



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**EIGHTH ASSEMBLY**

**26 NOVEMBER 2013**

[www.hansard.act.gov.au](http://www.hansard.act.gov.au)

**Tuesday, 26 November 2013**

Petitions:

Roads—McBryde Crescent—petition No 3-13.....	4159
Planning and Development Act—variation to the territory plan No 182— petition No 4-13 .....	4159
Weston Creek—petrol stations—petition No 5-13 .....	4160
Privilege .....	4160
Privileges—Select Committee .....	4161
Papers.....	4167
Justice and Community Safety—Standing Committee.....	4167
Australian Capital Territory (Ministers) Bill 2013 (No 2).....	4168
Payroll Tax Amendment Bill 2013 (No 2) .....	4174
Long Service Leave (Portable Schemes) Amendment Bill 2013 .....	4180

Questions without notice:

Health—secure mental health unit .....	4187
Visitors.....	4189

Questions without notice:

Alexander Maconochie Centre—rates of recidivism .....	4189
Hospitals—Centenary Hospital for Women and Children .....	4190
Children and young people—care and protection .....	4193
Schools—registration .....	4194
Roads—speed cameras .....	4195
Planning—proposed Calwell swimming pool .....	4197
Health—food safety.....	4198
Schools—year 12 graduates .....	4200
Multicultural affairs—fringe festival.....	4203
Tourism—events .....	4206

Supplementary answers to questions without notice:

Hospitals—Centenary Hospital for Women and Children .....	4207
Planning—proposed Calwell swimming pool .....	4208

Papers.....	4208
-------------	------

ACTEW Corporation Ltd—statement of corporate intent.....	4208
----------------------------------------------------------	------

Paper .....	4209
-------------	------

Financial Management Act—consolidated financial report .....	4209
--------------------------------------------------------------	------

Financial Management Act—consolidated annual financial statements 2012-2013.....	4210
-------------------------------------------------------------------------------------	------

Papers.....	4211
-------------	------

Children and Young People Death Review Committee—annual report .....	4212
----------------------------------------------------------------------	------

Community Services Directorate annual report 2012-13—corrigendum.....	4213
-----------------------------------------------------------------------	------

Canberra—centenary (Matter of public importance).....	4214
-------------------------------------------------------	------

Privileges—Select Committee .....	4223
-----------------------------------	------

Adjournment:

Typhoon Yolanda .....	4233
Rainbow families .....	4234
TEDxCanberra 2013.....	4235
Tuggeranong Community Festival .....	4236
Australia China Friendship Society .....	4237
Southern ACT Catchment Group .....	4238
Belconnen community health centre .....	4239

Canberra Cavalry baseball team .....	4240
Young Canberra citizen of the year awards.....	4241

**Tuesday, 26 November 2013**

**MADAM SPEAKER** (Mrs Dunne) took the chair at 10 am, made a formal recognition that the Assembly was meeting on the lands of the traditional custodians, and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

## **Petitions**

*The following petitions were lodged for presentation:*

### **Roads—McBryde Crescent—petition No 3-13**

*By Ms Lawder, from 334 residents:*

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly the lack of a school or pedestrian crossing on McBryde Crescent, near Trinity Christian School.

Your petitioners, therefore, request the Assembly to consider safety measures to protect students, parents and staff. Additionally to provide appropriate notice to residents.

### **Planning and Development Act—variation to the territory plan No 182—petition No 4-13**

*By Ms Gallagher, from 2,645 residents:*

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

This petition of certain residents of the Australian Capital Territory draws the attention of the Assembly that:

- In 2002 through the Variation to the Territory Plan No. 182, Block 1329 Canberra Central was moved from Nature Reserve to Special Purpose Reserve, Horse Paddock;
- Part of Block 1329 situated northeast of the Hackett reservoir and south of Casuarina trail contains nationally listed critically endangered White box-yellow box-Blakely's red gum grassy woodland, has been inhabited by bird species listed endangered nationally and in the ACT, has trees of high habitat value with nesting sites for declining woodlands birds and is unsuitable for horse grazing;
- Since 2003 the parkCare group friends of Mt Majura lobbied Government to reverse the change of land use of this parcel of land;
- In 2009, based on recommendation by the Conservator for Flora and Fauna, the Planning Authority ACTPLA prepared a Variation to the Territory Plan to this effect;
- In May 2013 the Minister for TAMS informed community representatives that this process has been stopped.

Your petitioners request the Assembly to immediately re-open the process with the aim of returning the land into Mt Majura Nature Reserve to protect critically endangered grassy woodland, important habitat for endangered and declining species and to acknowledge thousands of hours of community work to improve the environmental condition of the land.

### **Weston Creek—petrol stations—petition No 5-13**

By **Mr Barr**, from 374 residents:

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

This petition of certain residents of the Australian Capital Territory draws to attention of the Assembly that:

Currently there is only one petrol station servicing the 23,000 residents of Weston Creek, which is located at Cooleman Court. This population is set to grow significantly with the development of the Molonglo Valley. One only petrol station for such a significant and increasing proportion of the Canberra population is grossly inadequate, and leads to unnecessary waiting times at peak transit periods.

These petitioners therefore request the Assembly to:

1. Zone and designate land for a new petrol station to service the Weston creek and Molonglo regions.
2. Position the new petrol station adjacent to the intersection of Cotter Road and Kirkpatrick Street, to better service the residents of the Molonglo region, as well as those Weston Creek commuters who use the Cotter Road.

*The Clerk having announced that the terms of the petitions would be recorded in Hansard and copies referred to the appropriate ministers for response pursuant to standing order 100, the petitions were received.*

### **Privilege Statement by Speaker**

**MADAM SPEAKER:** On Friday, 22 November 2013 Mr Smyth, in accordance with standing order 276, gave written notice of what he considered to be a breach of privilege. The matter relates to a possible contempt by Mr Barr in failing to table documents that were requested by the Assembly on 19 September 2013. Mr Smyth provided in his letter relevant extracts from the *Hansard* debate on the motion which was agreed to on 19 September 2013.

Under the provisions of standing order 276, I must determine as soon as practicable whether or not the matter of privilege merits precedence over other business. In doing so, I should consider whether this issue is one of substance and is supported by the

facts as presented. If, in my opinion, the matter does merit precedence, I must inform the Assembly of the decision, and the member who raised the matter may move a motion without notice forthwith to refer the matter to a select committee appointed by the Assembly for that purpose.

As Speaker, I am not required to judge whether or not there has been a breach of privilege or contempt of the Assembly. I can only judge whether or not the matter merits precedence. Having considered Mr Smyth's letter, I am prepared to allow precedence to a motion to refer the matter to a select committee should Mr Smyth choose to move such a motion. For the information of members, I table a copy of Mr Smyth's letter. I present the following paper:

Alleged breach of privilege—Letter from Mr Smyth to the Speaker, dated 22 November 2013.

### **Privileges—Select Committee Proposed establishment**

**MR SMYTH** (Brindabella) (10.02): Under standing order 276, I move:

That:

- (1) Pursuant to standing order 276, a Select Committee on Privileges be established to examine whether the Treasurer, Andrew Barr MLA is in contempt of the ACT Legislative Assembly through his failure to comply with:
  - (a) standing order 277 (h) Disobedience of Orders;
  - (b) standing order 277 (m) (ii) refuse or fail to produce documents, or to allow the inspection of documents, in accordance with an order of the Assembly or of a committee.; and
  - (c) any other matter related.
- (2) The committee shall report back to the Assembly by the first sitting week in February 2014.
- (3) The committee shall be composed of:
  - (a) one member nominated by the Government;
  - (b) one member nominated by the Crossbench;
  - (c) one member nominated by the Opposition;
  - (d) the Crossbench member is to Chair the Committee; and
  - (e) to be notified to the Speaker by 4 pm today.
- (4) The committee may report out of session through the Speaker.

Madam Speaker, I have given the Clerk a copy of the motion. It is now being circulated. Members would know that for a long time I have pursued the government over its modelling of the tax increases and their impact on the rates of the ratepayers

of the ACT. It is a very important issue for all in the community and, despite the denials of the Treasurer, he has not yet delivered one document which disavows to me, or indeed disavows to the Canberra Liberals, the work that we have done that says the only way that you can pay for these tax increases is to triple rates.

We have asked on a number of occasions for information. At first we were told to go to Quinlan. We went to Quinlan, and it is quite clear from the Quinlan documents that rates will triple. We then asked whether there was other modelling, and although the minister was shy to start with, eventually he said, "Yes, there is other modelling." We have asked consistently for that modelling. Indeed, in a question on 19 September, again I asked whether he would table that modelling. He said no, so I moved under standing order 213A that these documents be tabled. 213A sets out a process, Madam Speaker, as I am sure you are well aware, that details how documents that are in dispute can be accessed by the Assembly.

With respect to the motion that was amended and passed, it was an amendment from Mr Rattenbury. Mr Rattenbury moved it to make it more clear. He said:

- (1) notes the information provided in the 2012-2013 and 2013-2014 Budget papers concerning the taxation reforms; and
- (2) in accordance with standing order 213A, calls on the Government to table, by 31 October 2013, any other analysis of the impacts that the taxation reforms implemented to date are expected to have ...

The standing order calls on the government to table the documents. It does not call on the government to table their analysis of the documents, and that is exactly what the Treasurer did. In the document that he tabled, called "The government's response to Mr Smyth's motion regarding analysis undertaken on taxation reforms", on page 2 it says:

This paper provides an overview of relevant modelling and analysis undertaken as part of the ACT taxation review and for the 2012-13 and 2013-14 budgets.

We did not ask for an overview. We asked for the documents. We actually did not ask for a statement in the Assembly. Under the standing order, the documents are sent to the Clerk and they are held by the Clerk. So first and foremost, what we asked for was not delivered. If you look at standing order 277, Madam Speaker, standing order 277(h) says:

A person shall not, without reasonable excuse, disobey a lawful order of the Assembly or of a committee.

And standing order 213A, as passed, is a lawful order. Standing order 213A says:

The Assembly may order documents to be tabled in the Assembly.

We did that. No documents were tabled. So in that regard the minister is in contempt of the standing order. Then, even more clearly, if you go to standing order 277, which deals with "Contempt—matters constituting contempt", 277(m) says:

A person shall not, without reasonable excuse:

And subparagraph (ii) says:

refuse or fail to produce documents, or to allow the inspection of documents, in accordance with an order of the Assembly or of a committee.

The Treasurer was ordered by the Assembly to provide documents, the original documents—not an analysis, not a condensation, not his view of the documents but the original documents. We know that the Treasurer understood this because the Treasurer actually said, when we were having this debate, that he understood what was happening, and the Treasurer reiterated his position. Firstly, he said:

Should the Assembly wish to support this motion, the government will, of course, claim executive privilege in relation to the documents as they inform cabinet deliberations in terms of the budget and in terms of broader government policy. That is entirely reasonable and available to us under standing order 213A.

So he understood what 213A did. It outlined the process. And that process, Madam Speaker, calls for the documents' return. 213A(2) says:

When returned, the documents (where no claim of privilege is made by the Chief Minister) will be laid on the Table by the Clerk.

There has been no claim of privilege by the Chief Minister, and yet no documents have been laid on the table, in direct violation of standing order 213A. Under (3) it goes on to say:

A return under this order is to include an indexed list of all documents tabled, showing the date of creation of the document, a description of the document and the author of the document.

That, I believe, was tabled late yesterday, well outside the time frame set by the standing order, and well outside the extended time frame set by the Assembly. 213A(4) says:

If at the time the documents are required to be tabled the Assembly is not sitting, the documents may be lodged with the Clerk, and unless privilege is claimed, are deemed to have been presented to the Assembly.

No such documents were presented. 213A(5) says:

Where a document is considered by the Chief Minister to be privileged, a return is to be prepared showing the date of creation of the document, a description of the document, the author of the document and reasons for the claim of privilege.

That certainly was not done by the Chief Minister. I have not seen anything signed by the Chief Minister claiming privilege, so, again, obviously (5) has been violated. (5A) gives a time frame of 14 days. We have extended that. 213A(6) says:



Any Member may, by communication in writing to the Clerk, dispute the validity of the claim of privilege in relation to a particular document or documents. On receipt of such communication, the Clerk will advise the Chief Minister's Department, who will provide to the Clerk, within seven days, copies of the disputed document or documents.

We have not even seen anything, Madam Speaker. It is impossible to apply part (6) because the government is just stonewalling. The government, in violation of a direct order of this Assembly, has not complied with those orders, because what (6), (7), (8), through to (11), do is to then set up a process where documents that are in dispute can be dealt with. And it involves you, Madam Speaker, appointing a retired Supreme Court, Federal Court or High Court judge who then looks at the documents, and we have a legal arbiter.

This Assembly set in train a process to allow that to happen. The Treasurer decided he knew better than the Assembly and has rejected the order of the Assembly and, therefore, is in contempt. And we know he understands this, Madam Speaker, because, as I read before about what he said on 15 August, on 19 September when this motion passed he said:

As I indicated in my response when Mr Smyth first moved this motion in September, many elements of information are budget in confidence, and the government will, of course, seek executive privilege in relation to those matters that impact upon the territory budget, as is right and proper and as you would anticipate.

So he knows what 213A does. He knows the process that he must follow and he baulks at the order of the Assembly and refuses to comply. That, by any definition, is contempt of the Assembly.

Indeed, we now know that there are budget-in-confidence documents. One would assume that, as he lauds it as the largest tax reform in the history of the Assembly, he might have had a budget cabinet submission or two, but of course he refuses to make those available, claiming privilege. He has decided that he has the right to claim privilege, arbitrate on privilege and refuse to deliver anything to the Assembly, and that also is in contempt of the Assembly.

It is clear from the Treasurer's own words that he was completely aware of the requirements of standing order 213A. I will read it again:

Where the Assembly requires a document to be returned, either the document requested or a claim of privilege must be given to the Clerk within 14 calendar days of the date of the order by the Assembly.

That has not been done. There is no claim of privilege. There has been nothing signed by the Chief Minister that I am aware of, unless the Chief Minister is going to stand up and say that, yes, she has done that. But it has not been done, in direct defiance of the standing orders.

Members, this place is responsible for holding the executive to account. The standing orders apply to the executive whether they like it or not. What the Assembly did when it passed my motion on standing order 213 was to deliver a lawful order to the Treasurer to do certain things: to table documents; if some of those documents were to have privilege attached, to give us a list of those documents with privilege; then, if somebody appeals against that, to take it to the arbiter. Nobody can appeal against the decision on privilege because nobody has been made aware of anything. So we are totally in the dark except for what the minister himself says, where he has said in committees on a number of occasions now that, yes, there is a whole variety of modelling, but we are not allowed to see it. We know from his speech when we were debating this that there are budget considerations, so there must be budget cabinet submissions, but we are not allowed to see or know what they are. And we know from the document that he tabled that he simply says:

This paper provides an overview of relevant modelling and analysis undertaken as part of the ACT taxation review ...

The Assembly did not ask for an overview of the relevant modelling and analysis. We asked for all the documents that informed the modelling and analysis undertaken. We did not ask for the minister to give us his view; we asked for the documents so that we may form our own view. We did not ask for the Treasurer to selectively quote from whatever it is that he has; we asked for the documents so that the process set up four or five years ago in this place, as outlined by the standing orders, could be adhered to.

Madam Speaker, when you look at standing order 277, matters constituting contempt are very clear. I will read what standing order 213A says, so that members understand exactly what should have occurred. Standing order 213A says:

The Assembly may order documents to be tabled in the Assembly.

In the motion passed in October, part (2) says:

In accordance with standing order 213A ...

The Assembly wanted the government to table their other analysis of the impact that their taxation reforms have had to date, "In accordance with standing order 213A." 213A says:

The Assembly may order documents to be tabled ...

Which we did. We have not seen those documents tabled. Standing orders governing privilege and contempt, 276, 277 and 278, make quite clear the process that needs to be followed. 277(h), as I have said, says:

A person shall not, without reasonable excuse, disobey a lawful order of the Assembly ...

Mr Barr, as Treasurer, has disobeyed a lawful order of the Assembly to table the documents. He has not tabled the documents. 277(m) says:

A person shall not, without reasonable excuse ...

By the way, there is no excuse; no excuse has been offered and no claim of privilege has been mounted. Standing order 277(m)(ii) says:

A person shall not, without reasonable excuse ...

and no excuses have been given; no privilege has been claimed—

- (ii) refuse or fail to produce documents, or to allow the inspection of documents, in accordance with an order of the Assembly or of a committee.

It is quite clear what we asked for. It is quite clear that that has not happened. It is quite clear that the minister is in contempt of the Assembly. To make it even clearer, if people want to go back to the debates of September and October and read them, it is quite clear from the documents. To close, I will read a couple of comments from Mr Rattenbury:

Nevertheless, I think there should be a genuine public debate on the issue, and I think the community should have access to the material developed by Treasury to assist in the community's understanding of these changes.

The Greens are committed to improving the transparency of government, and I have no doubt it is in the government's best interest to provide more information to the community.

He went on to say:

I think the community has a right to access documents on the analysis of the impacts the taxation reforms implemented to date are expected to have over time, because that information is relevant.

He then went on to say:

What is relevant—and it is appropriate that documents be sought in that context—is the government has taken a set of decisions; the Greens have supported those. They are based on certain parameters and certain assumptions. That information should undoubtedly be publicly available. The Greens completely support that, and that is why I am endeavouring to acknowledge what I believe Mr Smyth was trying to do—that is, to get the modelling that lies under the tax reforms that have been made and the projections built into that. The community has a right to that information.

Madam Speaker, the community does not have that information. In fact, we do not actually know what information there is because a complete return has not been provided to the Assembly as yet. We know from the minister's own words, both in committees and in this place, that they exist, and we know, from the document that he tabled as a purported response, he says, "This paper provides an overview of relevant modelling." Just on that, he is damned by his own words. We did not ask for an

overview of relevant modelling; we wanted the relevant modelling tabled. I commend the motion to the Assembly.

**MR RATTENBURY** (Molonglo) (10.18): Madam Speaker, I want to start this discussion by asking whether you would provide to the Assembly advice that you received from the Clerk, in response to Mr Smyth's letter.

**MADAM SPEAKER:** You are asking me a question?

**MR RATTENBURY:** I am. It is probably a procedural question at this point, rather than the beginning of remarks.

**MADAM SPEAKER:** I am happy to provide a copy of that advice if the Assembly so wishes. I do not have a copy about me at the moment, but I can say that the Clerk explored the areas. He provided advice to me that he considered that the matter did not warrant precedence. I disagreed. He also suggested a number of alternative remedies. If someone from the Clerk's office can provide a copy, I will be happy to table that advice.

**MR RATTENBURY:** Thank you, Madam Speaker. On that basis, I will move that the debate be adjourned until members are able to have a look at that letter.

Debate (on motion by **Mr Rattenbury**) adjourned to a later hour this day.

## Papers

**Madam Speaker** presented the following paper:

Alleged breach of privilege—Advice from the Clerk to the Speaker, dated 23 November 2013.

**The Clerk**, pursuant to standing order 213A(4), presented the following papers:

ACT Government's Tax Reform—Modelling—Index to the documents presented on 31 October 2013—Letter from the Clerk to Members, dated 25 November 2013

ACT Government's Tax Reform—Modelling—Index to the documents.

## Justice and Community Safety—Standing Committee Scrutiny report 13

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

Justice and Community Safety (Legislative Scrutiny Role)—Standing Committee—Scrutiny Report 13, dated 22 November 2013, together with the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

**MR DOSZPOT:** Scrutiny report 13 contains the committee's comments on seven bills, 38 pieces of subordinate legislation, three government responses and proposed government amendments to the Crimes Legislation Amendment Bill 2013. The report was circulated to members when the Assembly was not sitting. I commend the report to the Assembly.

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

Debate resumed from 31 October 2013, on motion by **Ms Gallagher**:

That this bill be agreed to in principle.

