members' Superannuation) Act, pursuant to section 11A—Australian Capital Territory Legislative Assembly Members Superannuation Board—Annual Report 2012-2013, dated 31 October 2013.

Adjournment

Motion (by **Ms Burch**) proposed:

That the Assembly do now adjourn.

Aboriginal and Torres Strait Islander Elected Body

DR BOURKE (Ginninderra) (4.25): Tonight I want to highlight the contrast between how the ACT Labor government has engaged with and sought advice from the ACT's Aboriginal and Torres Strait Islander community and Prime Minister Tony Abbott's picking of favourites for his newly created Prime Minister's Indigenous Advisory Council.

The ACT Aboriginal and Torres Strait Island Elected Body is a ground-breaking initiative of the local community and this government. The elected body has an essential role in Canberra in representing the ACT Aboriginal and Torres Strait Islander community, gathering their views, consulting, and then putting forward those views and interests of the community to government. The body is elected in free and fair elections and represents a cross-section of the local community.

The elected body suggested to this government the creation of the ACT employment strategy for Aboriginal and Torres Strait Islander people, and it worked with the government to achieve it. It pushed for the ACT Aboriginal and Torres Strait Islander justice agreement established in 2010. The agreement has been a success. It has seen arrests and charges brought against members of the Aboriginal and Torres Strait Islander community in the ACT fall.

Mr Rod Little, the chair of the elected body, notes in his introduction to the latest ACT *Closing the gap* report the value of the estimates-type hearings the elected body holds to grill ACT public servants. Mr Little is also a director of the national board of the elected National Congress of Australia's First Peoples. The congress advises the federal government in a similar way as the ACT elected body. Its co-chairs, Kristie Parker and Les Malezer, are both elected, and they are both well-respected members of the first peoples with a long involvement in national affairs.

I suspect there has been little engagement between the new government and the national congress, given that Tony Abbott has already picked Warren Mundine as his chief adviser and chair of the new Indigenous advisory council. Mr Abbott's announcement on 25 September stated:

The Prime Minister's Indigenous Advisory Council will meet three times a year with the Prime Minister and senior government Ministers. The Chairman of the Council will meet with the Prime Minister and the Minister for Indigenous Affairs each month.

It also added:

The Chairman will be a part-time position and supported by a secretariat seconded from the Department of Prime Minister and Cabinet.

It called for people to apply to join the council. The contrast is stark—stark between the Prime Minister's hand-picked Indigenous advisory council and the ACT government's commitment to working with Canberra's Aboriginal and Torres Strait Islander communities through their elected body.

Twenty-five years ago most Canberrans were either opposed to or ambivalent about a self-governing democracy in this capital. Yet two weeks ago I attended a University of the Third Age seminar with over 100 people and, goodness me, a combined wisdom of over 5,000 years, Madam Speaker. It was put to the meeting whether the ACT should continue our current form of self-government or step back to a lower level of government, perhaps a local council. On a show of hands, the vote was overwhelmingly 100 to 6 to continue as we are. Canberrans want democracy and a say in their own affairs.

Aborigines and Torres Strait Islanders also want democracy and choice in their representatives locally and nationally. Furthermore, self-determination is a cornerstone of the UN Declaration on the Rights of Indigenous Peoples. I suggest the Prime Minister and his Indigenous advisory council chairman will only represent themselves, and the interests of Australia's first peoples will consequently suffer.

Prisoners Aid (ACT)

MR COE (Ginninderra) (4.29): I rise this afternoon to speak about the work of Prisoners Aid (ACT). Prisoners Aid provides support to prisoners and their visitors here in the territory. Prisoners Aid (ACT) was founded in 1963 to provide throughcare services at a time when Canberra did not have a prison, a remand centre or even a parole service. Prisoners from the ACT were transported to prisons in New South Wales and reported once a month to a parole officer who visited from Sydney. Prisoners Aid members acted as de facto parole officers and assisted families to visit prisoners in New South Wales jails.

Since the opening of the Alexander Maconochie Centre, Prisoners Aid has expanded its activities. Volunteers with Prisoners Aid provide information, advice and support to families and friends of detainees when they visit the AMC. Staff and volunteers also visit detainees and provide support for detainees, particularly just before and after they are released.

Prisoners Aid also operates a court assistance and referral service at the ACT Magistrates Court. The referral service offers support to people charged with offences as well as their families, court officials, police, tribunals and parole officers. The volunteers and staff of Prisoners Aid come from a wide range of backgrounds but all of them are committed to helping prisoners and their families when times are tough. As Dr Hugh Smith, the president of Prisoners Aid, said: "We are trying to reduce crime and do ourselves out of a job. Of course, we won't succeed totally but we won't give up either. We look forward to the next 50 years."

I place on the record my thanks to all those involved with Prisoners Aid (ACT), in particular the committee: the president, Hugh Smith; the vice-president, Shobha Varkey; the secretary, Brian Turner; life member and volunteer, Bill Aldcroft; and the committee members, Clair Natali and Seija Talviharju. I also put on the record my thanks for the great work done by Paul Thompson as the manager of the service. I thank all the volunteers from Prisoners Aid. For more information about the work of Prisoners Aid (ACT) I recommend members visit their website at www.paact.org.au.

UnitingCare Kippax anti-poverty forum

MS BERRY (Ginninderra) (4.31): Two weeks ago I had the opportunity to attend the UnitingCare Kippax anti-poverty week forum. At the forum many issues were raised. Attendees spoke about daily challenges, including family breakdown, school bullying and precarious work. Underlying them all was the question about how we ensure that people who live at the edges of our city, whether that is geographically, economically, educationally or socially, are fully included in our community.

The case for ensuring inclusion could not be clearer. The past month has seen the publication of countless reports which clearly demonstrate the impact of economic and social inclusion on people's lives and our community. Poverty creates self-perpetuating factors for social disadvantage. It is linked to lower educational attainment, lower workforce participation, higher rates of mental illness and a wide array of other factors which themselves contribute to deepening social exclusion.

There is an important role for governments to improve our outcomes for inclusion. Speaking to my neighbours at the forum I was proud to be part of a government that is always trying new things. As we have heard multiple times, just in this sitting session, this government believes everyone should have a fair go. Whether it is families struggling to access services, workers in precarious jobs accessing their leave, LGBTI Canberrans or people with disabilities, this government knows we play a role in ensuring that they are able to fully participate in the life of our city.

Whilst I believe there is a very important role for government programs to play in ensuring the inclusion of our community's vulnerable members, what was obvious at UnitingCare was that that inclusion also comes from giving all community members a way to meaningfully participate in the decisions that affect them. Whether participants at the forum were talking about schoolyard bullying, family breakdown or income support, the thing that made people feel least included was the inability to participate in shaping the policies that affected their lives.

As the strengthening families pilot Minister Burch spoke about this morning has shown, people's experiences are not just statistics that can be addressed by a one size fits all policy. Social inclusion comes from sharing one another's stories and working together to think about shaping communities that meet all of our needs.

The forum itself was a great example of how this can be achieved. Whilst there were plenty of well-known community leaders who spoke on the day, what was clear when we broke into small groups was that everyone had as many answers as they had problems. The level of participation, community support and interest shown on the night is a testament to the success UnitingCare Kippax is having in bringing together and empowering communities in west Belconnen.

This forum was a great opportunity to come together with my neighbours, and it has given me plenty to think about in terms of how to better engage my whole community in projects and policy that will make our city more inclusive for Canberrans who are living on the edge.

Tuggeranong Community Council

MR DOSZPOT (Molonglo) (4.35): In tonight's adjournment speech I wish to thank some of my previous constituents in Tuggeranong, specifically the Tuggeranong Community Council, of which I was a long-term member prior to being elected to the ACT Legislative Assembly. Of course, I continued that close association with the Tuggeranong Community Council during my four years as a member for Brindabella. In last year's election I became a member for Molonglo but still retain close contact with the Tuggeranong Community Council through my shadow portfolios.