**MR HANSON** (Molonglo—Leader of the Opposition) (10.21): Madam Speaker, I can inform the Assembly that the opposition will be supporting this legislation. This bill will enable the Chief Minister to appoint up to nine ministers. It reflects the legislation that I tabled and that was then adjourned by the government earlier this year. That sought to essentially have the same effect, which was to increase the size of the ministry. When I tabled that legislation, I indicated that, should the Chief Minister wish to amend it to increase the number of ministers, we would be supportive of that. So in essence we have seen two pieces of legislation seeking to have the same effect. It is clear that there is a bipartisan approach to the effect that we are trying to create here, regardless of the nuances as to which piece of legislation has particular merit.

There is no question that there is now a weight of evidence that there needs to be an increase in the size of the ministry. I would accept that the Chief Minister, having been Chief Minister for a while and Deputy Chief Minister before that, would have a particular view of this. But independent analysis has been conducted. The review into the size of the Assembly, when this was looked at as part of that review, made it clear that there is a view that the ministry does need to be larger. I can quote from the executive summary of that review:

A convincing case was made in the submissions and other discussions that the current 5 member ministry in the ACT is too few.

Allan Hawke, who has done some quite substantive work on reviewing not just the role of the executive but the whole of the ACT government and its functions, is quoted as saying:

A key challenge facing the ACT, which is ultimately hindering performance and capacity—

I would agree with him on that—

is the breadth and volume of the ministerial responsibilities in a Cabinet of five spanning the uniquely broad range of functions with which the Government is charged.

Professor John Halligan is quoted as saying:

A Ministry of only 5 confounds the basic tenets of effective cabinet government ... Given the complexities of running both a city and a state government the span of Ministers' portfolio responsibilities is immense.

The number of ACT government ministers is fixed at five ... As a consequence each ACT minister is responsible for a number of portfolios plus having COAG roles. The evidence ... is that this number is grossly inadequate for the complexities of state and local government in the 21st century. Ministers are stretched beyond their capacity to cover the span of responsibilities of an Australian state government ...

That said, we have a situation now where the government is pushing this. I understand Mr Rattenbury will be supporting this bill, and the opposition agrees. It is now really a matter of the mechanics of getting that done.

There are some issues that have not been articulated to the Assembly. I do not know whether the work has been done by the Chief Minister; perhaps in her closing she will address those issues.

One is the issue of resourcing. What is the cost of doing this, and not only in establishing the ministerial staff? Perhaps there is a rebalancing. I know that Mr Rattenbury's office is immense; maybe there is some rebalancing that could be achieved out of this. There are cost efficiencies. But what is the cost in establishing the minister's office and also in the public service? Will there be additional costs in ministerial liaison and so on? Does this then initiate some broader restructure of the ACT public service? Will it create some realignment? Perhaps there are some efficiencies that can be gained out of this. We do not want to simply say, "Let's appoint another minister," or another two ministers. We need to understand those implications.

Other issues that have not been fully detailed are issues such as where the additional minister would sit. Where is the space in this Assembly for them to sit? I note that there is a lack of space on the top floor of the building. These are issues in relation to which I look forward to hearing the minister discuss what work she has done.

There is then the issue of who is going to be appointed. I eagerly await that appointment. And will it be one minister or two? I am not sure what time frame the Chief Minister is looking at, but now that we have bipartisan support for the creation of a new minister, I would urge her essentially to get on with it.

This is something that the government is acting on now. It does respond in part to my calls. When we are looking at the Legislative Assembly, and its efficiencies and its effectiveness, there are a number of measures that can be taken now to effect that. This is one of them. The committee system is not working well as it is currently structured, and there are other measures that can be looked at in terms of the resourcing of members to make sure that they can better carry out their functions. These are things that have been raised, and I welcome this response from the Chief Minister.

The other issue is the size of the Assembly. They are concurrent bodies of work. I indicate to the Assembly that the opposition is continuing to consider that. We have wanted to see some response from the government, some initiative from the government, that they understand that there are things that can be done here and now, in this Assembly, to make this place more effective before we necessarily go down the path of simply saying that the only response is to create a bigger Assembly.

I welcome this. It will help us with our deliberations about whether there is a need for a bigger Assembly. In conclusion, I welcome this initiative and I look forward to welcoming a new member of the executive in this place in due course.

**MR RATTENBURY** (Molonglo) (10.29): The Greens will be supporting this bill today as well. The debate about the size of the Assembly, and the associated issue of the size of the ministry, is one that I believe this Assembly needs to address during the current term. While I was keen for the issue of the size of the Assembly to be considered concurrently with the one about the size of the ministry, I am of the view that this bill does not preclude action on the size of the Assembly and indeed probably encourages us to get on with that conversation in a timely manner.

The Greens have been clear that we do support an increase in the size of the Assembly. As has been discussed many times, the Assembly has not increased in size since the commencement of self-government, and yet the population of the territory, as we all know, has increased considerably during that time. And that has produced the situation where our ratio of voters to elected members is one member to around 15,000 voters, significantly higher than all other Australian jurisdictions. The ACT Assembly also combines, as we well know, both state and local government functions. But even if local councils were included in the ratio that I talked about earlier, the ACT would still have fewer elected representatives per voter than both the Northern Territory and Tasmania.

The Greens believe that increasing the size of the Assembly will deliver better governance for the people of the ACT, as would increasing the size of the ministry. It is well understood that ministers in the ACT carry a large number of portfolios and that this ensures there is a heavy workload. And whilst none of the ministers, I think, would shirk that heavy workload, it does have consequences and I believe that the ACT people could be better served by a government where ministers do carry fewer portfolios, allowing them to focus on fewer issues, to get into more detail on each area and have the time to be more accessible to their constituencies. So I do not think this is about necessarily lightening workloads but, in fact, in some ways allowing that work time to be more intensively focused on the matters for which ministers are responsible.

I think increasing the size of the ministry is one way to ease the pressures that do exist and produce those benefits I have just described. This bill provides the capacity for the Chief Minister to determine the size of the ministry well into the future. If the size of the Assembly stays the same, then the increase in size of the ministry should be appropriately minimal. But should the Assembly agree to increase the number of

MLAs elected, then this bill does give the scope to the Chief Minister of the day to increase the ministry size accordingly.

I did note, in reflecting on this legislation and thinking about whether these were the right numbers, it is certainly comparable to Tasmania where the lower house currently has 25 members and the Tasmanian ministry is nine. So I think in that sense that reflects the fact that the proposal in this legislation is in accordance with other models but I think it also reflects the fact that, while we remain at 17, I do not think anybody's expectation would be to increase the numbers to that sized ministry.

I do acknowledge that Mr Hanson had also tabled a bill that proposed to increase the size of the ministry to six and, while he has not brought it on for debate yet, I do think that this approach of having perhaps more flexibility for a chief minister into the future is a preferable approach, not that Mr Hanson's was wrong; I think this is simply the next evolution of that thinking.

This, of course, is a funny discussion and one which could be perceived as difficult not to appear self-serving in that there are obviously some incentives, as a current minister, to perhaps increase the scope of the ministry and reduce some of those pressures that are there, but I think we have to be realistic about what one person can achieve in a day. I certainly know that my office runs full steam each and every day. And I think that, those personal issues aside, the governance issues that underlie this discussion are significant and are important.

Certainly when the expert reference group that was looking at the size of the Assembly last year came to interview me, we had a very significant discussion. At that point I had not long been in the ministry, but certainly my initial experience was one that raised to me some issues of whether we can do it better in the future. I think the discussion we had there really crystallised some thinking for me on the opportunities in perhaps expanding the size of the ministry.

I think the Chief Minister summed this up quite well in her tabling speech when she said that being responsive to the directorates, the community, the media, managing day-to-day issues and handling issues that need urgent attention makes the position of a current minister very challenging. And she did go on to say that "we embrace this challenge daily". I certainly agree with her on that front. Certainly the ministers are very ably assisted by both their staff and the public service in ensuring that that workload is managed as effectively as possible but, as I say, I think there is scope here, without reflecting on current or past members, to move to a place that enhances governance of the territory.

I would simply say that I am happy to support this bill today and I certainly look forward to members of the Assembly continuing conversations about the size of the Assembly and implementing some of the changes on that score during this term.

I also heard the remarks Mr Hanson just made about other matters. I think there is certainly scope for this to be a broader discussion. I think all of these things tend to be interconnected in a way and I am certainly happy to be involved in discussions that



might address other matters that may continue to improve the ability of the Assembly to operate with the best possible effect for the citizens of the territory.

**MS GALLAGHER** (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (10.35), in reply: My views on this issue are well known to the Assembly. I thank other members for their contribution to the debate. These views of mine have been shaped by more than a decade as a minister and now as Chief Minister watching the business of government expand. They have also been shaped by numerous inquiries which have recommended a larger ministry for the ACT. Of course my views on the size of the ministry are intertwined with my views on the size of the Assembly, which I will come to later.

While it is something of a compromise position, today is an important first step. The Australian Capital Territory (Ministers) Bill 2013 (No 2) gives the Assembly an important opportunity to move towards ensuring good governance in the ACT for the long term. It recognises that the existing demands on ministers spanning 25 portfolios can be excessive. Keeping abreast of day-to-day matters, being responsive to the Assembly, community members, media, and being prepared to act immediately on priority issues are challenges which become greater as Canberra grows. As I said earlier this year, our ministry succeeds under these demands because of how hard and effectively ministers work, but if the executive is not able to restructure to accommodate the increased demands being placed on it, we do create significant risks to effective governance for the ACT in the future.

When I discussed the size of the ministry with members of the expert reference group following their report into the size of the Assembly, I was advised that a ministry of between eight and nine members would be appropriate for the ACT. Creating this capacity would help bring us closer to jurisdictions such as the Northern Territory and Tasmania which have nine and eight ministers respectively.

While I accept that our small geographical size makes the functioning of the ACT ministry easier on one hand, the more extensive responsibilities of our city-state jurisdiction more than compensate for the time that we may save on travelling. That is why, as an Assembly, we must begin the process of reform.

With the passage of this bill, the Chief Minister of the day will have the ability to shape the ministry which best meets the needs of the community. It provides for a ministry of up to nine, not as a prescription but as an option, so that governments can adapt to the make-up of the Assembly and the policy challenges they face. The bill also provides for an incremental process of change, creating the legislative mechanism for a process which may occur over numerous terms of government.

If you look at the origins of the Legislative Assembly in the self-government act, this evolution was intended. The act, as it was passed in 1988, made provision for a ministry of up to five members but allowed for the government of the day to legislate for more ministers as and when the need arose. This need has arisen. It has been documented by various reviews into governance in the ACT and borne out by experience. I think all members share the view that the size of Canberra today and the

responsibilities held by the ACT government warrant an increase in the size of the ministry.

I thank both the Leader of the Opposition, Mr Hanson, and Mr Rattenbury for indicating their support for this bill. A unanimous vote on this issue will help show the community that this is not a change aimed at anyone's political advantage but indeed one that is in the public interest. That is my motivation now, as it has been for the duration of the debate and the discussions which surround it.

Members will be aware that in December last year I asked an expert reference group led by the Electoral Commissioner to undertake a review into the size of the ACT Legislative Assembly. Having considered dozens of submissions and previous inquiries, the reference group also discussed the size of the ministry and found compelling evidence that the small size of the Assembly and particularly that of the ministry poses a significant risk to good governance in the ACT.

The difference between this review and those which had gone before is that for the first time the Legislative Assembly has the power not only to determine the number of ministers but to determine the number of members, the size of the parliament itself. The levers, therefore, are in place to reform these two crucial and related areas of need for the Assembly.

While I am pleased to be able to pass this bill today, it only delivers in one of these areas. To expand the ministry without a plan to expand the Assembly itself is not a long-term solution. Indeed, it brings with it some risk of its own. As Dr Allan Hawke said in his review in 2011, in a chamber of 17 members where minority government is the norm, increasing the size of the ministry is not practical, given the need for government members to fulfil other parliamentary roles, including backbenchers participating fully and properly in the ongoing work of the Assembly and its committees. There lies the issue that this bill does not resolve, the fact that to appoint more ministers, while easing the workload on the executive, will do the opposite for other government members. It may well have a similar effect on the opposition.

Contrary to Mr Hanson's view, I do not believe the answer to this dilemma is to shrink our standing committees and allow opposition majorities to create a far more partisan and less representative committee system. The answer is, inevitably, transitioning to a larger Assembly. This is the divide which still remains in the chamber, a divide we need to overcome if we are to remove the politics from this debate. The experts are united on the need for a larger Assembly.

Since we last debated the issue in May, Mr Hanson has also made some comments that give me hope the opposition may be considering their position in the future. Throughout the marriage equality debate, he spoke of the small size of the Assembly, saying a majority of nine to eight in the country's smallest jurisdiction is no mandate for a social reform as significant as marriage equality. In order to address this, we move towards a larger Assembly. This debate provides yet another chance for the opposition to consider their position on the larger Assembly.

The government supports the staged process recommended by the expert reference group. I am open to debate on the final make-up and process for getting there, but we need to consider this genuinely and resolve it within the first part of this electoral term.

There will always be an opening for opportunistic opposition on this issue. But where we can put our differences aside and conduct a politically neutral debate about preparing for the demands of the future, we have a far greater prospect of a mature and reasoned public discussion. More Assembly members would allow for greater diversity and specialisation, more manageable workloads, higher quality committee work and stronger, more responsive governance overall. We have been given the legislative power to make this change and we have been given the rational, objective advice for the Assembly. Therefore, the Assembly needs to resolve this issue.

I thank members for their support for this bill. I think it will assist, with the ministry of five moving to a ministry of six in the first instance, and that would be my view on how to expand the cabinet in the short term. I think it will relieve existing ministers of some of the burdens of their heavy workloads at the moment. It will, of course, put more pressure on other members of the government in relation to servicing the needs of committees and the other work that the Assembly does. But at the moment, I need to manage the workforce pressures, which are significant and growing under the current executive, and the way to do that, with the support of the Assembly, is to expand the cabinet by one in the short term and then, when the Assembly resolves on the issue of the size of the Assembly, allow the cabinet over time to grow to nine ministers.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## **Payroll Tax Amendment Bill 2013 (No 2)**

Debate resumed from 31 October 2013, on motion by **Ms Gallagher**:

That this bill be agreed to in principle.

**MR SMYTH** (Brindabella) (10.44): The opposition will be supporting this bill. Notwithstanding our long-term dislike of payroll taxes as a tax on jobs, the bill does seem sensible in what it does. In fact, it probably makes the case for us that these are dreadful taxes. What it does is give a concession to those that employ a recent school leaver who has a disability. The concession comes in at two levels. For 13 weeks, but not less than 26 weeks, the concession is \$2,000. For employment of more than 26 weeks the concession is \$4,000. Employees must be aged between 17 and 24 years and must be employed for at least eight hours a week over the 13 or 26-week period.

That said, there is no restriction on how many eligible employees are employed by a business, but the concession is only available once. This is to come into effect from 1 July 2013, which might give somebody a fear of retrospectivity, but it is about the payment periods that they are involved in. What it means is that if you have employed a young person with a disability who has left the scheme from the start of this financial year, the rebate will be open to you. It will continue until 1 July 2015.

I would be interested to know from the Treasurer why he has chosen that particular date. If the concession is a good concession and if it is true to the objectives of getting young school leavers with disability into, and keeping them in, the workforce, why has he put this tail on it? If it is a period that will be reviewed, we will see that. But it would be interesting to know. Perhaps the Treasurer can enlighten us when he closes as to why that is the closing date. That said, the opposition will be supporting the bill.

**MR RATTENBURY** (Molonglo) (10.46): The Greens will be supporting this bill today. It is a very short and simple bill but one which could have a strong positive effect for people with disabilities and their families. The bill essentially gives large businesses that are required to pay payroll tax in the ACT an opportunity to employ young people with qualifying disabilities by giving concessions on payroll tax on their salaries. Specifically, the arrangement is for employment of recent school leavers— young people between 17 and 24 years of age.

This is a very important time in the lives of young people with a disability as it is the time when suddenly things are not as clear and as easy as when there is school to attend each day. This can be a hard enough time for many school leavers, but for people with a disability, there is simply no guarantee of finding appropriate employment.

The school leaving stage of life is obviously the prime time to offer employment opportunities. For many young people with a disability, the end of school can signal a drastic reduction in social inclusion and engagement in the community. If positive and meaningful programs and opportunities are not provided, it can be a time when important social and life skills can be lost. For some young people with a disability, learning new skills can take some considerable time, and those skills can become eroded quite quickly if they are not maintained. The same can be said of vocational skills as well. Therefore, it is vital to have a clear and seamless transition for those young people who are able to and who are seeking to engage in supported employment and education.

There is also a need to provide opportunities for genuine social inclusion and potential life skills learning for young people who may have a more complex or moderate to severe disability. Each year in the ACT, according to the Community Services Directorate, approximately 50 young people with disability leave public school education. For most young people this can be a time of change and excitement as they start to exercise more independence, seek employment or go on to further education and training. However, for some young people and their families, it is a time of great stress as they search for positive, meaningful and sustainable post-school options.

Many of these families are faced with a confusing array of services and often inadequate support options. They may find themselves faced with long waiting lists for some programs and insufficient funding to actively engage in further education and training or supported employment places. In some cases, early planning and targeted support may have eased the pressure and created good pathways. However, many families express frustration regarding a general lack of strategic planning support early in the life of their children.

The Greens want a system that engages with and provides opportunities for all young people to extend their knowledge and capabilities in ways that enrich their lives and a system that supports them in later life. In the ACT there are currently several service providers who support people with disability to attend job training programs, find appropriate employment or offer direct supported employment under social enterprise-type models.

One of the larger direct employers for the ACT is the Australian government Department of Human Services, which provides approximately 200 supported employment places in a variety of industries for adults with disability although, unfortunately, anecdotal evidence is that this service can have a waiting list of up to two years. While that is not always the case, it certainly underlines the pressures that are out there.

This bill encourages the extension of employment opportunities into the private sector and encourages companies to employ people with a permanent disability who require long-term, regular and ongoing support in the workplace for a minimum of eight hours. This bill puts the concession in place for two years until January 2016, but I do hope that the program is a success and that, as such, there is pressure to continue the arrangement due to the number of companies that have taken it up. If that is an issue the Assembly faces in two years time, I think that would be quite a good outcome in many regards.

I will look forward to hearing about the take-up of this program over the next few years. I hope that the private sector in the ACT takes this opportunity of the financial incentive provided by the government to think about whether they can create a position for a young person with a disability. I will be happy to support the bill today.

**MR WALL** (Brindabella) (10.50): I too will speak very briefly, given that Mr Smyth has already indicated the Canberra Liberals will be supporting this bill. It does, however, go only part of the way to what is needed to meet the demand for support for young school leavers that have a disability. The availability of post-school options is one of the biggest issues that parents of children with a disability continue to raise with me on a regular basis. Sadly, the assistance will benefit only those that operate a large business in the ACT with a payroll in excess of \$1.75 million. The subsidy will only cover the payroll tax liability of a wage up to \$58,000.

There is, disappointingly, no support in this bill for assistance or support to small and medium-sized businesses in the ACT, businesses that often have the flexibility and the space to hire someone that does have some slightly more complex needs but who is

certainly willing to make a valuable contribution to the community. Nonetheless, we welcome any reduction in this burdensome tax.

It also leaves a lot to be desired that the government is still trailing substantially in their disability employment strategy in the ACT, a strategy that was established in 2010 to see the number of people working in the ACT public service double by 2015. Based on the annual reports at the end of this financial year, the current head count in the ACT public service is only 384 people that identify as having a disability. That is well short of the target of 506.

If the government is unable to lead by example in supporting and promoting the valuable contribution that people with a disability can make to the workforce, I think that the private sector is going to have to pick up that slack and do it themselves. As I mentioned before, we will be supporting this bill. I look forward to more initiatives coming from this government that will support people that have a disability.

**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) (10.52): I commend Minister Barr for bringing this bill to the Assembly. It is a bill that will make a real, positive impact on the lives of young people with a disability. The payroll tax concession that this bill provides is one that the ACT Labor government took to last year's election following consultation with families and carers about the sorts of things that they thought could improve the lives of young people with a disability as they make that transition from school to adulthood, a transition that all young people find daunting and challenging, but even more so for those with a disability that may not have the same opportunities.