I was not able to join the Tuggeranong Community Council for their 30th birthday celebration on 3 September, so I am pleased to be able to recognise tonight some of the Tuggeranong Community Council members, past and present. First of all, my personal thanks and congratulations go to long-term past president Mrs Rosemary Lissimore, and her husband, David Lissimore, for their great contribution over the years; to her successor as president, Mr Darryl Johnston; and to the respective committees over the years—as well as, of course, the immediate past Tuggeranong Community Council committee of 2012-13. The executive committee was led by president Mr Nick Tsoulias, vice-president Mr Russ Morrison, treasurer Mr Frank Vrins, secretary Mr Darryl Johnston and assistant secretary Mr Ross McConnell. I also congratulate the new president-elect, Mr Eric Traise, and his new committee, who will be taking Tuggeranong Community Council forward in 2014.

I would also like to reflect on some of the contributions of individuals like Nick Tsoulias in particular as a business owner in Tuggeranong and a committed individual who has been heavily involved in the Tuggeranong community over the years. He was one of the founding members of Calwell Neighbourhood Watch. He was an active proponent of the doctors for Tuggeranong committee and he assisted in the setting up of Canberra's first community-owned Bendigo Bank—as well as, of course, becoming first vice-president and then president of the Tuggeranong Community Council.

The volunteer contributions of individuals like Rosemary Lissimore, Darryl Johnston, Nick Tsoulias and people like them throughout Canberra, and of the respective committees that have provided support to them over the years, often go unappreciated and unrecognised by the community, mainly because they generally are too busy representing their community issues to market the news of their achievements and successes.

I would like to acknowledge the Tuggeranong Community Council and all similar community organisations around Canberra for their valuable contributions to the community. I offer our thanks and the community's sincere appreciation for their continued hard work and commitment to our Canberra community.

Lifecycle cycling event

MR RATTENBURY (Molonglo) (4.38): I would like to make a few remarks about the Lifecycle 48-hour cycling event which was held on the weekend of 18 to 20 October. It is only in its second year. The event was held around Lake Burley

Griffin, and it was a great success, particularly for such a new event. I was pleased to join in an opening lap on the Friday afternoon—I know Mr Wall was there at the same time—and I managed to get in a few other laps over the course of the weekend, although perhaps not as many as I would have liked. This year Lifecycle has so far raised nearly \$80,000 for the Leukaemia Foundation. With funds still being received, that is not the final total just yet.

The event was started by friends Mark Blake and Carl Sueli, based on Carl's experience with a Leukaemia Foundation unit in Sydney while receiving treatment at Westmead Hospital for non-Hodgkin's lymphoma. The vision of the organisers was to raise funds for the establishment of a purpose-built accommodation facility for blood cancer patients. With a very generous donation of almost \$3 million from the John James Foundation, already this vision has come a lot closer to reality than the organisers first imagined when they started this charity event.

The John James Foundation has plans for John James village that will provide residential accommodation for patients undergoing blood cancer treatment at Canberra Hospital. The plan is to build six units as a short-term residential facility for patients, and the families of patients from regional areas, who need to be close to the hospital for regular treatment. The ACT branch of the Leukaemia Foundation will manage the facility, which will also include meeting rooms and offices for its services.

Lifecycle, with the injection of capital from the John James Foundation, is now focusing on raising money for the ongoing costs. Money raised this year will help toward the total. In terms of the Lifecycle event, 255 people participated, including 55 children and student entries, indicating that Lifecycle is very much a family-friendly event. They have done it by having two different laps: people can ride a five-kilometre lap around the central basin of Lake Burley Griffin and then there is a longer, 20-odd kilometre lap around the whole lake. Of course, people got hungry over the weekend, and I gather more than 600 sausages were sold. More than 2,700 kilometres were cycled over the weekend.

These events cannot happen without the work of volunteers. There were more than 70 hardworking volunteers, many of whom worked tirelessly throughout the weekend, including in the dead of night, contributing to a total of 600 volunteer hours. I make particular mention of the team from Point Project Management, who, as an organisation and as a business here in Canberra, were very much behind the organising of this event. The staff from that organisation played a major part in the logistics of the weekend.

I also note the top achievers of the weekend. The most distance travelled for a female was by Tamerra Mackell; the most distance by a male was by Levi Johns; and the most distance by a team was by the aptly named "Boneshakers". The top fundraising individual was Chris Black; the top fundraising team was again the Boneshakers. Special mention should also be made of the team entries from Florey Primary School—their team name was "Cognitive Revolution"—and the Red Hill Primary School.

I wanted to mention this event because it is a great example of where members of the community just decided to start an event because they saw a need in the community and they recognised that they could put together a great charity event to help fund that. They simply started it from the ground up, and they are building the event. In only its second year it has achieved all of those things. It is an event that will only go from strength to strength. In years to come, people requiring treatment through the Leukaemia Foundation will very much thank them for the considerable effort they are putting in. I commend them for their efforts.

Safe Work Australia Week

MS LAWDER (Brindabella) (4.42): I would like to speak very briefly about Safe Work Australia Week, which is about the importance of safety at work. My son is a tradesman; he works at various locations around Canberra, including building sites and including at height. So, as a mother, I know firsthand the fear of hearing about an accident in the workplace.

Recently, my son told me about a workplace accident that he witnessed where he saw someone a bit away from him fall off a ladder and break his elbow. My son was one of the first people on the scene to administer first aid.

As an aside, not relating to this particular incident, until recently my son was working on the refurbishment of the Canberra Centre food court. If you have not been down there yet, you should get down and have a look, because it looks great.

But let me get back to more serious matters about workplace safety. All workplaces, including offices, have safety issues that have to be addressed. It is everyone's responsibility to ensure safety and to ameliorate and address any risks. I urge everyone to play their part in keeping all workplaces safe. And I commend to you Safe Work Australia Week, which actually runs for the entire month of October 2013.

The theme for this month was "Safety is a frame of mind. Get the picture". It asks people to think about why they want to come home safely from work. Of course, that is what we all want for our families, for our friends, for our employees and for ourselves. I commend the work of Safe Work Australia and their efforts to raise awareness of the importance of work safety.

Tuggeranong valley—election signs

MS BURCH (Brindabella—Minister for Education and Training, Minister for Disability, Children and Young People, Minister for the Arts, Minister for Women, Minister for Multicultural Affairs and Minister for Racing and Gaming) (4.44): I take this opportunity to again talk about signs in the Tuggeranong valley. I reference an article dated 17 October in the *Daily Telegraph* headed "Keep Australia Beautiful wants public to do in MPs who have left posters up". It states:

Keep Australia Beautiful has launched a campaign asking the public to do in election signs still hanging around their communities and creating an eyesore ...

People are being asked to snap photos of offending signs and report them to Keep Australia Beautiful's LITTLE Committee ... of young anti-litter crusaders, who will take up the case with the relevant candidate or political party.

“Election signs are known to get blown off telegraph poles in windy weather, or just deteriorate so they become litter items by the sides of roads, train lines and in the street.” ... “Candidates need to set an example and remember to clean up after themselves.”

The article directs people to do in offending political people to Keep Australia Beautiful's LITTLE Committee Facebook page. So again I ask the Canberra Liberals to do the right thing and remove the unsightly campaign signs that are, indeed, littering Tuggeranong valley. I note Ms Lawder has made an effort; however, with no disrespect to Ms Lawder, the effort is not enough. The signs remain and continue to litter Tuggeranong valley.

As I understand it, these are illegally posted signs. I could be wrong—and I probably should get formal advice on this—but, as I understand it, they are illegal signs. As such, the Canberra Liberals could be facing fines of \$1,000 for individuals and \$5,000 for businesses. So, I say again to Ms Lawder, to Brendan Smyth and to Mr Wall: please do the right thing and clean up after the Canberra Liberals.

Question resolved in the affirmative.

The Assembly adjourned at 4.46pm until Tuesday, 26 November at 10 am.

Answers to questions

Housing—energy efficiency reports (Question No 146)

Mr Coe asked the Minister for the Environment and Sustainable Development, upon notice, on 18 September 2013:

- (1) How many Energy Efficiency Reports (EERs) have been submitted each year from 2004 to 2013.
- (2) How much money has been collected as lodgement fees for EERs each year from 2004 to 2013.
- (3) How many certifiers have submitted EERs to the ACT Planning and Land Authority between 2004 and 2013.
- (4) What is the average number of EERs submitted, per certifier, between 2004 and 2013.