This policy arose from conversations with families around what supports the ACT government can provide to offer a meaningful pathway for their children as they transition from school. Today we deliver on that commitment. We have listened and we have delivered. This initiative was part of a comprehensive disability policy framework that we provided to Carers ACT as part of their pre-election publication *What carers want!* It is interesting to note that Mr Wall believes this only goes some way. This was part of a comprehensive package of pre-election commitments to support people with a disability.

I just ask Mr Wall to go back and have a look at the publication from Carers ACT *What carers want!* In that publication there is a stark contrast to that contributed by the Canberra Liberals, whose contribution to that publication was "the community services policy will be released soon".

It is 12 months, Mr Wall. There still has not been any commitment, any policy framework, anything that has come from your side, Mr Wall, that actually has a real and meaningful difference for young people with a disability in their transition from school into the workforce. Mr Wall, I will let you ponder that, because it is indeed a stark difference.

I note, Madam Speaker, that this bill will give young people with a disability and their carers more choice and control in their lives. These are principles which underpin the national disability insurance scheme that the ACT government has signed up to and that we are working hard to implement.

Mr Barr has outlined how the payroll tax scheme will work; so I do not need to go into the detail. But in short we are delivering on what we have committed to—that is, to offer organisations paying payroll tax in the ACT a concession of up to \$4,000 for each school leaver with a disability who they employ.

We know that for all school leavers, getting the first foot in the workplace can be a challenge. This is even more so the case for those young people with a disability. People with a disability face many barriers to participating in employment. This can affect self-esteem, the level of engagement with the community and it results in higher rates of poverty.

But we know that people with a disability have a lot to offer the workforce. As a government, we are committed to reducing those barriers to employment. This payroll tax concession is an important step to encourage our biggest businesses to benefit from the talents and skills of school leavers with a disability.

The payroll tax concession, a \$740,000 initiative over two years announced in the 2013-14 ACT budget, will also support the important aims of increasing our community's inclusion of people with a disability and improving employment outcomes. It also sees the ACT government continuing to deliver on our post-school options strategy to assist school leavers with a disability who are experiencing difficulty making this transition from school to the later stages of their lives.

This focus on providing people with disability with access to opportunities is also in line with the national disability strategy 2010-2020, which highlights the need to increase access to employment for people with disability. This initiative reflects the core Labor values of supporting the most vulnerable in our community, supporting the workforce and creating opportunities for everyone in our community. I am pleased. I get a sense that the whole Assembly is supporting this bill. I think that is a very positive way forward.

**MR BARR** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Sport and Recreation, Minister for Tourism and Events and Minister for Community Services) (10.57), in reply: I thank members for their support of the legislation. The Payroll Tax Amendment Bill 2013 (No 2) delivers on another of the government's election commitments—that is, providing a payroll tax concession of up to \$4,000 to businesses that hire a recent school leaver with disability.

There are, as previous speakers have identified, a number of barriers for people with disability to participating in employment. This initiative will assist in providing increased opportunities for young people living with disability to gain sustainable employment. It will also see the government continue to deliver on our post-school

options strategy to assist school leavers with disability in making the sometimes difficult transition from the school to employment

This concession is targeted toward large businesses in the territory that pay payroll tax. These large businesses will benefit from the qualities that disabled youth in the territory can bring to the workplace. I think it is worthwhile noting, for Mr Wall's benefit in particular, that a business is not required to pay payroll tax in the ACT until its wages bill exceeds \$1.75 million. This is the highest payroll tax free threshold of any jurisdiction in Australia.

A very small minority of businesses in the ACT are liable for payroll tax and, I hasten to add, even fewer will be as a result of the government's recent payroll tax reforms. It is interesting that we should be lectured by those opposite about the need to move away from inefficient taxes given the appalling position the shadow treasurer and the Liberal Party took to the last election to support increasing such taxes. In fact, they supported lowering the payroll tax threshold at the last election because they indicated they would oppose all of the government's tax reforms, included in which was a cut to payroll tax. So the Liberal Party stands for an increase in payroll tax. They want more businesses in the ACT to pay payroll tax. So their efforts this morning in their pitiful contributions to this important piece of legislation are to suggest that payroll tax is a bad tax and should be got rid of. Well, why did you want to put it up and impose it on more businesses in the territory, Mr Smyth and Mr Wall? You both stood on a platform in the 2012 election—

**MADAM DEPUTY SPEAKER:** Refer your comments through the chair, thank you, Mr Barr.

**MR BARR:** Madam Deputy Speaker, both those gentleman stood on a platform of higher payroll taxes in the ACT directly contradicting the positions they have put this morning.

If a business in the ACT is liable for and paying payroll tax, they are eligible for this concession. The concession will be available when employment commences on or after 1 July 2013 and will continue for the two-year trial period. Employment must commence prior to 1 July 2015. In order to claim the concession, businesses must hire an eligible employee who has a qualifying disability. In this bill, the definition of "disability" is the same as that in the ACT's Disability Services Act 1991. This definition aligns with that used by the commonwealth Disability Employment Services programs, such as 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 for eligibility for this concession. An eligible employee must be aged 17 to 24 years and must be employed for at least eight hours per week.

Businesses that are liable for payroll tax are required to complete an annual payroll tax reconciliation. The ACT Revenue Office will apply the concession to an eligible business at that time, with the amount of concession determined by the length of time the eligible person has been employed. For employment of more than 13 weeks but



less than 26 weeks the concession amount is \$2,000. For employment of more than 26 weeks the concession amount will be capped at \$4,000.

The criteria for this concession have been developed with the employee in mind as well as large ACT businesses. The criteria help protect vulnerable members of our community in employment while providing a benefit to large organisations who employ them. Access to this concession will be limited to entities that are paying payroll tax, and I remind the Assembly, again, that we have the highest payroll tax free threshold of any state or territory in Australia. Most businesses do not pay payroll tax, but those that do will be eligible for this concession.

Entities excluded from accessing this concession will include some charities, government agencies and education institutions that are already exempt from paying payroll tax. There are a number of benefits to providing increased employment opportunities for young people living with disability in the ACT. This is one area where there would appear to be support across the political divide—that is, that vulnerable members of our community can achieve greater levels of personal and financial independence, social inclusion, self-esteem and a greater quality of life by having increased opportunities for rewarding employment. The territory's biggest businesses will also benefit from the talents and skills that these individuals can bring to their workplaces.

This concession is designed to reduce some of the barriers that youth with disability face in achieving employment outcomes. It encourages businesses to utilise the valuable skills and abilities of school leavers with disability. I am delighted to commend this Payroll Tax Amendment Bill 2013 (No 2), a key commitment of the government for this parliamentary term, to the Legislative Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## **Long Service Leave (Portable Schemes) Amendment Bill 2013**

Debate resumed from 31 October 2013, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

**MR SMYTH** (Brindabella) (11.05): The opposition will be supporting this bill. Notwithstanding some of our long-held concerns about long service schemes where loyalty to a single employer does not seem to be a requirement, this bill cleans up some of the less worthy aspects of the bill from 2009 that have proved to be problematic. The brief—and I thank the minister for the brief that was given—explained that, in many ways, the bill is too technical as it is. It is too prescriptive and could be interpreted as not allowing legitimate purposes, for instance, paying the rent.

That is patently a nonsense and needs to be fixed. It allows for a common fund that will be a central administrative fund the various components will contribute to to run the scheme itself. The bill works with other acts, particularly commonwealth acts, and the information for that rests in the schedules.

Clause 14 is interesting. New sections 12 and 13 grant the minister some powers. The briefing tells us they are no more than the existing powers, but they clear up some ambiguity, and both the powers in these sections will, of course, be disallowable instruments.

There was consultation with the board and the authority, and the board has employee reps on it. We found that peak bodies had not been consulted, but through their representatives on the board they seem to be in agreement with the changes to streamline and tidy up the act.

A number of the clauses are simply movement of existing items to make the bill work better. So, in that way, it is simply a tidying up of the existing act. With that in mind, the opposition will support the bill.

**MR RATTENBURY** (Molonglo) (11.07): On behalf of the Greens I will be supporting the Long Service Leave (Portable Schemes) Amendment Bill. As Minister Corbell noted when he tabled this bill last sitting, the changes in this bill make several administrative adjustments to ensure the Long Service Leave Authority can effectively administer the territory's portable long service leave schemes. The changes do not give effect to any material change in policy.

Portable long service leave is an important scheme designed to protect the entitlements of workers who work in industries that are characterised by high levels of brief employment and mobility. Someone working in Canberra as, for example, a cleaner, might spend 20 years doing the same job but move between different employers. Usually these changes would prevent that person being able to receive long service leave entitlements. Portable long service leave ensures that such a person still receives long service leave. It is important that the legislation allows these portable long service leave schemes to be administered effectively.

The territory now has four of these portable long service leave schemes. They operate in the building and construction industry, the contract cleaning industry, the community sector industry and, most recently, the security industry. The Greens have been strong supporters of these schemes, and I was present in the Assembly to vote in favour of establishing both the community sector and security industry portable long service leave schemes last term, and I was pleased to offer my support.

I believe the ACT is still the only Australian jurisdiction that has a community sector scheme. I must say, I remain quite surprised that we have a party in the Assembly that did not support portable long service leave last term, because it was last term that the Canberra Liberals voted against both the community sector and security industry schemes. Mrs Dunne, on behalf of the Liberal Party at that time, made it quite clear they did not believe in the notion of portability of long service leave. She also observed that the schemes are a pain to industry. It is evident some years down the

track that all the dire warnings about pain and chaos in the industries subject to these schemes have not played out. That scaremongering proved to not be the case.

The schemes are well managed by the Long Service Leave Authority board. It considers all the actuarial data in order to make recommendations of long service leave levies that are appropriate, and the levies in different industries are reviewed regularly. It is short sighted and unfair to not recognise that workers in these industries deserve long service leave but that the nature of the industry is that they would be denied it. I find it very surprising the Liberals took the position that people who work in building and construction or cleaning or security or the community sector should be denied long service leave. It is out of touch with what Canberra workers expect and what they deserve.

Returning to the substance of today's bill, I note one amendment in particular—the bill amends section 7(2) to clarify that a person is an employer for the purpose of the act even when they are engaging in non-traditional employment relationships, for example, labour hire arrangements. These employers will still need to participate in the portable long service leave scheme. Labour hire describes an employment relationship where workers are hired temporarily, usually via some third party such as an agency or broker. It is common in industries covered by portable long service leave schemes. This makes sense, of course, as portable long service leave schemes assist employees in industries where it is common to move between companies in the same industry and where work can be fragmented.

Labour hire practices can be troubling in that they are often used to fill roles that should be permanent, meaning workers miss out on their rights and conditions. I know it remains a serious concern to the unions that represent workers in these industries. The amendment ensuring that employers must still participate in the portable long service scheme, even when engaged in labour hire, is a welcome clarification. The employer in these cases can be the actual employment agency. I hope the enforcement is adequate to ensure that all relevant employers participate in the scheme as they should and, indeed, that inappropriate employment arrangements are not occurring in ACT workplaces.

Several other changes have been made to the act which improve clarity and the administration of the scheme. I will not detail them, as Mr Corbell has touched on them and the explanatory statement also covers them. They have largely been recommended by the ACT Long Service Leave Authority. On that basis I am happy to support the bill today.

**MR GENTLEMAN** (Brindabella) (11.12): It is with some pleasure that I rise to speak on this bill. This bill re-emphasises this government's commitment to equality in the workplace. This bill ensures workers are not disadvantaged simply because they are part of a mobile workforce. The government's commitment to a portable long service scheme ensures workers are not left behind.

The Long Service Leave (Portable Schemes) Amendment Bill 2013 makes sure our portable schemes keep pace with changing circumstances. This 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 will 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 under 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 are 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 schemes. 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 on 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 closely 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 the portable scheme. The bill clarifies when it is appropriate to exercise this power and the matters that should be included in a ministerial declaration. 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 the attention of the minister 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 to explicitly deal 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 beyond doubt that the registrar has no power to re-register a worker with the new registration date where that worker has already registered with the 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 in the 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 the minister has described earlier and to make the law easier to understand and apply.

The territory has the most comprehensive portable long service leave schemes in Australia. On 1 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 1,000 workers. By allowing workers to take their entitlements with them, portable schemes protect workers' entitlements and 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, it 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.

As the Assembly is well aware, the government is committed to protecting the entitlement to long service leave, and the minister will introduce a further bill in 2014 to extend the contract cleaning scheme to waste workers. This step recognises the importance of the sector and its workforce to the ACT community and seeks to improve attraction and retention of workers in 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 future and will ensure the territory remains at the forefront of protecting workers' rights and assisting to build these essential industries.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for Workplace Safety and Industrial Relations and Minister for the Environment and Sustainable Development) (11.20), in reply: I thank members for their support of this important bill today, the Long Service Leave (Portable Schemes) Amendment Bill. The purpose of the bill is to make a number of important changes to ensure that the portable schemes keep pace with changing circumstances.

The bill does not implement any material policy change but ensures the authority can continue to effectively administer its schemes. In particular, the bill ensures labour hire arrangements are captured for each of the portable schemes, confirms that repair work is part of the building and construction industry, ensures that apprentices working through registered training organisations must be registered for their portable scheme, clarifies that workers who directly supervise building and construction work should be registered for the relevant building and construction scheme and provides more detail about what is ordinary remuneration, to assist employers with their obligations.

The Labor government is proud of its record in providing for portable long service leave since the first building and construction scheme was implemented in 1981. The Labor government has extended the application of portable long service leave to the cleaning sector, the contract cleaning sector and the community sector, as well as to security industries. These provisions provide for protection of long service leave entitlements for workers in industries which are characterised by short-term employment and contract work, high levels of mobility and a high degree of part-time and casual employment.

There is no doubt that workers who work in these industries in the ACT—cleaners, security guards, building workers and a range of other employees—are often in very vulnerable circumstances. They rely on the contract work provided by their employers and the fact that contract work often changes on the part of those employers. Yet individuals, such as a cleaner or a security guard, can end up working, often in the same facility, for many years under different contractual arrangements with different employers. It might be a security guard in a government building who has worked for multiple employers on the same site for an extended period. It might be a cleaner who has been cleaning the same school, often perhaps for 15 or 20 years but often under a multitude of different employers and different contracts.

In any other industry, their long service would accrue to long service leave but without a portable scheme, of course, that would terminate with the conclusion of each employer's contract with the relevant premises. The provision of the portable scheme provides for that continuity of long service to be recognised and paid out accordingly when the relevant time periods are met, ensuring that low-paid workers in these industries still gain access to long service leave—an important provision when it comes to time with their families, time to pursue other interests in their lives and still have security of income recognising long periods of service.

This is the type of scheme that this Labor government is proud to be advancing. The changes today ensure that the authority can continue to administer the different

portable schemes and provide clarity in their operation in respect of particular industries.

The government remains committed to its program to further extend portable long service to other industries. In particular, the government has committed to extending the contract cleaning industry's portable scheme to cover workers in the waste industry. These workers often perform vital roles in our community. It is not the most glamorous role or the most attractive job but it is an important job. The workers in that industry deserve the dignity of protection of their long service leave entitlements.

The government has made commitments to implement reforms in this area, and a bill to implement this commitment will be introduced next year. So the government continues with its important reform agenda in the area of portable long service leave.

The changes being made today ensure that the schemes are able to be administered effectively. Of course, they build on the decisions taken by the government earlier this year to ensure that the interests of workers in the building industry and the provision of their long service leave entitlements are appropriately protected with a change to the levy rate on employers to ensure that all entitlements for workers in that scheme could be met.

We know just how important that is in the context of a slowdown in the local construction sector. With a slowdown in work in the local construction sector, many workers who have been successful in obtaining often long periods of employment at multiple jobs now find themselves in circumstances where it is harder to find work on a construction site because of the slowdown in the local sector.

It is precisely at this time that we see workers seeking to exercise their long service leave entitlements and therefore it is critical that the long service leave fund for the building and construction sector has sufficient funds to meet those entitlements. The decisions taken by the government guarantee that the provision is met and is consistent with the advice provided to the government and to me as the minister by the Long Service Leave Authority board and their actuaries.

The effective operation of portable long service leave is an important protection for workers, an important protection for many low-paid workers and workers who would otherwise be in a vulnerable position when it comes to continuity of their employment. It is another example of this government taking steps to protect those who are lowly paid, in vulnerable employment circumstances and often without an effective voice otherwise.

It is an important program, one we remain committed to, and one we remain committed to expanding to a range of other sectors. I commend this bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

**Sitting suspended from 11.27 to 2.30 pm.**

### **Questions without notice**

#### **Health—secure mental health unit**

**MR HANSON:** My question is to the Minister for Health. Today the ACT's Public Advocate said she fears the territory's long-awaited secure mental health unit will fail because too many different types of patients will be held in the one facility. She says the range of patients the government hoped to accommodate in the facility is "quite extreme" and "inappropriate". She says she fears the facility could become an institution. She further says the territory needs separate, smaller facilities for different types of patients in need of secure mental health care. Minister, what is your response to the Public Advocate's criticism of the secure mental health facility?

**MS GALLAGHER:** I thank the Leader of the Opposition for the question and indeed for his ongoing interest in the secure mental health facility. Extensive work has been done, as the Leader of the Opposition would be aware, to review the numbers of beds in the secure facility. The reviews have been done by experts, including, I think, forensic care in New South Wales. New South Wales Health Infrastructure did a review of the infrastructure. And other expert opinion that has been sought during the last two years has raised concerns around the smallness of the facility as it is. The expert advice is that certainly at 15 beds it was going to be very, very difficult. At between 10 and 15 beds, it would be very difficult to staff. Certainly you could not go smaller than that, and that is a reason why we have co-located the medium and the high secure beds together—to create a greater capacity to provide the level of care that is needed.

Whilst—and I said this on the radio this morning—I understand the Public Advocate's interest in advocating for individual need, it is simply not practical to look at four or five different buildings to support the needs of four or five different population groups. And it actually flies in the face of all the information the government has, which I am more than happy to share, around the need to focus on workforce development and ensuring positive workforce culture. Both of those things are difficult in smaller units. I classify—and I think the reviews have classified—25 as a small unit.

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

**MR HANSON:** Minister, have the delays and budget blowouts contributed to a compromised model of care?

**MS GALLAGHER:** No. I stopped the project a couple of years ago because of the increase in the infrastructure costs, but as part of that we took the opportunity to review the service provision that would operate within that infrastructure. Indeed the



model of care has been reviewed by an external expert, Professor David Chaplow, who is a forensic psychiatrist and a former director of mental health and chief adviser in the New Zealand Ministry of Health. So we have actively sought out expert opinion because it is important to get this project right. There is a chance that if we had built it along the lines of what was intended a couple of years ago it would not have met the needs of our community.

People can poke fun at and criticise the length of time it has taken to get this to where we are today, but the reality is that we have to build a service that is going to last in the long-term interests of this community. There are not too many other populations of only 360,000 that support a secure mental health unit. In other jurisdictions, when you are looking to provide care to this very highly specialised—

**Mr Coe:** You're using a different rationale for light rail.

**MADAM SPEAKER:** Order, Mr Coe.

**MS GALLAGHER:** I do not know that you can point to light rail and contrast it.

**MADAM SPEAKER:** That would be disorderly, to intervene.

**MS GALLAGHER:** It would. But the mocking around light rail versus the highly specialised need of forensic mental health diminishes the task for government, which is actually getting the service right and making sure that people who need forensic care, who are getting it now, can get it provided in a building that has been built to meet their needs. We actually are providing forensic mental health care now. We are providing it in various infrastructure. *(Time expired.)*

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

**MRS JONES:** Minister, have you learned any lessons from the problems of mixed populations at the AMC in planning this facility?

**MS GALLAGHER:** The answer to that is: we are aware of the need to balance different population groups within secure settings. But the answer to that is not to throw out all the work that has been done and then start building four or five different mini units. If you think the answer is to build four secure units across Canberra as a way of managing some of those challenges, you are wrong. And on this one, the Public Advocate is wrong as well.

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

**MRS JONES:** Minister, why is this facility not open already as you have previously promised?

**MS GALLAGHER:** Because the government has taken the time to get the model of care right.

## Visitors

**MADAM SPEAKER:** Before I call anyone else to ask a question without notice, I acknowledge the presence in the gallery of staff from Canberra Connect. Welcome to the Assembly.