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

- (1) Records held by the Environment and Sustainable Development Directorate indicate the following numbers of energy efficiency reports have been submitted for the following financial year periods in relation to the sale of residential property only:

2004–2005	1,660
2005–2006	5,885
2006–2007	5,570
2007–2008	5,814
2008–2009	10,413
2009–2010	7,556
2010–2011	6,561
2011–2012	2,231
2012–2013	3,942
2013–2014	885 (to September 2013)

- (2) Records held by the Environment and Sustainable Development Directorate indicate the following amount of money has been collected for lodgement fees for energy efficiency reports in relation to the sale of residential property only for the following financial year periods:

2004–2005	Information not available
2005–2006	Information not available
2006–2007	\$21,734.70
2007–2008	\$20,974
2008–2009	\$16,666.20
2009–2010	\$27,122.20
2010–2011	\$20,704.75
2011–2012	\$8,304.10
2012–2013	\$30,326.40
2013–2014	\$23,148 (to September 2013)

- (3) ESDD does not keep specific figures on the number of certifiers that have submitted EERs in relation to building approvals but is working on methods for extracting this information from its databases. For EERs of existing buildings that relate to sale or lease of premises it is the responsibility of the building assessor to lodge the EER.
- (4) See answer to question three.

Roads—Katherine Avenue and Horsepark Drive intersection (Question No 155)

Mrs Jones asked the Minister for Territory and Municipal Services, upon notice, on 23 October 2013:

- (1) How many accidents have there been at the intersection of Katherine Avenue and Horsepark Drive in the last 10 years.
- (2) How many people have been taken to hospital following an accident at the intersection.
- (3) Is the Government planning to install traffic lights at this intersection; if so, on what date will work commence; if not, what measures, if any, will the Minister undertake to improve safety at this intersection.

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

- (1) A total of 14 crashes have been reported at this intersection in the last ten years.
- (2) Two crashes resulted in three people being taken to hospital.
- (3) The ACT Government proposes to install traffic lights at this intersection in the future. Currently a design is being progressed to establish the cost of such works and this will form the basis for a future funding bid for construction funds as part of the Capital Works Program. There are no interim measures proposed at the intersection.

Electricity—feed-in tariff (Question No 166)

Mr Wall asked the Minister for the Environment and Sustainable Development, upon notice, on 29 October 2013:

- (1) How many (a) medium scale feed-in tariff (FiT) and (b) large scale FiT entitlements have been granted, including (i) who have the entitlements been issued to, (ii) how many entitlements were issued to (A) locally-based entities, (B) Australian-based entities and (C) internationally-based entities, (iii) when were these entitlements issued, (iv) where are the entitlements located or proposed to be located, (v) what is the total size of each entitlement, (vi) were the successful entitlements required to pay a security payment or bond, (vii) which of these entitlements are currently operational and (viii) what is the projected job creation for each entitlement.

- (2) Regarding prequalification for the large scale solar auction, (a) how many entities sought prequalification, (b) what are the names of the entities that were successfully prequalified, (c) what prequalification criteria were used and (d) how were the applicants assessed against these criteria.

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

- (a) (i-v) Table 1 provides details of the medium feed-in tariff entitlements that have so far been connected. There are currently three such entitlements with a combined capacity of 486.2kW. For privacy reasons, ActewAGL Distribution will not release the names and specific addresses of individual entitlement holders. As such, the nationality of the entitlement holders cannot be determined.

Table 1: Connected medium feed-in tariff entitlements

Suburb	System Nominal Output/Total size (W)	Date Installed	Date Applied
Fyshwick	199,920	01/Jul/2012	13/Jul/2011
Fyshwick	140,003	01/Jul/2013	13/Jul/2011
Lyneham	146,300	01/Jun/2012	13/Jul/2011

Table 2 gives the details of the medium feed-in tariff entitlements that are currently not connected. There are currently 35 such entitlements with a combined capacity of 5,742.5kW. For privacy reasons, ActewAGL Distribution will not release the names and specific addresses of individual entitlement holders. As such, the nationality of the entitlement holders cannot be determined.