**Ms Gallagher:** We will refer all questions to you!

**MADAM SPEAKER:** That would be disorderly.

*Members interjecting—*

**MADAM SPEAKER:** Order!

## Questions without notice

### Alexander Maconochie Centre—rates of recidivism

**MR COE:** My question is to the Minister for Corrections. One of the core principles in the building of the AMC in the ACT was to provide an environment in which prisoners would benefit from programs which would decrease their likelihood of returning to prison. The Justice and Community Safety Directorate noted in its annual report that “the ACT may be expected to have high rates of recidivism”. In 2012-13 there was an 11 per cent increase in prisoners reoffending and returning to prison. Minister, is this increased reoffence rate another failure of the AMC?

**MR RATTENBURY:** I thank Mr Coe for the question. There are a number of elements to your question and I will try to take each of them in turn. It certainly remains the absolute focus of the AMC to provide people with programs and skills to maximise the chance of them not reoffending. Those take a number of forms, including educational programs, programs that deal with behavioural issues, such as anger management, and also programs that are directed at alcohol and other drug problems. That is the answer to the first part of the question, in short.

The second part then went to the issues of recidivism data that are contained in this year’s annual report. Mr Coe is right in citing those numbers. I can say several things: the first is that I think it is fair to observe that the recidivism data for the AMC is a very short series at this point. It has only started being reported in the last two years. The way the numbers are worked out, it requires a two-year period before you can report the first set. So with the AMC only being open for four years, we have only had two sets of data. So I think it is quite a short series to be making significant conclusions from.

The second thing I would say—if I recall correctly we went over this in annual reports hearings; so for those members who were there forgive me for repeating it—is that certainly in the AMC we do have a population that is considered to be the more difficult group of offenders in the sense that because the ACT has such a low imprisonment rate of people per head of population—those that are sent to jail—it tends to be the more serious offenders. Therefore, they are the ones that are more likely to be recidivists in the future.

The people who perhaps are up on their first offence tend not to be sent to jail in the first instance. They are put into some sort of community program. Alternatives to jail are sought. So many of those people who are in jail generally have a reasonable history by the time they end up in jail. That means that they are in a category that is considered more likely to reoffend.

With those two explanations, I simply conclude by saying that nonetheless we remain committed to seeking to reduce recidivism. That means continually thinking about what programs are being offered and whether they are the right programs for the right detainee group. Those sorts of continual improvements are being pursued by Corrections staff.

**MADAM SPEAKER:** A supplementary question, Mr Coe.

**MR COE:** Minister, was this increase in the rate of recidivism expected?

**MR RATTENBURY:** I do not have an answer to that, Mr Coe. When I arrived as the Minister for Corrections it was not suggested to me that that was going to be the case.

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

**MR HANSON:** Minister, is the directorate's observation that "the ACT may be expected to have high rates of recidivism" an admission of failure now and in future years?

**MR RATTENBURY:** Not at all. I think I have just explained quite clearly why there is a sense that the ACT does have some particular challenges when it comes to recidivism. If Mr Hanson had listened carefully to my first answer, or in committee where we gave a similar explanation just two weeks ago, I think he would understand there is actually a nuanced position there, a position that acknowledges that these are complex individuals; they are challenging individuals. In being forthright about the fact that some of them are going to be difficult to keep out of jail, Mr Hanson's simplistic response reflects much more on him than it does on Corrective Services.

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

**MR HANSON:** Minister, when do you expect that reoffending rates in the ACT will be reduced?

**MR RATTENBURY:** As I have just indicated in my earlier answer, Corrective Services in the ACT continues to work very hard to reduce those recidivism rates, but they are influenced by all of the factors I have discussed in my earlier answers.

### **Hospitals—Centenary Hospital for Women and Children**

**DR BOURKE:** My question is to the Minister for Health. Can the minister update the Assembly on the progress with the Centenary Hospital for Women and Children.

**MS GALLAGHER:** I thank Dr Bourke for the question. During the lunch break, I went out to inspect the new parts of the second stage of the Centenary Hospital for Women and Children, as one of the significant moves has occurred with the move of the labour, birthing and delivery suite into the new stage 2 part of the building. Paediatrics will move in on Monday next week, which is stage 3. So we are almost at the final stage.

It was great to go and visit the hospital. It is a fantastic building—a three-storey hospital which provides a much better environment, with significant improvements in outpatient consultation rooms, in clinical office space, in education and training facilities and in family accommodation facilities. It will be fantastic that, I think, every room that is in the hospital, certainly single rooms, will allow parents to stay overnight with their children and partners to stay overnight with their partners in the labour and birthing and delivery suite.

The new stage 2 of the hospital is operational and will be officially opened on 11 December this year. Services that have now moved into stage 2 include paediatric outpatients; the birthing suite, which was known as the delivery suite; the foetal medicine unit; the postnatal short stay; the maternity assessment unit; and maternity and gynaecology outpatients. The final stage, which is just preparing for paediatric inpatient services to move in, will occur next week.

It has been great to see this project reach this conclusion. It has been a massive job for staff in women's and children's health services at ACT Health to operate the services they have been doing whilst a building has been constructed around them. As someone who has visited that hospital a number of times, and I have had my children in that hospital, both when they were born and with illness, I can assure Canberrans that the facilities that are now on offer for women and children in the territory are second to none in the country.

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

**DR BOURKE:** Minister, what other features have been included in the facility that support patients and their families?

**MS GALLAGHER:** There are a range of new features which support patients and their families. Certainly, in terms of the amenity of the rooms, there is the fact that parents are able to stay over, and the fact that the majority of the rooms are single rooms with privacy and en suites attached to them will significantly improve the family amenity in the hospital.

There is also, of course, the new George Gregan playground, thanks to the generosity of the George Gregan Foundation. The cost was about \$700,000, and they have raised money for this project. The playground is spectacular. So there have been some very generous donations for that. The George Gregan Foundation, and both George and his wife Erica, should be congratulated on the effort that they have put in in creating an open space for children, not just patients of the hospital but people visiting with children. When I went through today at lunchtime there were a number of little ones

running through that playground. Not having had a playground before at the hospital, it is just lovely to see that this facility has been able to provide that.

The therapeutic garden is a donation from Mrs Liangis, who many members will know. She has been a very quiet supporter of the hospital. We are encouraging her to allow us to talk about her donation and the fact that her donation has built a beautiful therapeutic garden which children can also play in. There is also a reflective garden which has been supported by Mrs Liangis. It is a great place for families who are coping with serious illness or the loss of a child to go into. Of course, Ronald McDonald House, who I saw down at the Tuggeranong Community Festival on the weekend, are also doing fantastic work. They will have a paediatrics unit in the paediatrics area, which is fantastic as well.

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

**MS BERRY:** Minister, what are the other key features in this important new facility?

**MS GALLAGHER:** I thank Ms Berry for the question. The Centenary Hospital for Women and Children co-locates all maternity services, the neonatal intensive care unit, gynaecology and foetal medicine, the birth centre, paediatric inpatient care and outpatient services under one roof. There will be a cafe which will open, hopefully, in the next month. This will mean that patients and families who go there will be able to have all of their needs met within that part of the precinct.

It also incorporates the latest information and communication technologies, as well as state-of-the-art equipment. There is some wonderful play equipment for children in the playgrounds. There are also entertainment units throughout the waiting areas. There are colouring books and pencils and appropriate seating for children. There is also, of course, the NICU webcam, which has been part of the old NICU but has been moved into the new NICU as well.

I think this really does set a new benchmark for public women's paediatric and newborn care in Australia. We are very lucky to have it here. I would like to thank all the staff that have been involved over the last five years of this project.

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

**MR HANSON:** Minister, does the centenary hospital have sufficient bed capacity, given the increased rates of women delivering in the public system?

**MS GALLAGHER:** It is certainly being managed at the moment. The hospital is very popular. The sharp increase that we saw over the last two years has eased somewhat. So we are not seeing the big increase. I think there was about an 11 per cent increase in admissions to Canberra Hospital during the spike in admissions. That has eased somewhat.

The number of beds is close to 150 but it is not just about the beds at this hospital. It is also about the consulting rooms. A lot of the work will be done in outpatient consulting rooms. There is a fantastic new day surgery area for paediatric patients to

have their day surgery in a specialised area as well, and also there is the education and training facility.

I am not going to pretend that the hospital is not busy. It is. But I am confident that we have got the balance right with the different models of care. The review into maternity services that I commissioned will be released shortly, which will have thoroughly examined some of those issues around capacity.

### **Children and young people—care and protection**

**MS LAWDER:** My question is to the Minister for Disability, Children and Young People. Minister, I refer to media reports that an infant died, despite care and protection authorities being warned 11 times that the baby was at risk, and that overall care and protection reports have increased by 20 per cent in the last year. Minister, have you ordered a review of current practices within ACT care and protection?

**MS BURCH:** I thank Ms Lawder for her question. Care and protection has had a number of significant reviews and there certainly has been significant development around policies and procedures and the supervision of staff. It is a human service, so in many ways it is constantly reviewing its practice. The ACT and every other jurisdiction in the country faces increasing child concerns reporting. I think it is a mix of the good, solid adoption of mandatory reporting and also an informed community that recognises children at risk and to do a report. Every concern report received is considered by the good, solid staff and through their systems in care and protection.

**MADAM SPEAKER:** A supplementary question, Ms Lawder.

**MS LAWDER:** Minister, what additional resources are being directed to that area of CSD given the 20 per cent increase in the number of reports?

**MS BURCH:** One of the things is making sure we have front-line staff. There is an ongoing recruitment process for front-line staff. Also, there is supporting them in their practice so that they can reflect on and be supervised within their practice. Anyone in human services would understand the value of that reflective practice and making sure that they are mentored and supported in their decision making.

There have been a number of changes put in. We have committed to a trauma centre as well. That will work with families in either an early intervention phase or post-placement, to make sure that these very vulnerable children and families are supported. Not every concern report results in an assessment that means children are taken into statutory care. It is also about partnerships with our community organisations around good, solid, early intervention.

**MADAM SPEAKER:** A supplementary question, Mr Doszpot.

**MR DOSZPOT:** Minister, when did you first learn of the issues regarding the baby?

**MS BURCH:** I will just remind Mr Doszpot that, under the Children and Young People Act, I am not going to come into this place and have a discussion about individual child matters.

**MADAM SPEAKER:** Supplementary question, Mr Doszpot.

**MR DOSZPOT:** Minister, what assurances can you give to other families who believe that their concerns are not being listened to by authorities?

**MS BURCH:** I would just refer to the care and protection workers that each and every day do a fantastic job, to our community partners that each and every day do a fantastic job—

**Mr Doszpot:** Eleven times.

**MS BURCH:** Mr Doszpot, you have read something in the media. I have said to you that under the Children and Young People Act I cannot and will not come here and discuss individual matters. If you want—

**Mr Doszpot:** We are not asking for individual—

**MS BURCH:** If you want—

**Mr Doszpot:** We are not asking for individual—

**MS BURCH:** Well, you are.

**MADAM SPEAKER:** Order, Minister Burch, would you direct your answer through the chair, please.

**MS BURCH:** I have finished my answer, Madam Speaker.

### **Schools—registration**

**MR DOSZPOT:** My question is to the minister for education. Minister, the review into approval processes for the registration of non-government schools suggests that you, parents and the wider community should be given greater assurance that each non-government school fully complies with all regulatory and legislative requirements through specifying the number of days they will be open. What evidence is there to suggest that a new non-government school might not open on the required number of days?

**MS BURCH:** I thank Mr Doszpot for his question. It was something that was brought to my attention through the two individuals that did the review, that the act does not actually prescribe the numbers of days, and they thought that it would be a useful addition to the act.

**MADAM SPEAKER:** A supplementary question, Mr Doszpot?

**MR DOSZPOT:** Minister, why is it important to prescribe the number of days that a school must open?

**MS BURCH:** There is a general sentiment that that would be a very common-sense thing to do.

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

**MR WALL:** Minister, why are such prescriptions on the number of days not already in the ETD manual?

**MS BURCH:** It has been brought to my attention that, whilst it is inferred that it is understood that there is a prescribed number of days, the two individuals doing this report thought that it would be a useful addition to the act.

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

**MR WALL:** Minister, what non-government schools, if any, are currently not meeting the educational needs of their students through the number of days of teaching?

**MS BURCH:** All the non-government schools have current registration.

### **Roads—speed cameras**

**MS BERRY:** My question is to the Attorney-General. Attorney, you recently announced an evaluation of the ACT road safety camera program. Can you please explain to the Assembly the purpose of this evaluation?

**MR CORBELL:** I thank Ms Berry for her question. Yes, last week I did announce a review of the operations of the ACT's road safety camera network. The reason I did this is that, after 10 years of operation of the road safety camera network, it is timely, with the data we now have available, to assess its overall efficacy and how effective it is at tackling speed crash risk on the ACT's roads. We know that, with over a quarter of all accidents on ACT roads—that is, accidents that involve a fatality—speed is a contributing factor. Therefore measures to address speed on ACT roads remain a critical component of our overall road safety strategy.

The road safety camera program is just one component of managing speed crash risks on the ACT's roads, along with police enforcement. The government has put in place additional resources for additional police on our roads to enforce the road rules, as well as community education and awareness.

The evaluation will assist the government to identify any opportunities to gain improved road safety effectiveness from the existing camera program and it will also help to ensure that any future developments in the camera program are as well informed as possible. I expect that the outcomes of the evaluation will also complement and be informed by the Auditor-General's current review of the ACT's camera program, which is looking at a range of other aspects of the program's operation.



The review will be undertaken by experts in road safety. The government is proceeding to tender this year for the procurement of the necessary expert and specialist services needed to enable this review to get underway.

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

**MS BERRY:** Attorney, when will the evaluation commence, and who will conduct the evaluation?

**MR CORBELL:** I thank Ms Berry for the supplementary. As I have indicated, the government expects to proceed to tender this year. I would expect the evaluation to commence in the first half of next year, with a report being finalised within the first six months of next year. This will enable us to have a well-informed policy base for any future developments in the camera safety program and also enable us to take advantage of the 10 years or more of data now available in varying forms around the operation of the road safety network to enable us to assess its efficacy and to inform future policy and capital works proposals.

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

**MR GENTLEMAN:** Minister, what is the impact of speed on the safety of our roads?

**MR CORBELL:** I thank Mr Gentleman for the supplementary. In 2012, there were 8,312 on-road traffic crashes reported in the ACT. These involved 892 casualties, including, tragically, 12 fatalities and over 200 hospital admissions. The likelihood of being involved in a serious crash rises significantly with even minor increases in travelling speed. Australian research has shown that the risk of a serious casualty crash doubles with just a five-kilometre an hour increase on a 60-kilometre an hour urban road.

ACT Policing reports show that speeding was identified as a contributing factor in 16 of the 59, or 27 per cent, of all fatal crashes which occurred between 2008 and 2012. This is similar to the experience in other Australian jurisdictions, with national road crash data showing that speed is the main causal factor in around 30 per cent of road crashes.

So speed management, even on Canberra's excellent road network, is critical to reducing the number of deaths and injuries on ACT roads. And this evaluation will assist us in assessing the efficacy of the speed camera network.

**MADAM SPEAKER:** A supplementary question, Mr Coe.

**MR COE:** How much damage to the speed camera machinery has been caused by lightning strikes?

**MR CORBELL:** I am personally aware of one instance where the speed camera network has been impacted by lightning strikes and that was, of course, the point-to-point camera installed on Hindmarsh Drive prior to its commissioning. It was struck by lightning and that delayed the commissioning of that camera.

In relation to other parts of the safety camera network, I will take that question on notice and provide further advice to you.

### **Planning—proposed Calwell swimming pool**

**MR WALL:** My question is to the Treasurer. Treasurer, you recently made a decision to partially waive a portion of the \$300,000 commence and complete fee charged to Kingswim in relation to the development of a community swimming facility at block 33 section 787 in Calwell. In your letter to Mr King you stated, “Due to the impact that the combination of commercial land tax into the commercial general rates base has had on your extension-of-time fee, I am providing you a partial waiver for the amount of \$155,133.” Treasurer, why was not the entire fee waived?

**MR BARR:** It did not meet the criteria under the Financial Management Act for a waiver.

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

**MR WALL:** Treasurer, what impact has combining the commercial land tax into the commercial rates base had on development in the ACT?

**MR BARR:** Certainly simplification of taxation arrangements has helped in relation to development in the territory. I think that particularly the changes with the slashing of the top rate of stamp duty from 7.25 to 5.5 per cent have encouraged a variety of developments to go ahead. There have been a number of large property transactions in the first quarter of this fiscal year, and members will see that in the September consolidated financial reports for the territory. So tax reform is having its intended effect of removing the unfair and distorting taxes that have been holding our economy back, freeing up hundreds of millions of dollars to go back into the pockets of businesses and households in the territory through the removal of the deadweight loss of these inefficient taxes.

The government’s five-year tax reform plan, the first phase, is now approaching halfway through its delivery. We have cut stamp duty on every single property in the territory. We have cut the tax on insurance from 10 per cent to six per cent, and it is on its way down to zero. We will be the only jurisdiction in Australia where residents and businesses are paying no tax on their insurance, whether that is home contents insurance, motor vehicle insurance or their professional indemnity insurance. It does not matter what insurance products you have in the ACT, in two years time, at the completion of the abolition of this tax, there will be no tax charged on insurance in the ACT. It is one of the most distorting taxes. We want people to take out insurance, so we are abolishing the tax on insurance. Those opposite want you to pay more tax on your insurance. *(Time expired.)*

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

**MR SMYTH:** Treasurer, what consideration was given to the evidence provided to your office by Mr King?

**MR BARR:** Full consideration, Madam Speaker.

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

**DR BOURKE:** Treasurer, what are the criteria that are referred to for these waivers?

**MR BARR:** The act has three criteria under which an assessment can be made for either a waiver or an act-of-grace payment. The main criterion is that the territory itself, through government agencies, have made a contribution, through failure to act within statutory time frames, to the particular charge. So in very practical terms, if, for example, a planning approval had not been granted within the statutory time frame and that caused a delay, that would be grounds for a waiver or an act-of-grace payment. If a perverse outcome had occurred as a result of the legislation, that would also be a factor. There is a third criterion that escapes me at the moment, but I will look it up for the member and provide it at the end of question time.

### **Health—food safety**

**MR SMYTH:** My question is for the Minister for Health. Minister, I refer to a media release that you released on 21 February 2012 about the passage of amendments to the Food Act. You stated:

This bill is also about tightening up food safety by ensuring businesses have a staff member trained in food safety—such as safe food preparation and handling practices, effective from August 2013.

Why did you decide to extend legislation meant for businesses to sausage sizzles and other community fundraising events and when did you decide to do that?

**MS GALLAGHER:** This issue was brought to my attention probably three months ago, and it was based on advice from the GSO that the amendments passed to the Food Safety Act covered the field in relation to food preparation. When we went back—and we certainly did some discussions particularly with the charities and the sporting sector on how to manage this—we had to work our way through an appropriate response. I think we have found that.

We have exempted barbeques. It is going to be a little tricky about how we manage that, but it was never the government's intention to cover the charity sausage sizzle, ever. When it was brought to our attention, we responded through a targeted consultation process.

There is a spectrum here. There are sporting groups and charities that just run sausage sizzles. Then there are sporting groups that, respectively, run large commercial kitchen operations, selling a whole range of food like chicken sandwiches with mayonnaise—all those sorts of things that do come into, and are considered, high-risk foods.

So we have had to work out a way to not exempt areas where there is high-risk food, where there are large operations, even though they are providing food to sporting

organisations, but exempt the traditional sausage sizzle. I think we have found the right place. We just have to make some amendments. But it was never our intention to do that.

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

**MR SMYTH:** Minister, what consultation did you undertake before implementing these regulations on community group sausage sizzles and other community fundraisers?

**MS GALLAGHER:** The majority of the consultation around the food safety act occurred with registered food safety businesses and the peak industry groups. There was some discussion with sporting organisations. When the rollout of the legislation happened there were concerns raised with the government around the implementation. The practicality of it, I have to say, was basically getting someone trained in food safety, which I actually think is a good thing when you are cooking and preparing food—undertaking a training course. Since all of this has happened we have had 1,000 people undertake the voluntary training program online, which is free. That is a good outcome, because not too many people know that you should cook a sausage at about 70 degrees and not too many people know that you should not have it sitting in a tray for four hours and then serve it to people.

These are important messages to get out. You can see the potential cost that food poisoning has on the community. You only have to talk to someone who has spent weeks in hospital and probably years on antibiotics because they have been poisoned by food to understand the seriousness of the issue, even if it can be trivialised into words like “the quiche police”, “the barbecue squad” and “the frittata brigade”.

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

**MR HANSON:** Minister, if you still believe that it is a good thing to have a food safety supervisor for the sausage sizzle, why have you backflipped?

**MS GALLAGHER:** I have listened to the community, Mr Hanson, which is a job that our politicians are meant to do. I do not eat from sausage sizzles. I do not eat sausages, but I have read the meat standards. So I know what is in them. I do not know how many other people have. If people eat from a sausage sizzle, they do so at their own risk. We have listened to the community. The community do not want people trained in food safety standards when they are tasting a sausage—

**Mr Smyth:** So how many people were poisoned? What was the evidence for this? How many people were poisoned?

**MADAM SPEAKER:** Order, Mr Smyth!

**MS GALLAGHER:** I will not respond to the interjection, but I will say, Madam Speaker, that it is almost impossible to measure. When you look at the economic impact of food poisoning on a community like the ACT some figures put it at between

\$70 million and \$80 million a year, essentially through people being unwell and through lost productivity.

The majority of food poisoning is not reported to authorities because it happens to one or two people. The majority of it does not occur inside restaurants, which are regulated. So we know all those things. Those are not a surprise. We know people get unwell. People have been getting unwell at fetes across the city during fete season. People get unwell at the Multicultural Festival. These are risks that are just managed. They are managed and people understand, I think, that where there are community events there are going to be some risks attached to them. I do not think we should diminish the problems that food poisoning—

**Mr Hanson:** Do you eat quiche? You do not like sausages but you like quiche.

**MADAM SPEAKER:** Order, Mr Hanson!

**MS GALLAGHER:** Being the health minister does not encourage a wide variety of eating; let me just say that. You get briefed on all the risks attached with everything. But all I would say is that there are risks out there. We are trying to manage those risks. We are trying to respond to the community where there are concerns. The health protection service does a great job. They get criticised when they do not respond tough enough and when they do work out a way forward, they are criticised for intervening. It is a hard job to get the balance right. (*Time expired.*)

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

**MR HANSON:** Minister, why did you introduce legislation without understanding the effect of that legislation?

**MS GALLAGHER:** It is not unusual to have to modify legislation when issues are brought to your attention. The cabinet never took a decision to regulate barbecues, but we did take a decision about improving food safety standards. When the advice was provided that that covered the field including the charity barbecue sector in the community, we have responded to that. It will require amendments through this place, and in the meantime health protection will continue to do the great job they do in taking an educative approach to managing the risks associated with temporary food stalls.

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Mr Hanson, you are being unruly—not as unruly as it is in Victoria, I understand. Don't tempt me.

### **Schools—year 12 graduates**

**MR GENTLEMAN:** My question is to the minister for education. Minister, you recently released a report entitled *Where are they now?* Can you outline this report and how it gives you confidence in the quality and outcomes of ACT schools, both government and non-government.

**MS BURCH:** I thank Mr Gentleman for the question. Education and Training did recently release an annual publication *Where are they now?* This is the seventh annual survey of students who were awarded an ACT year 12 certificate. Students attending public and non-government schools and the Canberra Institute of Technology participated in the survey. It was a telephone survey conducted in the year following year 12 graduation to see how students are progressing after they have completed secondary school.

The key survey results have remained consistently high over the seven years, with over 90 per cent of year 12 graduates employed and/or studying in all seven surveys. This year I am pleased to advise that 93 per cent of year 12 graduates were employed and/or doing study—in 2013. Sixty per cent of all graduates were studying, up from 50 per cent six years ago, and 77 per cent of those who were not studying at the time of the survey said they intended to study in the next two years. About two-thirds of those who were studying were studying at a bachelor level or higher, and year 12 graduates were studying in a wide range of areas, the most common fields being society, culture, management, commerce and health. Science, engineering and arts were also popular fields of study.

These results compare favourably with other Australian states and territories that conduct similar post-school surveys. The COAG Reform Council recently released results based on the 2011 census. These results show that of all states and territories only the ACT and Northern Territory managed to have a high proportion of 17 to 24-year-olds fully engaged in work or study in 2011 compared to 2006.

The data from our year 12 destination survey is also consistent with other results showing outcomes for our senior secondary students. The ACT had the highest rate of retention from year 7 through to year 12, at 89.8 per cent in 2012. This is well above the national average of 79.9 per cent. Not only are more students staying at school through to year 12 but more are receiving a year 12 qualification than anywhere else in the country. In 2011 the proportion of 20 to 24-year-olds in the ACT with a year 12 qualification was 91 per cent, again much higher than the national average of 85 per cent.

These are excellent results and I would like to thank all those involved in the education system in the ACT, especially our principals and teachers—and our schools, for the tremendous work that they do. The results reflect our efforts as well. One of the other key factors in a good education system is that we know and value, as do our education leaders, the better schools reform and what a stable funding model can do for government and non-government schools. It is a deep concern that the federal government appears to be abandoning the unity ticket that gave us secure and agreed agreements. This is causing distress for our school communities and puts at risk targeted funding, funding for nearly 70,000 students here in the ACT.

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

**MR GENTLEMAN:** Minister, what did this report tell you about the employment and further study options for ACT's year 12 graduates?

**MADAM SPEAKER:** Mr Gentleman, I did not hear the beginning of that properly. Could you repeat it?

**MR GENTLEMAN:** Yes. I asked the minister what did the report tell her about the employment—

**MADAM SPEAKER:** The report; sorry, yes.

**MS BURCH:** I am pleased to report that 91 per cent of our year 12 graduates were studying at the time of the survey or were intending to start some study in the next two years. This shows the high proportion of our year 12 students who have an opportunity to continue their education after leaving school. As well as having a large proportion of year 12 graduates studying six months after leaving school, 60 per cent were studying in the year following completion of year 12. The ACT also has a high number of students intending to start study in the next two years.

Over three-quarters of the year 12 graduates not studying at the time of the survey were intending to start some study in the next two years. This was consistent with the national trend to take a gap year, as reported by the National Centre for Vocational Education Research. Eighty-six per cent of the graduates who were intending to study in the next two years were employed at the time of the survey, 39 per cent were travelling and 11 per cent were participating in voluntary work. In this year's survey 74 per cent of the year 12 students who graduated in 2012 were employed six months after finishing school and the most common occupations were community and personal service workers as well as sales workers. All in all, this is a very positive story for our students.

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

**MR HANSON:** Minister, why did the government agree to Gonski funding that was \$30 million less than had previously been agreed to under the national partnerships and special purpose payments?

**MS BURCH:** What it gave to the ACT was consistent and reliable funding with a guaranteed three per cent rate for all students. We have had the argument through budget and through annual reports that the national partnerships were not any longer in existence. I would encourage those opposite to look at the transcript that is coming from Christopher Pyne, who has not had the decency, as I understand it, to make contact with the Chief Minister or me. He is doing policy announcements through the media and he is not impressing any of his state or territory colleagues.

Before a meeting on Friday he is saying that it is a shambles and we need to go back to the drawing board. That is saying to nearly 70,000 students here in the ACT that the federal government has no concern or regard for the certainty and assurance of their funding. It has no regard for funding a school system based on need. It has no regard for quality teaching or a quality learning experience.

Christopher Pyne has said it needs to go back to the drawing board, back to an SES system. I refer to the New South Wales education minister who said that no-one

would support going back. No-one would accept that it was a good model. It was flawed; it was broken. The Gonski model, based on need, was the way forward and the way of assurance for quality funding for our students.

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

**MR HANSON:** Minister, will you now apply for more funding for the ACT and not sell out as you did to appease the Gillard government?

**MS BURCH:** There was no sell-out with respect to ACT students. What is a sell-out is Christopher Pyne going in two days before the election and saying he was on a unity ticket, and now there is a question about safe, reliable funding for state schools in the ACT, for Catholic schools in the ACT and for independent schools in the ACT. The only person who has sold out—

*Members interjecting—*

**MADAM SPEAKER:** Order members! I cannot hear Minister Burch.

**MS BURCH:** The only individual that I have heard who has sold out this week is the federal education minister, Mr Christopher Pyne, who is saying that he will no longer honour a signed Commonwealth of Australia arrangement, and I think that is appalling.

### **Multicultural affairs—fringe festival**

**MADAM SPEAKER:** Mrs Jones, a question without notice.

**MRS JONES:** Thank you, Madam Speaker.

*Mr Smyth interjecting—*

**MADAM SPEAKER:** Mr Smyth!

*Ms Gallagher interjecting—*

**MADAM SPEAKER:** Ms Gallagher! Mrs Jones has the floor.

*Ms Gallagher interjecting—*

**MADAM SPEAKER:** Mrs Jones, could you sit down, please? Chief Minister, I just called you to order and you immediately said, “Who cares?” I know you were saying that to Mr Smyth—

**Ms Gallagher:** I was responding to him, which I should not have done.

**MADAM SPEAKER:** Which you should not have done. I called you to order. You get a lot of latitude in this place but when I call people to order, I expect them to come to order. Mrs Jones has the floor.



**MRS JONES:** My question is to the Minister for Arts. In response to a question from myself, about the fringe festival during the annual reports hearings, you said, “To date the contract has been managed. To date, the fringe festival program is being delivered. I was going to have a quiet word with Mr Manikis at some point during the day just to give me confidence that this is continuing to be the case.” What is the latest advice you have received from your directorate about the management of the 2014 fringe festival? Do you continue to have full confidence in the management of the fringe festival?

**MS BURCH:** Yes, I do.

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

**MRS JONES:** Minister, what role, if any, did you play in the appointment of the creative director of the fringe festival?

**MS BURCH:** I made the appointment.

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

**MR GENTLEMAN:** Minister, what benefits does the fringe festival bring to the ACT?

**MS BURCH:** I do thank Mr Gentleman for the supplementary question about the fringe festival. The fringe festival was part and parcel of the National Multicultural Festival for many years. As we were redefining the footprints and the timelines for the National Multicultural Festival—and there was a period of change a number of years ago—the contract for funding for the fringe festival was given to the Folk Festival and it was held out at EPIC. When that contract came to an end, there was certainly a very persistent call to me by fringe festival lovers to bring the Fringe back to the National Multicultural Festival and to have it in the heart of the city.

We secured funding for \$20,000, and we will have a fringe festival come this February. From what I am hearing, the festival is shaping up to be quite innovative, to add another fringe flair to the entertainment for many who would like to go. And I will look with interest to see whether any of those opposite have any fringe flair in them and attend the fringe festival in February.

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

**MR SMYTH:** Minister, what was the latest advice you received from the directorate after that quiet word with Mr Manikis?

**MS BURCH:** It is arts funding but it is being managed in partnership with Mr Manikis, who has overall—

**Mr Hanson:** Any advice from Elias?

**MADAM SPEAKER:** Order Mr Hanson! Minister Burch has the floor.

**MS BURCH:** Again, your interjections tell more about the slimy man you are.

**MADAM SPEAKER:** Minister Burch, sit down! Minister Burch, I handle the order in this place. It is not for you to do that. Your job at the moment is to answer questions and, if you do not have an answer, to sit down.

**Mr Hanson:** Madam Speaker, on a point of order, I appreciate that the minister is under a bit of pressure on this one, but I think she was a tad unparliamentary and I ask that she withdraw.

**MS BURCH:** I am happy to withdraw the word “slimy”.

**MADAM SPEAKER:** Questions without notice.

**Mr Smyth:** Sorry, is the minister going to finish answering the question? She has not even answered the question yet.

**MADAM SPEAKER:** Have you finished answering the question, Minister Burch?

**Mr Hanson:** She evaded the question.

**MS BURCH:** With your baiting, it is very easy to evade the question.

**MADAM SPEAKER:** Minister Burch!

**MS BURCH:** I do apologise, Madam Speaker.

**MADAM SPEAKER:** Minister Burch, your job is to answer the questions and my job is to keep order. Your job is not to draw other members’ attention to what you consider is inappropriate order in the place. There is a reasonable amount of free flow here. I tend to call people to order when there is what I consider to be too much interjection. Your practice has been, if anyone interjects while you speak, to point it out to people. I do not know that that is necessarily appropriate. That is my job. So if we can all keep our own jobs, I think we would work a lot better here. Questions without notice.

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

**Mr Smyth:** Can we stop the clock for a moment, please? There is a point of order, Madam Speaker.

**MADAM SPEAKER:** I am sorry; there are points of order going on. Let us stop the clock. A point of order, Dr Bourke.

**Dr Bourke:** Madam Speaker, just reflecting on your previous comments about order in the house, what is your opinion about the level of mocking that the Leader of the

Opposition directed to both myself and Mr Gentleman today when we stood to ask questions?

**MADAM SPEAKER:** First of all, I do not answer questions at question time unless there is a question to me, not in a point of order. You do not ask questions in points of order. I keep order as much as I can, and I draw people's attention to what I consider is inappropriate banter where people might get called names or inappropriate things are said. For instance, there have been times when language has been inappropriate. I have not heard any myself today but I do tend to be alive to that. But if I miss something and you want to make a point of order about a particular thing, I am happy to entertain it.

**Mr Smyth:** A point of order, Madam Speaker. I was simply trying to get an answer to my question, which was: did she have the quiet chat with Mr Manikis and what advice was provided? I do not think it has been come to at all. Perhaps she could mention something—

**MADAM SPEAKER:** There are eight seconds left. Have you got anything further to say in answer to the question, Minister Burch?

**MS BURCH:** No.

### **Tourism—events**

**MS PORTER:** My question is to the Minister for Economic Development. Could the minister update the Assembly on the events that have been funded through the special events fund in 2013?

**MR BARR:** I thank Ms Porter for the question. I can, and the events are: *Toulouse-Lautrec: Paris and the Moulin Rouge*, the *Turner from the Tate: the making of a master* exhibition that was held at the beginning and in the middle of our centenary year, and three events that have been supported by the fund for the summer period 2013-14. They are: *Mapping Our World*, the exhibition that was opened by Russell Crowe at the National Library only recently; *Gold and the Incas: lost worlds of Peru* at the National Gallery, which opens to the public on 6 December, and one that I am sure all Elvis fans will be really looking forward to—the *Elvis at 21* exhibition at the National Portrait Gallery, which opens next month on the 7th and runs until March 2014.

**MADAM SPEAKER:** Supplementary question, Ms Porter.

**MS PORTER:** Minister, why is it important that government invest in these events?

**MR BARR:** The government continues to invest in events because they are an important economic driver for the territory. The latest data from Tourism Research Australia shows that the tourism sector is contributing around \$1.65 billion to our local economy each year, which is a tad over five per cent of our total gross state product. Data also shows that the tourism sector is one of the territory's largest employers: generating around 16,000 jobs, it represents a little under eight per cent of

the total employment share in the territory. So boosting our tourism sector is important to the overall economic growth of the territory.

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

**DR BOURKE:** Minister, what sort of economic impact do these events bring to Canberra?

**MR BARR:** The National Gallery's *Renaissance* exhibition in 2011-12, which was exclusive to Canberra and attracted 213,000 visitors, provided an estimated \$75 million into the territory economy. The National Library's *Handwritten* exhibition, which ran over the same period as the *Renaissance* exhibition, attracted 73,000 visitors and contributed an estimated \$18.6 million to the territory economy.

*Toulouse-Lautrec* was a wonderful start to the centenary year, attracting 170,000 visitors, making it one of the Gallery's top 10 most visited exhibitions of all time and injected around \$37 million into the territory economy. *Turner from the Tate: the making of a master* attracted 153,627 visitors and injected nearly \$34 million into the territory economy.

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

**MR GENTLEMAN:** Minister, what risks are there that these large exhibitions will not happen in the future?

**MADAM SPEAKER:** Sorry, could you repeat that?

**MR GENTLEMAN:** Yes, what risks are there that these large exhibitions will not happen in the future?

**MR BARR:** The greatest risk would be a change of government locally because the Canberra Liberals have opposed this investment in major events. Each time we have put this fund up for approval of the Assembly, the Canberra Liberals have voted against it. So there is only one party in this place that does not support the tourism and events sector, and it would be the Canberra Liberals. My evidence for this is that each time I put this fund up as an idea and put it in the budget, the Liberals vote against it.

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

### **Supplementary answers to questions without notice Hospitals—Centenary Hospital for Women and Children**

**MS GALLAGHER:** I have one matter from question time. I said that there had been an increase of about 11 per cent in admissions to the women's and children's hospital. I will correct the record. In the first two months of opening there was an increase of 22 per cent in births compared to the same period the year before, but this demand has now moderated.

## **Planning—proposed Calwell swimming pool**

**MR BARR:** In question time Dr Bourke asked me a question about the three criteria. I said that one of them had escaped my mind at the time of answering. This relates to where a fair and just result can be brought about only by a waiver of the fee. There are three criteria: the legislation producing an unforeseen or perverse outcome; the territory contributing through an action or inaction of one of its agencies to the liability for or value of the fee; or that a fair or just result can be brought about only by a waiver of the fee.

Those are the criteria. I assessed, as I do all applications for a waiver, the particular application that was referred to by Mr Wall against that criteria and produced the determination I did.

## **Papers**

**Madam Speaker** presented the following papers:

Standing order 191—Amendments to:

Marriage Equality Bill 2013, dated 31 October 2013.

Officers of the Assembly Legislation Amendment Bill 2013, dated 5 and 6 November 2013.

**Ms Gallagher** presented the following paper, which was circulated to members when the Assembly was not sitting:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Reports 2012-2013—Chief Minister and Treasury Directorate—Corrigendum, dated November 2013.

## **ACTEW Corporation Ltd—statement of corporate intent 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 papers:

Territory-owned Corporations Act, pursuant to subsection 19(3)—Statement of Corporate Intent—ACTEW Corporation Ltd—2013-2014 to 2016-2017—Modified Statement of Corporate Intent, dated October 2013.

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

Leave granted.

**MR BARR:** In accordance with section 21 of the Territory-owned Corporations Act 1990, I hereby present the modified 2013-14 statement of corporate intent for

ACTEW Corporation Ltd. Members may recall that when I tabled the original statement of corporate intent in the Assembly on 6 August this year I foreshadowed that ACTEW would provide a modified statement to reflect the impact of the final pricing determination for water and wastewater services. I also indicated that the modified statement of corporate intent was likely to be tabled in November.

The original 2013-14 statement of corporate intent was prepared before the release of the ICRC's pricing determination for water and wastewater services that was issued on 26 June 2013. As a consequence, the original statement of corporate intent stated that the financial measures would be subject to material change once the ICRC pricing impacts had been properly evaluated.

The financial projections that were included in ACTEW's original statement of corporate intent were identical to those that appeared in the 2013-14 budget. The estimated financial impact in 2013-14 is a dividend reduction of \$22.4 million and \$10.1 million less in tax payments. These financial impacts will be reflected in the budget mid-year review that will be released in early 2014. I commend ACTEW's modified statement of corporate intent to the Assembly.

## Paper

**Mr Barr** presented the following paper:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Reports 2012-2013—Independent Competition and Regulatory Commission, Corrigendum dated November 2013.

## **Financial Management Act—consolidated financial report Paper and statement by minister**

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

Financial Management Act, pursuant to section 26—Consolidated Financial Report—Financial quarter ending 30 September 2013.

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

Leave granted.

**MR BARR:** I present to the Assembly the September quarter 2013 consolidated financial report for the territory. This report is required under section 26 of the Financial Management Act. The September quarter headline net operating balance for the general government sector was a surplus of \$145.6 million.

This result was \$14.9 million lower than the year-to-date budget of \$160.5 million. Total revenue for the GGS for the quarter to 30 September 2013 was \$1,269.2 million.