Table 2: Medium feed-in tariff entitlements currently unconnected

Suburb	System Nominal Output (W)	Date Applied
Coree District	199,920	13/Jul/2011
Symonston	200,000	12/Jul/2011
Stromlo District	200,000	13/Jul/2011
Stromlo District	200,000	13/Jul/2011
Stromlo District	200,000	13/Jul/2011
Stromlo District	200,000	13/Jul/2011
Stromlo District	200,000	13/Jul/2011
Stromlo District	200,000	13/Jul/2011
Greenway	100,000	13/Jul/2011
Greenway	100,000	13/Jul/2011
Majura District	199,880	13/Jul/2011
Majura District	199,880	13/Jul/2011
[not available]	199,880	13/Jul/2011
Coree District	199,920	13/Jul/2011
Coree District	199,920	13/Jul/2011
Fyshwick	199,980	29/Jul/2011
Kowen District	200,000	13/Jul/2011
Royalla	200,000	13/Jul/2011
Royalla	200,000	13/Jul/2011
Royalla	200,000	13/Jul/2011
Royalla	200,000	13/Jul/2011

Kambah	100,000	13/Jul/2011
Fyshwick	100,000	13/Jul/2011
Belconnen	100,000	13/Jul/2011
Fyshwick	100,000	13/Jul/2011
Kambah	100,000	13/Jul/2011
Belconnen	100,000	13/Jul/2011
Belconnen	50,000	13/Jul/2011
Kowen District	200,000	13/Jul/2011
Tuggeranong District	196,560	29/Jul/2011
Greenway	100,000	13/Jul/2011
Greenway	100,000	13/Jul/2011
Greenway	100,000	13/Jul/2011
Greenway	100,000	13/Jul/2011
Greenway	100,000	13/Jul/2011
Tuggeranong District	196,560	29/Jul/2011
Total sites:	35	

(vi) No security payment or bonds were collected from applicants for the medium feed-in tariff.

(vii) See above Tables 1 and 2.

(viii) No information is available on projected job creation for the medium feed-in tariff scheme.

(b) Three large-scale feed-in tariff entitlements have been granted.

(i) FRV Royalla Solar Farm Pty Limited; OneSun Capital 10MW Operating Pty Ltd; and Zhenfa Canberra Solar Farm One Pty Limited.

(ii) It was a requirement of the Large-scale Solar Auction process that all bidders be Australian companies, however the parent companies of FRV Royalla Solar Farm Pty Limited and Zhenfa Canberra Solar Farm One Pty Limited are based in Spain and China respectively.

(iii) The Grant of Entitlement for FRV Royalla Solar Farm Pty Limited was signed by the Minister on 10 September 2012; the Grant of Entitlement for OneSun Capital 10MW Operating Pty Ltd was signed by the Minister on 28 August 2013; and the Grant of Entitlement for Zhenfa Canberra Solar Farm One Pty Limited was signed by the Minister on 28 August 2013.

(iv) The solar plant to be developed by FRV Royalla Solar Farm Pty Limited will be located on Tuggeranong block 1633; the solar plant to be developed by OneSun Capital 10MW Operating Pty Limited is proposed to be located on Coree block 76; and the solar plant to be developed by Zhenfa Canberra Solar Farm One Pty Limited is proposed to be located on Tuggeranong block 1677 (although this block is likely to be subdivided and the block number will change as a result).

(v) The maximum amount of electricity for which a feed-in tariff payment will be made in any one financial year will be: 42,293 megawatt-hours for FRV Royalla Solar Farm Pty Limited (from 20MW capacity); 12,370 megawatt-hours for OneSun Capital 10MW Operating Pty Ltd (from 7MW capacity); and 24,596 megawatt-hours for Zhenfa Canberra Solar Farm One Pty Limited (from 13MW capacity).

- (vi) None of the large-scale feed-in tariff entitlement holders were required to pay a security deposit or bond.
- (vii) None of the large-scale feed-in tariff entitlements are currently operational, however construction has started on the plant being developed by FRV Royalla Solar Farm Pty Limited.
- (viii) Together the three plants are expected to create around 165 jobs in the construction phase and 16 upon completion.