This is \$2.5 million lower than the September year-to-date budget of \$1,271.7 million. Major variations in total revenue included lower goods and services revenue, mainly due to the timing of signing and commencing a new cross-border health agreement with New South Wales and lower commonwealth grants revenue due to the timing of payments.

These decreases in revenue were partially offset by higher than expected taxation revenue and interest income. Total expenses of \$1,135.6 million were broadly in line with the year-to-date budget of \$1,133 million. The GGS balance sheet remains strong, with key indicators such as net financial liabilities and net worth improving, mainly as a result of increases in the value of investments held by the superannuation provision account and the higher level of accounts receivable.

Net debt increased compared to 30 June 2013 as a result of higher borrowings that are used to support the territory's infrastructure program. I commend the September quarterly report to the Assembly.

## **Financial Management Act—consolidated annual financial statements 2012-2013**

### **Paper and statement by minister**

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

Financial Management Act, pursuant to section 25—Consolidated Annual Financial Statements, including audit opinion—2012-2013 financial year, dated 28 and 31 October 2013.

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

Leave granted.

**MR BARR:** I present to the Assembly the 2012-13 consolidated annual financial statements for the territory. I am pleased to report that the consolidated statements received an unqualified audit opinion from the Auditor-General on 31 October 2013. The final 2012-13 headline net operating balance for the general government sector is a deficit of \$273.8 million, representing a \$66 million lower deficit than the 2012-13 estimated outcome.

As a result of findings during the audit process, the headline net operating balance increased by approximately \$15 million compared to the June interim result. This variation was mainly due to a correction to dividends and income tax equivalents income relating to the accrual of income tax equivalent revenue and distributions from the Forde joint venture.

Key financial indicators in the balance sheet have largely improved compared to 30 June 2012. Balance sheet increases were evident mainly as a result of an increase

in the value of property, plant and equipment associated with a revaluation of sportsgrounds, and higher funds held under investment. The next update to the territory's financial position will be released with the budget review early next year.

The financial statements I present today have been prepared in accordance with Australian accounting standards and are in line with the requirements of the Financial Management Act 1996. I commend the 2012-13 consolidated annual financial statements for the territory and audit opinion to the Assembly.

## Papers

Mr Corbell presented the following papers:

Property Crime Reduction Strategy 2012-2015—*Canberra: a safer place to live*—Progress report 2012-2013.

### **Subordinate legislation (including explanatory statements unless otherwise stated)**

Legislation Act, pursuant to section 64—

ACT Teacher Quality Institute Act—ACT Teacher Quality Institute Amendment Regulation 2013 (No 1)—Subordinate Law SL2013-26 (LR, 31 October 2013).

Canberra Institute of Technology Act—Canberra Institute of Technology (Fees) Determination 2013—Disallowable Instrument DI2013-267 (LR, 31 October 2013).

Climate Change and Greenhouse Gas Reduction Act—Climate Change and Greenhouse Gas Reduction (Renewable Energy Targets) Determination 2013 (No 1)—Disallowable Instrument DI2013-271 (LR, 4 November 2013).

Electoral Act—Electoral (Fees) Determination 2013 (No 2)—Disallowable Instrument DI2013-269 (LR, 1 November 2013).

Fisheries Act—Fisheries Prohibition and Declaration 2013 (No 2)—Disallowable Instrument DI2013-272 (LR, 7 November 2013).

Legal Aid Act—Legal Aid (Commissioner-ACTCOSS Nominee) Appointment 2013—Disallowable Instrument DI2013-268 (LR, 4 November 2013).

Marriage Equality (Same Sex) Act—Marriage Equality (Same Sex) (Fees) Determination 2013—Disallowable Instrument DI2013-273 (LR, 4 November 2013).

Medicines, Poisons and Therapeutic Goods Act—

Medicines, Poisons and Therapeutic Goods (Medicines Advisory Committee) Appointment 2013 (No 1)—Disallowable Instrument DI2013-270 (LR, 4 November 2013).

Medicines, Poisons and Therapeutic Goods Amendment Regulation 2013 (No 2)—Subordinate Law SL2013-28 (LR, 4 November 2013).

Road Transport (Alcohol and Drugs) Act—Road Transport (Alcohol and Drugs) Amendment Regulation 2013 (No 2)—Subordinate Law SL2013-27 (LR, 1 November 2013).



## **Children and Young People Death Review Committee—annual report**

### **Paper and statement by minister**

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

Children and Young People Act, pursuant to subsection 727S(5)—ACT Children and Young People Death Review Committee—Annual Report 2012-2013, dated 31 October 2013.

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

Leave granted.

**MS BURCH:** The committee was established in 2011 as an independent, multi-sectoral committee under the Children and Young People Act 2008 with members appointed in January 2012. The committee is currently chaired by Dr Penny Gregory and there are 12 other members of the committee representing ACT government directorates, ACT Policing and non-government community sectors. The committee has a number of functions, including establishing a register of deaths of children and young people, identifying patterns and trends in relation to the deaths of children and young people, and determining research that would be valuable in this area.

The role of the committee is to identify what may be learnt from the circumstances of a death of a child or young person. The committee is able to make recommendations about legislation, policies, practices and services for implementation by the government and non-government bodies with the aim of preventing or reducing the number of deaths of children and young people in the ACT and improving services.

The committee's first annual report was presented to the Assembly in November 2012. I am pleased to be able to table the second report produced by the committee. Today I table a report that provides an overview of data related to the deaths of ACT children and young people over a five-year period from 1 July 2008 to 30 June 2013. The report does not make any recommendations.

In this period there were 155 deaths of children and young people recorded on the register and 115 of these children and young people were recorded as normally living in the ACT. Of these 115 deaths, 10 are awaiting a coroner's findings and will be included in subsequent annual reports. Accordingly, the year's annual report provides information about the deaths of 105 ACT children and young people. The report does not include any reviews of specific cases or trends in relations to the deaths of children and young people for the period 2008-13. It is anticipated that the committee will undertake individual reviews as dictated by the data it collects and release other reports and fact sheets in relation to these data and individual reviews.

The committee has already released its first fact sheet providing messages of prevention about unsafe sleeping in October of this year. The topic received media coverage through the *Canberra Times* and various radio and TV stations at the beginning of October. The committee has an important ongoing role to play in helping the community as a whole learn from the tragic events associated with a death of a child or young person. I am aware that previous investigations of child deaths in Australia have resulted in improvements in such areas as low-speed vehicle run-overs and youth suicide.

The ACT Children and Young People Death Review Committee annual report will provide the community with information each year on the deaths of children and young people that occur in the ACT as well as those deaths of ACT children and young people that occur outside the ACT. I formally commend and present the annual report. I want to thank the chair of the committee and all the members of the committee for the work they do.

## **Community Services Directorate annual report 2012-13— corrigendum**

### **Paper and statement by minister**

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

Annual Reports (Government Agencies) Act—Annual Reports 2012-2013—  
Community Services Directorate—Corrigendum.

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

Leave granted.

**MS BURCH:** I present a corrigendum to the Community Services Directorate 2012-13 annual report, which was tabled on 22 October 2013. The directorate has since identified a number of minor modifications required to the 2012-13 annual report. These are in relation to transition from care services, pages 6 and 86, volume 1; staff recruitment at Bimberi Youth Justice Centre for the 2012-13 reporting year, page 81, volume 1; youth justice single case management, page 82, volume 1; the date of the ACT government apology to people who experienced past forced adoption practices and the apology into forced adoption practices, page 87, volume 1; and information about the commencement date of the children, youth and family services program, page 91, volume 1. The directorate further identified an amendment to the period of contract for one of the service funding agreements with Care Inc at page 311 in volume 2.

I am tabling the correct information as part of the corrigendum for members' information.

## **Canberra—centenary**

### **Discussion of matter of public importance**

**MR ASSISTANT SPEAKER** (Mr Doszpot): Madam Speaker has received letters from Ms Berry, Dr Bourke, Mr Coe, Mr Gentleman, Mr Hanson, Mrs Jones, Ms Lawder, Ms Porter, 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 Ms Porter be submitted to the Assembly, namely:

The importance of Canberra's Centenary year as we move into our second century.

**MS PORTER** (Ginninderra) (3.47): I welcome the opportunity to speak today on this matter of public importance. This year our city has celebrated 100 years since Lady Denman stood upon the foundation stone and named the new capital of Australia "Canberra". What an amazing city has been created during the passage of 100 years! Centenary of Canberra celebrations in 2013 have not only been a time of reflection by the community but also a year of looking forward to ask ourselves what kind of city we want in the next 100 years.

The incredible program the centenary of Canberra team put together has given us a wonderful opportunity to showcase the many things that make living in and visiting Canberra so special. The "Like Canberra" campaign began in 2012, before the centenary year kicked off, so before the actual year. Canberrans, of course, already knew what they loved about this incredible city, and the centenary year gave them a fantastic opportunity to affirm that. Some 14,000 nominations were received; the website recorded 134,597 votes; and the top 100 reasons to like Canberra were announced on 15 March after more than 11,000 people cast a final vote. "Like Canberra" set the scene for a year that would be strongly focused on all we love about our community. The centenary has profiled this 21st century city as a human city—a lively, active city with a friendly and energetic community; an ideal place for people to live, work and raise their families; and, of course, a great place to visit.

Canberrans have embraced the centenary celebrations and attended them in droves. The "one very big day" 100th birthday celebration on 11 March, for example, was attended by 150,000 people.

As well as seeing people attending events, the centenary of Canberra has brought out one of the very best aspects of our community, the willingness of Canberrans to give their time volunteering. The centenary of Canberra recruited and managed an extensive volunteer program through 2013 and had nearly 400 volunteers registered. Many of those volunteered for several events. To date there have been 1,461 volunteer shifts at 72 centenary events, for a total of 6,465 hours. Centenary volunteers have undertaken a wide variety of tasks—for example, packing show bags for conferences, handing out thunder sticks at centenary sports matches, timekeeping and marshalling at the special olympics at the AIS, and traffic marshalling at Spin events, just to mention a few. I met a number of them during the year, and I appreciated the way these volunteers especially helped out the visitors to the city.

The centenary team also worked closely throughout 2013 with young people in our schools, with the multicultural community and with seniors. The Centenary School Coordinators Group met regularly to discuss centenary projects of interest to the education sector, and schools developed their own centenary activities as a result of those meetings. Importantly, this group, established for the centenary, will not dissolve at the end of this year. The network has plans to meet beyond 2013, under the coordination of the Tuggeranong Arts Centre.

The “harmony bus” brought together various multicultural communities and the broader ACT community to travel by bus to visit various ethnic and cultural venues, to foster ongoing community relations and to empower prominent community leaders and local communities to gain a better understanding and appreciation of diversity and shared values. The “museum of the long weekend” was an intergenerational project with convoys of caravans travelling from all over Australia to converge on Lake Burley Griffin. The project also engaged a group of young people who were mentored in film-making and who interviewed ACT seniors about their recollection of their recreation and their holidays.

Canberra’s oldest community members, those who were 100 years or older in 2013, received a specially commissioned centenary medal this year. I was present at a very moving event where people spoke of their lifelong experiences in Canberra and the Chief Minister presented their medallions. Babies born in Canberra on 12 March, who shared their birthday with the city, also received centenary medallions. It was great being present at the event with the babies, their siblings, partners, parents and grandparents, and many other people who were there on that day to celebrate.

Fifty-one individuals and groups shared in the \$1 million centenary community initiative fund, for projects and activities that commemorate and celebrate the year. In addition, there were a number of large-scale community engagement projects that engaged our community under the centenary banner. The “portrait of a nation” initiative is a great example, inviting the community to research and share the history of where people live.

The centenary of Canberra has also celebrated the nation’s and the city’s national and international standing as a hub of learning, politics and art. It is home to the nation’s greatest treasures, the custodian of the Australian story. When Labor’s second Prime Minister, Andrew Fisher, stood on Capital Hill in March 1913, he shared his wish that the city would come to be “the seat of learning, as well as of politics, and ... the home of art”.

The centenary has delivered an extensive arts and culture program, with a range of exhibitions, performances, theatre, cinema, festivals, dance and music, featuring over 1,000 performers, mostly local but including visiting artists as well. Some of the events appear in Canberra’s regular arts and culture calendar, such as Enlighten, the National Multicultural Festival, and the Canberra International Film Festival. This year the centenary of Canberra contributed to those events to make them even bigger. There have also been new projects from the centenary of Canberra, such as the alternative arts festival “You are here”, the centenary symphony commission, and the

new ballet, *Monument*. The year 2013 was the biggest season ever seen at the Canberra Theatre Centre, with performances being brought in from all states and the Northern Territory. Those who saw the specially commissioned *Secret River* will never forget the experience, I am sure. This play has gone on to win awards and great acclaim.

Canberra's role as the seat of government has sometimes overshadowed its outstanding performance as a site of leading-edge research and innovation. The centenary program addressed this oversight, facilitating the innovation and discovery series, a program of events, occasions, tech fests, exhibitions, star-gazing sessions, lecture series, experiments, launches and openings throughout the year to celebrate Canberra's performance. The reputation Canberra has established in all these areas will continue into the next century.

The centenary team has been working closely with our national attractions to pull together a "best-ever" program in our wonderful national cultural institutions. There were open days at the Australian War Memorial, the Australian Institute of Sport and Parliament House. The nationwide Indigenous cultural program encompassed 64 events and almost 400 participants from more than 50 locations around Australia. The Indigenous cultural program also brought to Canberra Indigenous artists and performers from all over Australia, including some from the most remote parts of the country. The one river project connected Canberra, as the largest community in the Murray-Darling, with others living right through this vast part of Australia.

Finally, this year has been a year of many firsts for sport. The ISPS Handa women's Australian open was played in Canberra for the first time, hosted by the Royal Canberra Golf Club in February. The public attendance was up 30 per cent on the LPGA event at the Royal Melbourne Golf Course. Televised widely, it showcased our wonderful Royal Canberra, complete with kangaroos stopping the show.

The first-ever one-day international match featuring the Australian cricket team was played against the West Indies at Manuka Oval on 6 February. The game was a sell-out. The first-ever Rugby League test featured Australia against arch-rivals New Zealand at the Canberra Stadium on Friday, 19 April. The British and Irish Lions Rugby team played the Brumbies at Canberra Stadium on 18 June, their first game in Australia since their last tour in 2001.

The Australian Netball Diamonds game versus the New Zealand Silver Ferns was held in Canberra at the AIS in October. This game sold out in 24 hours. The first AFL game played under the new lights at Manuka Oval was held when the Giants played Essendon on 8 March. The Westfield Matildas played two international women's football games against the New Zealand Ferns at McKellar Park on 13 and 16 June. This was the first time the Matildas have played the Ferns in Canberra.

A total of 65,642 people attended 15 local centenary matches. Each of these events featured centenary branding and messaging. All spectators, and those watching broadcasts from home, could see the pride of Canberrans celebrating sport and the centenary.

Before the centenary, the Chief Minister saw that this year was not just one year of parties, to paraphrase, but a year to leave a legacy. And many of the projects established for the centenary of Canberra will continue beyond 2013—“parties at the shops”, “you are here” and Fashfest, to name a few. The Canberra legacy will also stretch well beyond our borders, with dollars for Dili funding vital community and school infrastructure in Timor-Leste.

The momentum of this year’s celebration will continue beyond 2013. Back in 2011, for the Canberra Day oration on 12 March that year, the creative director of the centenary of Canberra, Robyn Archer, stated her vision: “Seed now, blossom in 2013, flower for another hundred years”. The events of 2013 have demonstrably raised the pride of Canberrans in their city—and, hopefully, that of the millions for whom this capital exists. It showcased the national capital through a sensational program of events and has established a lasting legacy of community value.

The importance of our centenary celebrations as we move into the next century is that it has created very clear opportunities for Canberrans, indeed all Australians, to recognise how we came to be here, celebrate what we have achieved as a city in the last 100 years, and recognise our strengths. Most importantly, it has enabled us to look forward with ambition and pride to the future of this city, the nation’s capital and our home.

**MR SMYTH** (Brindabella) (4.00): I thank Ms Porter for the motion. Centenaries come around once every hundred years, and it is important that we get them right. The subject of debate is the importance of Canberra’s centenary year as we move into our second century, and over the last couple of years I have questioned how the centenary would be celebrated, how we would evaluate the effectiveness of the centenary and what would be the lasting legacy. The centenary website lists the visions and goals. The vision is noble:

All Australians proudly celebrate and share in the Centenary of Canberra, our nation’s capital—the city that tells the story of our country’s freedom, spirit, achievements and aspirations.

That is not an unreasonable vision. But then it goes on to list the goals, and it would be interesting to go through the goals one by one to see whether or not even at this stage in the 11th month of the celebrations what we have achieved, and therein lies the rub for me. I asked many times last year how the government was going to measure the outcomes of the centenary and how and what will happen. Indeed, it was about this time last year at the tourism awards that Mr Barr announced there would be a committee to review what had happened. I look forward to seeing what that committee reviews.

The six goals are:

Increase the pride and ownership of Australians in their capital.

Fully engage the community of Canberra, the Capital region and the broader Australian community in the celebrations.

Establish enduring international recognition of Canberra and its role as the capital.

Build the positive image and reputation of Canberra as a city and community.

Build lasting legacies of community value through memorable celebrations and high quality projects.

Create impetus for future development of the national capital.

It will be interesting to see how the government reports against these in coming years. And we have to ask how much bang for our buck have we got. The ACT government put in some \$20 million for programs; the federal government matched it with \$6 million. I understand it may now be up to something like \$32 million in total that has been spent on programs, but perhaps the Chief Minister could clarify that. But in terms of any of the six goals, I am not sure at this stage we can say we have achieved any of those, and I am not sure in the future whether we will be able to measure the increase against any of those criteria through any measurement process we might want to undertake.

Let us run through them slowly: increase the pride and ownership of Australians in their capital. I am not sure how you are going to measure that. Did the government have a baseline from which to start that measurement and have they got a process in place in which to track whether it is strictly as a consequence of the centenary celebrations that pride and ownership has gone up in Australians in their capital. It will be interesting to see the explanation of that.

The second goal: fully engage the community of Canberra, the capital region and the broader Australian community in the celebrations. I think we certainly achieved fully engaging the community of Canberra. There were that many events on that it would be hard not to be involved. One event that springs most to mind for me is the Canberra International Music Festival held in May. Pro Musica and its artistic director, Christopher Latham, really put on a great show and had good crowds attending. Another is the musical offering from a group of volunteers led by Professor Don Aitkin and Mrs Bev Aitkin. The group wanted to present a free musical event every day somewhere in Canberra during 2013. They have exceeded that goal, and by the end of the year they will have presented more than 600 free performances. They are two examples of things that went particularly well.

On Canberra Day I think most people probably had a good weekend, but I am not sure how much the capital region—and it will be interesting to get the government to define the “capital region”—and the broader Australian community fully engaged in the celebrations. If you have an international cricket, golf or football event in the ACT the question is: did people come because it was an international cricket, football or golf event in the territory or did they come because it was the centenary? It will be interesting to see how the government differentiates on that. We all know there are people who follow the cricket teams or the footy teams or the golf around the country. Well done for getting a great list of events, but it will be interesting to see what the measurement is in these areas.

The next goal: establishing enduring international recognition of Canberra and its role as the capital. Again, I am not sure how you will measure that. It will be interesting to see what baseline the government established to say what the recognition level of the ACT and Canberra as Australia's national capital was before the start of the centenary and how much they will be able to attribute any increase in recognition to the centenary.

The fourth goal: build a positive image and reputation of Canberra as a city and a community. Again, that will require an external measurement. It would be great if the Chief Minister tabled perhaps by the end of the sitting week the baseline understanding for each of these criteria. It will be interesting to see how we measure that difference and how much we attribute to the centenary.

The fifth goal: build lasting legacies of community value through memorable celebrations and high quality projects. I suspect there will be lasting legacies of community value. People certainly got out and about and had a good time. I hope that continues in those communities, whether it be in art or sport or whatever that segment of the community is or whether it is a locational community—the suburb or the area. Some have done more than others, but it will be interesting to see what is the base, how do you measure it and what was the bang for the buck. How much value did we get for what I now understand to be \$32 million?

The last goal is perhaps the one that is the most interesting: create impetus for future development of the national capital. Again, you would have to ask what are the legacies of the centenary, whether it be an image—which is covered in some of the other areas—in recognition and also in the built form. We all understand how the arboretum has become the centenary gift, but it was not that when it started. The government was probably quite lucky that the arboretum had started when the centenary came along. It was not planned. The forest had burnt, and Mr Stanhope apparently went to the federal government without much community consultation and said, "Well, I want more money for my pet idea." The community might have had different views had they been asked on what was the lasting built legacy they might have achieved from the centenary.

But if you look at it in terms of economic development and industry development, do we have a better view of where the city is going as a consequence of the centenary? I suspect not. Will there be a legacy from that to create impetus for the future development of the nation's capital? I suspect not. The government has been busy; they have got a few more plans. We have got city to the lake now and the draft city plan. But it is interesting, because Mr Corbell had a City Hill plan in 2005 that had something like 16 individual projects in it. How many have occurred? Well, the answer to that would be none. Eight years later nothing has happened. It is well and good to have the plans, but what is better is if you actually have an outcome, a drive and an ability to pay for it. Mr Barr wants a stadium but will not tell us how he will pay for it. Mr Corbell and Mr Rattenbury are clearly interested in the train set but cannot tell us how they will pay for it and, indeed, do not care. As the Treasurer articulated so clearly, there is no number too high that will stop capital metro, and that is of great concern.



The discussion on the future of the city did not really happen. Did we have a good, hard look at ourselves? Did we get a unified view as to what our shared future might be? Did we actually see where we wanted to be 10, 20, 30, 50, 100 years from now? The government under towards 2020 did some consultation about where we might go, but I do not see any of that informing what happened in the program for the centenary year.

The greatest sadness for the centenary program is the failure of the federal Labor government to engage and participate. We had that wonderful speech from former Prime Minister Gillard on Canberra Day where she said that Canberra will always be the home of the Australian public service, but she skipped the line in her speech about, "That's why I'm cutting 14,000 jobs out of Canberra, out of the public service." She must have forgotten that little bit. We know why federal Labor was not interested in the centenary—they had other plans for the ACT in its centenary year.

Well done to the government—the \$20 million was probably a reasonable number. It would have been appropriate for at least that or double that to be matched from the commonwealth Labor government at the time, but, of course, that opportunity is now gone. I hope the Chief Minister takes up the challenge when she stands up and tells us what she sees as the consistent message that people will take forward when the centenary year finishes.

**MS GALLAGHER** (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (4.10): I thank Ms Porter for putting this MPI on the notice paper and for providing us with a summary of this year, which has shown just how extensive the centenary program has been. I think all members in this place have been involved in various events, and I am sure we have all had our favourite events that we have been to.

In my view, some of the most successful elements of the centenary are the lesser known ones, the projects supported by the community initiatives fund which was established to provide small amounts of money to different organisations to run their own event linked to the centenary. I have been to a number of those, as have many of my colleagues. I think they have really shown up the social fabric of the city and how that has developed over the last 100 years. Many of those organisations have been around for a long time. Some are just new organisations but all of them are loved by their various constituencies.

Another very successful, small program—I think under \$100,000 in the overall budget—was parties at the shops. I would certainly like to see those continue and be more prevalent right across Canberra. I went to a number of different ones earlier, in March and April. I know there have been some in the second half of this year. Manuka have just had theirs and Hackett had their party at the shops recently. I think Watson had theirs only in the last fortnight. They have certainly showcased what we all love about our local communities, using Canberra's unique design of the suburban shopping centre to be the centre point and the meeting point for local communities. These events have been well supported by volunteers and shopkeepers, and many of those shops have contributed to the events held at parties at the shops.

One of the other lasting legacies, I hope, or one of the other things I would like to see us deliver on, is the dollars for Dili campaign. We set ourselves a challenge to raise \$1 for every Canberran to go and support community capacity building projects in Dili, with our friendship city hat on. To date, we are still short of \$200,000. I am not sure that we are going to reach \$360,000 in this calendar year but I am determined to deliver on that commitment to the people of East Timor and we will continue to raise funds for dollars for Dili into next year, if that is what is required.

There have been a number of other events. The Centenary Trail is a fantastic initiative that has come out the centenary and will be an ongoing legacy for generations to come. I have started walking the Centenary Trail. It is a 145-kilometre trail that links Canberra up in seven different stages. You can ride it or walk it. The stages vary from 20 kilometres to 30 kilometres. It is very achievable and I think it will give people a unique view of Canberra, which is why I am determined to walk it as soon as I can. I have set myself the challenge of one stage per month, heading out early to do the walk. I think it is important that we understand the environment in which we live and where we represent different communities. Certainly, for someone who has lived here my whole life, stage 1 took me through areas of Canberra that I have not been to before and showed me views that I had not seen before. I think that is an important and lasting gift from the centenary.

On Friday we were able to right a wrong and address the fact that Marion Mahony Griffin probably has not been as well recognised as she should have been for her role in winning the design competition for Canberra with her husband, Walter Burley Griffin. Being able to declare the view from Mount Ainslie as the Marion Mahony Griffin view has reminded us in the centenary year of Marion's role in the story of Canberra and has made sure that that is appropriately recognised.

Going to the National Arboretum, I think it is, and will be, the most significant piece of infrastructure that represents Canberra in the centenary year when people review the centenary year in years to come.

**Mr Smyth:** It may well be but it wasn't what it started as.

**MS GALLAGHER:** Perhaps in our 200th year they will have a look back at the National Arboretum. No, it did not start off as a centenary project, but from very early on, as community support for the project grew, despite the best scare campaign by those opposite, who sought to squash it into oblivion from day one, the National Arboretum has now had 450,000 visitors in its first 10 months of operation. It is extremely popular and Canberrans love it. It formally signalled the launch of the centenary year back in the first week of February, at dawn, when we formally opened the National Arboretum. I think it will proudly stand there as a lasting legacy of decisions that self-government and local government have taken to protect the future of our city and also to look at how we project ourselves out to the rest of Australia.

In terms of whether we have achieved what we set out to do, on some levels there are things that I would do differently, having gone through this year now, but I think that is the same for everything you do at work. Once you have been through a process, you

have a think about it. There are small things I would have done differently but I think, overall, the balance of trying to meet everybody's interests, trying to project Canberra as the national capital as well as a home to almost 380,000 people was always going to be a challenge over a long period of time. This is a celebration that has gone from February until the end of this year on a limited budget. I think that in many respects we have been able to find the right balance.

With respect to people's perception of Canberra, for those who have visited, the tourism numbers stack up in that there has been a significant increase in overnight stays this year—not surprisingly, considering the different range of events that have been on. Certainly, the feedback I have had, including from the business community, has been very positive about people's view of Canberra, the maturing of Canberra, the fact that we have grown considerably from our rural roots in 1913 to a world-class city that all of us can be and should be proud of, that equals any other capital city in the world. There are obviously still areas where we want to improve but I do not think there should be any cringe about Canberra, who we are or what the rest of the country thinks about us.

Part of what we have done this year is to show the extent to which we have matured—the fact that we are much more than just a place where people come and make decisions in the big house. Overwhelmingly, people's view of Canberra and the centenary year has been positive—perhaps more positive outside Canberra than some of the criticism that we have had from inside.

It would be remiss of me not to finish up by touching on the *Skywhale*. She has caused quite a stir this year and people have had mixed views around her. But when you go back to what was sought through the commissioning of that artwork, it was to create something that people would talk about, that was artistic, beautiful, short-lived but remembered. Over time, we have already seen in this short year that we have had songs written about her and costumes made of her. She has trended on social media from time to time and there has been extensive media coverage of her around the world. Merchandise of the *Skywhale* has been requested. But she did exactly what creative art is designed to do. It is to get people to talk, to have a different view perhaps of what people expected of Canberra, to be challenging, to be original and to be thought provoking. She did all of those things.

As we move into the second century, these are the kinds of characteristics we want people to understand about Canberra—that we are original, that we are brave, that we are progressive, that we are thinkers, that we have big ideas. All of these fit very well into where we are heading as a city with our big projects like city to the lake and light rail. All of those are projects that we should be proud of and that will stand our city in good stead in years to come.

**DR BOURKE** (Ginninderra) (4.20): This centenary year has featured a wealth of Aboriginal and Torres Strait Islander voices, culture and talent. I had the opportunity to reflect on that last week when I attended the National Aboriginal and Torres Strait Islander Golf Championships here in Canberra for the centenary of Canberra, a championship that has been touring the country for many years—and it was a very successful sporting event. I spoke about the centenary's Indigenous culture program

and the incredible Aboriginal and Torres Strait Islander events that have been presented this year. I am particularly proud of the work that our centenary team has done to bring those events here to Canberra, working with our local Aboriginal community and artists, as well as the broader Aboriginal and Torres Strait Islander community in Australia.

Some of the events have even been mentioned here in the Assembly. Mr Smyth gave his famous speech about *Jack Charles v The Crown*, which I will not repeat. There was the Sally Gabori exhibition at the Drill Hall. Sally Gabori is an internationally respected artist from Mornington Island, and her vibrant and very colourful works are particularly expressive of the culture of her region. We had the National Multicultural Festival with the Indigenous showcase, just outside here in Civic Square—days of wonderful Indigenous events, food and stalls, a real coming together. I have been glad to hear during the annual reports process from the minister that this year's National Multicultural Festival will include further Indigenous events that embrace and are articulated with the rest of the festival.

We heard from Aboriginal and Torres Strait Islander activists, old and new, at the Inside Out forum, which included a special session for participants at the tent embassy. We witnessed the significant Murra Bidgee Mullangari River ceremony recently at Uriarra Crossing, which saw Major Sumner and the Tal Kin Jeri dancers from the Coorong in South Australia come together with Adrian Brown and the team from the ACT Parks and Conservation Service and the Ngambri dancers for ceremony.

We have seen the performance of *Wulamanayuwu and the Seven Pamanui* from the Tiwi Islands in Northern Territory, a story which is somewhat similar to *Snow White and the Seven Dwarfs*. We have recently seen the premiere of a new work, *Biami*, by Duncan Smith and Maitland Schnaars from WA, and the Wiradjuri Echoes. Once again, I compliment the centenary team on their engagement with Canberra's and Australia's Aboriginal and Torres Strait Islander community in bringing a showcase of events which have done us proud.

*Discussion concluded.*

## **Privileges—Select Committee Proposed establishment**

Debate resumed.

**MR BARR** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Sport and Recreation, Minister for Tourism and Events and Minister for Community Services) (4.24): The government will not be supporting Mr Smyth's motion. The motion is one of the more pathetic stunts undertaken by the Liberals in their long career on the opposition bench in this place. The motion seeks to imply that the government has failed to comply with a motion passed by the Assembly on 19 September. Let me be clear: I totally reject the inference in Mr Smyth's motion. Quite simply, he is wrong. He is wrong.

Let me be very clear about this: the government has complied with the motion passed by this Assembly. The government has provided a significant degree of analysis on the impact of tax reform above and beyond what we already tabled in the Assembly by way of a taxation review, the 2012-13 and 2013-14 budgets and associated papers outlining the government's tax reforms. The Chief Minister and Treasury Directorate have confirmed that the package of materials tabled complies with the motion and includes "the other analysis of the impacts that taxation reforms implemented to date are expected to have over time".

Privilege was not sought in respect of cabinet documents as there was no need to separately release any cabinet documents because they do not include any other analysis that has not already been tabled in response to this motion and in the taxation review and in the 2012-13 budget and the 2013-14 budget.

I note that the Clerk has raised an issue about an index outlining the date and author of documents. The documents that I tabled in response to the motion did have an index, but I accept that it could have been clearer, to comply with standing order 213A. Subsequent to the Clerk's advice, a formal index has been tabled.

Subsection (1) of Mr Smyth's motion is totally incorrect. We have released the analysis that relates to the motion. And we have claimed no privilege on these or other documents. The documents from the taxation review and the past two budgets that I have tabled clearly meet the intent of the motion to provide analysis of the impacts of taxation reforms.

Not only have we complied with the Assembly motion but, in order to assist members, I have provided a further analysis to put into context the documents that were tabled. This extra analysis shows clearly to the Assembly and to the public at large the issues that the opposition have been struggling to understand. The opposition have absolutely no basis to support their claim that documents have not been tabled. The only conclusion that can be drawn from Mr Smyth's motion is that he is embarrassed by his party's misleading claims in the last election campaign.

Let me be clear: the medium-growth scenario outlined within the documents that were tabled shows stamp duty in the territory reducing by 100 per cent in 20 years and rates increasing in real terms by approximately 100 per cent over 20 years.

This motion is a stunt. Further evidence is provided by the advice provided to the Speaker by the Clerk on this matter:

What does seem clear is that the Assembly did not ask for all modelling that had been conducted into the ACT Government's tax reform.

As such, in tabling the documents that we did, it is clear that the government has unambiguously met the requirements of the Assembly motion. Nevertheless, in order to comply with the requirements and the spirit of the motion of 19 September, substantial additional documentation on the impacts of taxation reform was tabled. If you look at the documents that were tabled, the taxation review, the 2012-13 budget

and the 2013-14 budget and all of the associated papers that have been released, they clearly show a detailed analysis of the impacts of tax reform.

Let us remind the Assembly and the shadow treasurer that taxation reform involves more than just changes to stamp duty and rates; it also involves the abolition of insurance taxes that we have talked about today. And for those who are interested, it also involved a cut in payroll tax.

So if you look at the documents contained within the taxation review, the 2012-13 budget, the five-year tax reform plan that was tabled then, the government response to the taxation review, all of the answers to questions on notice over the last 18 months, the additional information that was provided in response to the Assembly motion, new and updated modelling reflecting decisions taken in the 2013-14 budget that was published with the 2013-14 budget, we have provided the Assembly and the community with all of the information in relation to taxation reform.

I need to turn to the fact that this issue was given precedence. In the letter to the Speaker, the Clerk went on to say:

My advice is that the matter does not merit precedence over other business.

So, instead of having a robust debate about tax reform, the opposition is resorting to stunts, rehashing lies and the same, sad, tired, three-word slogans that—

**MADAM SPEAKER:** Sit down, Mr Barr. It is clearly unparliamentary to imply that the opposition has lied. And there have been plenty of rulings that the accusation that a group of people have lied is the same as saying that each individual member has lied. So I ask you to withdraw “rehashing lies”.

**MR BARR:** I withdraw, Madam Speaker. They are resorting to stunts and three-word slogans, tired, discredited three-word slogans that see them still on the opposition benches. The Assembly deserves better, the people of Canberra deserve better.

Whilst the opposition will resort to stunts, the government will get on with the job of reforming tax, abolishing stamp duty, abolishing insurance duty and making the territory’s taxes fairer, simpler and more efficient. The government will not be supporting this reckless stunt from the opposition. It should be treated with the contempt it deserves, and we will be voting against it.

**MR RATTENBURY** (Molonglo) (4.31): The question here at hand today—and I think it is the threshold question about whether this motion should be supported—is whether or not the Treasurer refused or failed to produce documents or allow the inspection of documents in accordance with the motion that was passed here in this place. The motion called on the government to table by 31 October 2013 any other analysis of the impacts that the taxation reforms implemented to date are expected to have over time.

The intent of the amendment that I moved during that debate was to refine the call for documents that Mr Smyth initially tabled to only include documents that related to the

policy that was implemented, not in relation to all other policy options that may have been on the table but were in fact discarded. This is the information that Mr Smyth and the Canberra Liberals were essentially seeking, as I understood it, and therefore the amendment that I put forward was accepted by everyone in this place.

I have reviewed all of the documents—the letters and the advice from the Clerk—and it still remains that the question is: did the Treasurer table any other analysis of the impacts of the policy under discussion? I have reviewed what was tabled by the Treasurer on 31 October and can see that it certainly does contain information that answers the question about the impacts of the policy. Indeed, there is a very useful document that seeks to summarise and interpret the analysis that was undertaken, that had clearly been produced in response to the motion that was tabled, and that document is not an original document. It has been described as an overview of the analysis.

It appears to me that this document is actually additional to what has been requested, as the call for documents did not include documents that had not yet been created. However, I do believe it is an updated analysis and is helpful for those that are wanting to understand the situation.

*Members interjecting—*

**MR RATTENBURY:** Members, you might want to hear the next bit. The appendices to the documents that were called for do demonstrate the detail and the modelling and analysis of the impacts of the tax reforms which have been implemented. And I think that is the key point here, that the appendices provide the documents that were called for. And then there is an additional document.

Whilst members of the opposition may not be impressed by that summary, that is not the issue. The issue is whether the documents called for were provided, and that is the question that we have to resolve here today. I imagine that there was a range of modelling that was done to determine what the best kind of reform model should be. However, the papers tabled in the last sitting enable us to see exactly what modelling is used for the finally agreed reforms—and that really is the matter at hand—and what the financial impacts are in the short to medium term, both for the government and various ratepayers across different property values and suburbs.

So the key question for me remains this: is what the Treasurer tabled missing anything? Are there any further documents that have not been given to the Assembly following this call for documents? This motion is actually about contempt of the Assembly and is not about tax reform. That is not the matter at hand today.

I took the time over the lunch break to seek assurance from the Treasurer that there were no further documents because the Greens' amendment to Mr Smyth's motion in September was not designed to let the government off the hook about providing information to the Assembly or the community. This morning Mr Smyth quoted from my speech, and I think I was quite clear at that time that I felt there should be transparency in the information that was available to the community.

I sought an assurance from the Treasurer that there were no further documents. That is an assurance that the Treasurer gave me, and it is an assurance which he has reiterated here in the Assembly this afternoon. As such, I will not be supporting the motion today, as I do not believe that the threshold that there is a case to answer has been met.

**MR HANSON** (Molonglo—Leader of the Opposition) (4.35): I thank Mr Smyth for bringing this before the Assembly today. It is an important matter because it is important that ministers, and indeed all of us, comply with standing orders. And that is the question before us: has the minister adhered to standing order 213A and the subsequent standing orders if he has breached that standing order? The case is laid out very well by Mr Smyth in the letter that he provided to you, Madam Speaker, and in the case he has made in the chamber debate. I do not intend to reiterate the full argument, but the threshold question is: has the minister complied? The compelling case has been made—in my view it is a black and white case—that he has not. He has disobeyed a lawful order of this Assembly, and the question is one of motive. Why has he failed to comply to provide the documents that formed the analysis, the work that led to the tax reform?

As the minister and Mr Rattenbury have said, what we have been delivered is a summary, an overview. It is not what we asked for. It is quite clear the intent of the Assembly was to be provided with the full range of documents, and the minister has not complied with that. There should be a substantive volume of documents. If the minister did not want to release them and he wanted to go through a process of review and claiming executive privilege and, under the standing order, having those documents that would be in dispute subject to arbitration, he could have done that. But he has knowingly just ignored that process. He has decided, “Rather than risk those documents being provided after arbitration, I’m going to come up with some neat little summary of what I want it to show and then I’ll provide that to the Assembly. And that certainly will provide enough to satisfy Shane Rattenbury.” And that would appear to be the case.

Mr Rattenbury, the great reformer, only yesterday wanted openness and accountability. Shine the light. “Here are my new FOI rules. Let’s make sure we push information. Let’s make sure there’s access to everything. If it’s in the public interest then we should have access to it.” But when it comes to these documents—the analysis that was conducted by this government in what Mr Barr touts as the greatest tax reform in the history of the ACT—somehow the rhetoric of yesterday has turned to water when Mr Rattenbury decides that somehow, no, a simple overview will suffice. That is despite the fact that the Assembly has directed that we receive these documents.

**Mr Barr:** No, it didn’t.

**MR HANSON:** It quite clearly says under 213A that we get these documents, and you have decided—

**Mr Barr:** No. What was the motion that was passed?



**MADAM SPEAKER:** Order, Mr Barr.

**Mr Barr:** You can't read the motion.

**MADAM SPEAKER:** Order, Mr Barr! You can seek leave to speak again, but I will not allow you to interject.

**MR HANSON:** We heard the shake in his voice when he was speaking. We hear his objections. We hear the sort of mealy-mouthed words from Mr Rattenbury. I wonder if anybody in this place was surprised by Mr Rattenbury's response this afternoon. Maybe there was someone somewhere who had a glimmer of hope that Mr Rattenbury's rhetoric might once be matched by his actions. I do not know. It certainly was not me. I would have laid my house on the fact that Mr Rattenbury was going to cave and was going to come in here and say, "I've considered. I've reviewed. I've looked at this. But, funnily enough, I've decided to side with the government." Maybe there is someone who had some remaining shred of hope that Mr Rattenbury might actually decide to hold this government and this minister to account, but no, not the case.