Regarding prequalification for the large scale solar auction:

- (a) 25 proponents submitted 49 individual proposals in the prequalification stage of the auction.
- (b) This information is commercial-in-confidence. However, the Minister decided that 22 proposals from 10 proponents were prequalified.
- (c) Three evaluation criteria were applied that assessed: 1. the proponent's capability and experience; 2. the access to funds and the reasonableness of the expenditure forecast for each proposal; and 3. the technological or other risks to timely completion that might be present in each proposal.
- (d) An independent advisory panel made up of four business and/or solar industry experts and a representative from the Chief Minister and Treasury Directorate assessed each proposal assisted by reviews completed by technical and financial due-diligence consultants. These assessments were conveyed as recommendations to the Minister for the Environment and Sustainable Development who accepted each one.

Roads—speed cameras (Question No 169)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 30 October 2013 (*redirected to the Attorney-General*):

What is the breakdown of the number of infringements from ACT Government mobile speed cameras in school zones for the (a) 2012-2013 and (b) 2013-2014 to date financial years, by (i) month; (ii) offence category of (A) 10 to less than 15 km/h, (B) 15 to less than 30 km/h, (C) 30 to less than 45 km/h and (D) 45 km/h or more, over the speed limit and (iii) location.

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

ACT Government mobile traffic cameras do not operate in school zones. This is primarily because mobile traffic cameras do not operate within 200 meters of a change of speed limit and school zones tend to be relatively short in length. In addition the government does not want to add to congestion around school zones which could reduce visibility for motorists and pedestrians.

ACT Policing will continue to use interception methods of speed enforcement around school zones.

Arts—Cultural Facilities Corporation (Question No 187)

Mr Smyth asked the Minister for the Arts, upon notice, on 31 October 2013:

- (1) Further to Output Class 1.1: Cultural Facilities Corporation in Budget Paper 4, page 490, will the Minister provide a breakdown of supporting programs and initiatives for the output, including (a) the value of funding for each program/initiative, (b) dates of commencement and completion (or ongoing) for each program/initiative and (c) performance measures for each program/initiative.
- (2) What are the staff numbers and corresponding employment levels for each output.
- (3) Will the Minister provide a list of capital works and upgrades for each of the listed outputs and, where applicable, include (a) commencement and completion dates and (b) the budgeted and actual costs of the projects.
- (4) Have identified savings been identified within these outputs; if so, will the Minister provide (a) a list of identified savings, (b) the value of identified savings, (c) program/initiative impacts as a result of these savings and (d) staffing impacts as a result of these savings.

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

The ACT Government prepares its budget on an outputs basis. Data at that level is published in the Budget Papers, along with budgeted financial statements for agencies. More detailed information on activities within outputs is available in annual reports. This includes audited financial statements. Data is not available in the form and at the level requested without diversion of significant resources from the Cultural Facilities Corporation's ongoing business that I am not prepared to authorise.

Questions without notice taken on notice

Arts—Tuggeranong Community Arts Association

Ms Burch (*in reply to a supplementary question by Mr Smyth on Thursday, 24 October 2013*): The Tuggeranong Community Arts Association Inc received funding of \$401,500 from the ACT Arts Fund, to manage the Tuggeranong Arts Centre and deliver a range of arts programs.

The Tuggeranong Community Arts Association Inc also received funding of \$166,250 in 2013 from the ACT Arts Fund for the Community Cultural Inclusion Program

ACT Policing—alcohol enforcement

Mr Corbell (*in reply to a supplementary question by Mr Hanson on Tuesday, 17 September 2013*): The cost of providing the services for the Alcohol Crime Targeting Team in the financial year 2012-2013 was \$1.371m.

The funds allocated in the 2013-2014 budget for delivery of alcohol crime targeting is \$1.446m.

These funds allocated are all recovered in liquor licensing fees.

Women—Women's Information and Referral Centre

Ms Burch (*in reply to a question and a supplementary question by Mrs Jones on Thursday, 24 October 2013*): In response to the Member's questions, I can confirm inform the Assembly that the program will not be provided through a Child and Family Centre.

- a) No. It has not been provided through a Child and Family Centre in the past.
- b) No.
- c) Yes the program will continue to be provided through the Office for Women.

Alexander Maconochie Centre—capacity

Mr Rattenbury (*in reply to a supplementary question by Mr Wall on Tuesday, 22 October 2013*): No.