It is a sad day on a number of levels. Firstly, the community will not get the information they need. It is a sad day that this Assembly has decided we are not going to ensure ministers comply with standing orders. I think it shows that this government has something to hide. If Mr Barr had nothing to fear, nothing to hide and was confident that the analysis would demonstrate that rates were not tripling, I reckon he would have been in here probably with a trolley. There would have been grand theatre as he came in here with all the documents and slammed them on the desk. I think the fact that he has had to come in here with this overview, this summary, that has been provided in 2013 rather than the full range of documents goes to motive.

I commend Mr Smyth's motion to the Assembly. I am disappointed that it will not have the support of the crossbench minister. But, I have to say that, yet again, I am not surprised. When the crossbench minister wonders why the opposition has little faith in him other than as a Labor stooge, he should reflect on this moment, because this moment provides some clarity as to why the community and, indeed, the opposition do not trust Mr Rattenbury when it comes to holding this government to account.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for Workplace Safety and Industrial Relations and Minister for the Environment and Sustainable Development) (4.41): Clearly, the government will not support this motion today. This motion amounts to an absurd level of overreach on the part of the Liberal Party that has been exposed for what it is by the disclosure of the Clerk's advice to you, Madam Speaker, that there is significant ambiguity around what the resolution meant and that it is quite clear that the resolution adopted by the Assembly on 19 September did not call for documents.

Mr Smyth's whole argument hinges on the recitation of standing order 213A—order for the production of documents—in clause (2) of the motion adopted on 19 September, which states:

- (2) in accordance with standing order 213A, calls on the Government to table, by 31 October 2013, any other analysis ...

Mr Smyth asserts that that actually means that every step in standing order 213A should be complied with. But that is an absurd suggestion. First of all, standing order 213A says the Assembly may—may—order documents to be tabled in the Assembly. But what did the resolution say? It noted the information provided in the relevant budget papers and, in accordance with standing order 213A, called on the government to table any other analysis of the impacts that the taxation reforms implemented. It did not call for documents. It did not say, “All documents in relation to this matter.” It failed to do so.

Mr Smyth can assert that the motion in some way calls up every provision of standing order 213A, but it did not. Instead, the motion was quite explicit: it asked for any other analysis. It did not ask for more documents. It did not ask for every piece of paper prepared by the department of Treasury. It did not ask for every briefing note provided to the Treasurer. It did not ask for those things. If the Assembly had wanted those things, it would have said so. But it did not. And that is exactly the advice the Clerk gave to Madam Speaker as well.

So let us be very clear about this: the Liberal Party have failed to make out the case, and they have failed spectacularly. First of all, it is clear there should be a clear understanding that the advice provided to Madam Speaker is not consistent with her ruling on this matter. Secondly, the resolution of the Assembly did not compel the production of specific documents. If the Assembly had wanted specific documents, it would have ordered for them. It did not. The Treasurer has comprehensively complied with the resolution of the Assembly. He has outlined in detail all other analysis of the impacts the taxation reforms implemented to date are expected to have over time. Mr Smyth needs to focus more on the language of resolutions rather than on making up the fairy tales we have seen in his motion today.

**MR RATTENBURY** (Molonglo): Under standing order 47, Madam Speaker, I seek your leave to make an explanation. I believe my remarks have been misunderstood. I will keep it brief.

**MADAM SPEAKER:** Yes, you have leave, Mr Rattenbury.

**MR RATTENBURY:** In his remarks, Mr Hanson suggested I was satisfied by the summary. My comments were that I believe there is the summary document in addition to the actual documents that were called for, which are the appendices that Mr Barr tabled in the Assembly on 31 October.

**Mr Hanson:** That’s a debating point, Madam Speaker.

**MADAM SPEAKER:** Order, Mr Hanson!

**MR RATTENBURY:** So, to be quite clear, I believe there are two documents: there are the documents that were called for and, in addition, the summary document, which is the one that is exercising Mr Hanson.

**MADAM SPEAKER:** Thank you, Mr Rattenbury. Mr Hanson, your interjection was unhelpful. Mr Rattenbury sought leave from me and he had my leave. If I thought that he was extending beyond standing order 47, I would have sat him down.

**MR SMYTH** (Brindabella) (4.46), in reply: It is an interesting afternoon. Let me start with Mr Corbell's contribution to the debate, with the most absurd argument of the day: to assert that there was no call for documents. I am not sure what land he is living in or whether he has actually read the previous debate. Mr Rattenbury's amendment said:

... in accordance with standing order 213A—

so it is an order, in accordance with the standing order—

calls on the Government to table, by 31 October 2013, any other analysis of the impacts that the taxation reforms implemented to date are expected to have over time.

How can you table that information, minister, in a document? It is absurd to say there was no call for documents. Either you need to get a dictionary and look up the word "document", Mr Corbell, or perhaps you should pay more attention. You know Mr Barr is in trouble when he stands up and he goes straight to the vitriol. Three or four words into his supposed debate on the argument in his defence, it was simply vitriol. You can see the nervousness. He has got some tells, and one of his tells is when he goes straight to the slag. And where did he go? He went straight to the vitriol in this case.

*Mr Barr interjecting—*

**MR SMYTH:** You point to any slagging in the debate this morning, minister. There is none.

If we are to believe what the Treasurer has said here today, and what he has told Mr Rattenbury and what Mr Rattenbury has accepted, the entire government reform package—it is a four-word slogan as opposed to a three-word slogan, or a three-thought slogan, anyway—is based on the ACT government's taxation review. We know this because he has now tabled an index, and the index says that the only documents that are relevant here are the government's response to my motion, which I note the Treasurer himself claims to be the author of; appendix A to the ACT taxation review; and two documents in the 2012-13 and 2013-14 budgets.

So there are absolutely no other documents that they looked at. They got the review and they said: "Bonzer; we're onto a winner here. We'll do this." There is no counter-analysis. There is no consultation. There is nothing where anything else was looked at as an option. They say: "We just got this one document and it was perfect. It was so perfect we based the taxation future of the ACT for the next 20 years on it." If Mr Rattenbury accepts that there is nothing else, on the word of the Treasurer, then good luck to him. But I am amazed that we would even begin to believe that, on such

major reform, there was no other analysis done. It is either inept or calculating not to know what the effects were.

**Mr Barr:** Or it has all been released, Brendan.

**MR SMYTH:** Or it has all been released, which is very little—very, very little. Again, I point out that the Treasurer says that this is an overview of the relevant modelling and analysis. So the question is: what other documents are there? Is it simply that that is all we have got that defined the tax reform that the Treasurer has got? There it is? That is it with an overview attached? That is the entire sum of what the Treasurer based this reform on?

**Mr Barr:** And the tax review.

**MR SMYTH:** Sorry, and the tax review.

**MADAM SPEAKER:** Order, Mr Barr! Do not interject.

**MR SMYTH:** That is another document. That is the entire sum of what all this reform was based on? One would be incredulous if that were the case.

The Treasurer himself initially thought he would seek privilege. Then he checked and he did not need privilege, probably because nothing else was done. But in regard to this motion, this is a serious issue when a parliament asks for documents. Ministers have been chastised in various parliaments, and ministers have been taken to the High Court by other parliaments, to assert their right to access documents.

The irony of all of this is that yesterday there was a magnificent headline in the *Canberra Times* about Mr Rattenbury going to make everything available, basically. He thought everything should be on the table. But today we cannot find anything to table and we cannot find support from Mr Rattenbury, who at some stage will table a bill to make the FOI more important, more effective. How about he starts today by enforcing the right of the parliament to call for documents?

If you believe that they are the only documents that exist that inform 20 years of reform, good luck to you on that. I certainly do not believe it. If the documents existed that proved the opposition wrong, we would not have the situation where all we get from Mr Barr, his only defence, is a three-word slogan. Well, disprove the three-word slogan. Table the documents that disprove it. You cannot. You could have ended this argument any day, but the argument continues because you cannot disprove what we say. That means that you are either inept and you have not done the work or you are hiding the work because it proves that we are right. That is the problem for the Treasurer. Both are probably quite plausible.

This will not end here. I will examine what has been said today. I will read very carefully the words that Mr Barr says—once you get through all the vitriol, there will not be much left to analyse—and the reiteration of the policy itself. It is interesting that he never engages in debate when he is in trouble. He never engages in debate on

the substance of the issue. He either avoids it entirely, which he did, or he engages in vitriol, which he did.

As to Mr Rattenbury, I think your credibility will suffer. In a way you sort of ate your own argument by saying, "I am calling for documents; I think these all should be out in the public arena," but then accepting that there are no documents. Until we have all the documents, we will not know what further analysis there is. The unfortunate thing for you is that, if and when you do release your FOI document, people will say, "Why should we have any faith in this when first and foremost you would not reinforce and respect the primacy of the parliament to have the documents it has asked for and back the parliament up when the standing order was breached?"

And have no doubt: the standing order has been breached. Section (m) and section (h) make it quite clear that orders were given. As I said this morning, Madam Speaker, with his own document we get offered an overview. We did not want an overview. We wanted the documents so that we could look at them ourselves. We are now being asked to believe that, with the Quinlan tax review, this small pile of documents constitutes the entire evidence for the tax reform that the ACT is undergoing where people now are seeing their rates increase significantly and will see them increase significantly more and more over the coming years as this government fails to meet its commitments.

This is an important motion. It is not a stunt. I will continue; I will pursue. I will follow this using every option that I have available to me, including rewriting standing order 213. If it is the opinion that the modification that Mr Rattenbury made is too weak, I will either come back on the original motion or work on another motion. And there are other avenues open to us as well. We will continue to ask the questions, as we are charged to do as an opposition, looking out for the ordinary folks of the ACT, the people who have to pay the bills that come about as a result of this tax reform. I believe their rates will triple, because they can only do that when you take the taxes away that this minister says he is getting rid of. Mind you, most of them are still collecting a lot more tax than they used to, and they continue to rise, so it will be interesting to see whether he can even deliver. He has got the headline; he has got the grandstand; he is the great reformer. But he is yet to deliver it, and he is yet to deliver it because he cannot pay for it.

I suspect that as a result of the campaign we ran last year, and our continued interest and diligence in this matter, you will see the reforms modified again and again, and watered down to avoid the logical outcome: when you get rid of all the taxes that this Treasurer claims to have got rid of, even though some of the take on them still continues to grow, and you apportion that into rates, the rates must triple.

Members, I commend this motion to you. It is a good motion. It is a motion that is worthy of support because it is this place that holds the executives and ministers to account. This place has obligations and rights, and an expectation to receive documents when we call for them, simply following the processes outlined by the Greens. It is funny that the second time it is abused it is the Greens that undo the process.

Question put:

That the motion be agreed to.

The Assembly voted—

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

Question so resolved in the negative.

## Adjournment

Motion (by **Mr Barr**) proposed:

That the Assembly do now adjourn.

## Typhoon Yolanda

**MR COE** (Ginninderra) (4.59): This afternoon I rise to speak about the widespread devastation in the Philippines caused by Typhoon Yolanda. In 2009 I spoke in the Assembly about the damage, trauma and rebuilding efforts brought about by Typhoons Morakot and Ondoy. Four years on Filipinos are suffering once again. As has been widely reported, wind speeds of over 300 kilometres an hour were recorded as the Typhoon Yolanda moved across the central island of Samar. To date more than 5,000 people have died and hundreds of thousands, if not millions, have been displaced due to the damage caused by the storm system.

The resilience of the Filipino people is on display with governments, businesses, charities and individuals doing what they can to help attend to those affected and to commence the clean-up. One such charity which is doing a huge amount on the ground is Gawad Kalinga, an organisation I have proudly spoken about in the Assembly before.

GK are drawing upon thousands of volunteers to prepare and distribute thousands of food packs that include bottled water. They have set up packing centres in Manila and have partnered with shipping companies to transport the food packs at no charge. They will also provide volunteer teams to help with cleaning up, counselling services and housing reconstruction. GK have already contributed around 100,000 food packs and are projecting that there is demand, which they hope to meet, for another 100,000 packs.

Of course, large-scale humanitarian missions such as this require thorough coordination and dedication by staff and volunteers alike. I commend all those in the

Philippines who are doing all they can to improve the situation. Here in Australia we can assist by financially contributing to GK's efforts. This can be done by visiting [gawadkalinga.org.au](http://gawadkalinga.org.au) and clicking on the link to donate. Tonight there is a fundraising event here in Canberra which is taking the form of a film night at the Commonwealth Club.

Finally, this Sunday the gates of the Philippines Embassy will be open for the annual Pasko sa Canberra, which is hosted by the Filipino Community Council of the ACT. In addition to entertainment, food and variety stalls, games and raffles, there will be an opportunity to contribute towards the Typhoon Yolanda relief efforts. I encourage all members to support the Philippines and the Filipino community in these tough times and to attend Pasko sa Canberra on the weekend.

### **Rainbow families**

**MS BERRY** (Ginninderra) (5.01): Last weekend I had the pleasure of reading a story at Dickson library as part of the rainbow story time, an initiative of this year's SpringOUT Pride Festival, which celebrates and promotes the inclusion of Canberra's thriving LGBTIQ community. I joined Paul Nicholson, a children's educator, to read from popular family children's story books that include positive representations of rainbow families. On the day I read Todd Parr's *The family book* to an enthusiastic group of children and their parents. It is a book that I have read to my own children as a way of helping them understand that all our families are different and that all our families are special.

I was pleased to be representing the Chief Minister at this event because I believe that it is important for the children of rainbow families to hear stories about their own lives and I think it is equally important for all children to know that it is the diversity of our families that makes them unique and special.

There were lots of families there on the day to enjoy the stories and explore Dickson library's fantastic collection of children's books. Whilst it was a great turnout, I think the messages of diversity and acceptance that we shared should have a much wider audience. I know many government secondary schools, particularly Canberra High School in Ginninderra, are already running programs and including books that promote LGBTIQ inclusiveness and diversity, but seeing the positive response of the kids at rainbow story time to Todd Parr's simple and colourful story I think that maybe we should be starting much earlier.

Children encounter diversity from a very young age. I believe that books which help them understand that diversity should play a central role in early childhood education and throughout their school education. The stories we hear as children play an important role in shaping our identities, both as individuals and as a community. I believe that the books that were promoted by rainbow story time are a great foundation for the inclusive society we want all our kids to grow up in.

Rainbow story time was a great reminder that whilst government can remove discrimination from our laws, it is the responsibility of all of us to ensure that we build a strong community where everyone is included. I look forward to having the opportunity to support the event in coming years.

**TEDxCanberra 2013**

**MR SMYTH** (Brindabella) (5.03): I want to bring to the attention of the Assembly this evening TEDxCanberra. TEDx is an experience where people come and give short presentations and people can become involved in the discussion. TEDx 2013 was the fourth event. It sold out in 36 hours and filled the Playhouse. TEDx 2013 had 22 presenters, including the CEO of Social Leadership Australia, Geoff Aigner, who spoke on more compassionate leadership in business and society; Canberra story gatherers, Mik Griffiths and Ruth Mirams, who are running an effort to collect Indigenous oral history stories from across the world; a range of Canberra musicians and performers, including the Faumis, Poncho Circus, Fun Machine, Raus and Brass Knuckle Brass Band; the national slam poetry champion, CJ Bowerbird, who opened TEDxCanberra solo and closed the show with several other Canberra poetry luminaries, including Ellie Malbon, Zoe Anderson, Aaron Kirby and Amelia Filmer-Sankey; Adele Chenoweth, who has researched and now tells the story of forgotten Australians; a WA police officer called Tony Langer who trains the south-east Asian crews in landmine clearing in his own time; and young Indigenous innovator Luke Pearson.

Of course, the show cannot go on without partners, and the TEDxCanberra 2013 partner group was, at the mentor level, leading Canberra-based businesses, Datacom, Cre8ive and Screencraft; at the thinker level, ACT Government Business Development, the Australian Taxation Office, Newcastle, Speak2Us, 2 Degrees Group, Teatro Vivaldi, Aspen Medical, Dixon Advisory and the Canberra Theatre Centre; at the conversationalist level, Conversations of Change, Lighthouse Business Innovation Centre, Dialogue, Guzman y Gomez Canberra and On the Go; and at the foundation level, businesses owned by TEDxCanberra, unpaid volunteers, acidlabs, Think ACT Relate and Icelab.

For those of you who do not know TEDxCanberra, it is run as a non-profit event by an all-volunteer team, yet attracts an incredibly strong group with skills and experience across design, the public sector, the arts, education, sports administration and more. The core group of 24 volunteers spent around 3,000 hours of their own time from February 2013 to October 2013 to bring the show together for our community. The core team members in 2013 were Stephen Collins of Creative Catalyst and Licensee, Clare Conroy, Joe Allebone, Naomi Wynn, Sharen Scott, Berenice Chong, Caronne Carruthers-Taylor, Ingrid Tomanovits, Katherine Pierce, Erika Alacs, Hannah Denny-Collins, Jude Burger, Jonno Bray, Will Glenwright, Thomas Green, Michael Honey, Gavin Tapp, Ruth Ellison, Alison Denny-Collins who ran the front of house, Jess Miller, Anthony Lieu, Jen Simpson, Emma Davidson and Ilana Pender-Rose.

On the day, of course, there were a huge number of volunteers, and these people included Shian Buultjens, Madeline Courvisanos, Edward Denison-Edson, Peter Downs, Louis Fourie, Paul Hagon, Brian Hodgkinson, Cynthia Hodgkinson, Gwen Jossec, Bess Laaring, Leonard Low, Kate McAllister, Martin Ollman, Liz Price, Mark Russell, Susannah Su, Karen Teaha, Adam Thomas, Gabriel Trew, Chris Winter and Henry Wolfson.



Particularly without the partners, the event cannot go on. Without the volunteers, it does not get put together. Without the people on the day, it does not happen. So I would certainly like to express my support for TEDxCanberra. It is a great thing.

A major Melbourne retailer sent nine of its graduate staff to TEDxCanberra as a reward for their work in the first year. Many families attend TEDx as a group. Seventy per cent of the audience this year were new to TEDxCanberra. Twenty-one of the organisers from as far away as Perth and Christchurch came to Canberra, including extra days on the 8th to attend the TEDx regional organisers workshop. The audience comprised 328 females, 281 male and 48 unspecifieds. They had an average age of 34 across all attendees, with the youngest 11 and the oldest 73. Almost 40 students and low-income earners attended for free. And the 610 attendees, the 41 volunteers and the 16-person video crew brought TEDxCanberra together and did a great job. Again, I would like to give them my support.

### **Tuggeranong Community Festival**

**MR WALL** (Brindabella) (5.08): I rise this evening to pay tribute to the organisers of and the participants in the 2013 Tuggeranong Community Festival. It has now been 25 years since the first festival was held. It does continue to grow bigger and better every year. The festival is the longest running in Canberra and owes much of its success to the community that supports it so well. Over 65 community groups, individuals, associations, clubs and businesses lend their support to ensure that the festival is a huge success each year. This year was no exception.

Besides the usual fun festival attractions such as rides, this year's crowd was entertained by a vast array of performers, including the Celtic pipe and drum band, Tuggeranong Ukulele Gang, Christof the Clown, Impressions Dance and Fitness, Brother Be, McQuoid's Offering, Metropolis, Glamourosas, Los Chavos, Lyndell Tutty, Brindabella Calisthenics College, Chinese cultural performers, Shakshuka, Brindabella Chorus, Canberra Men's Choir, Bellyup Bellydance, Mexico Lindo, the Great Zamboni, as well as Mel's Burlesque.

Some of the other attractions included the mascot parade, which is always a highlight of the festival. This year saw one of the largest gatherings of corporate and supporting mascots appearing at a single event in Canberra. It was also an opportunity for the annual Tuggeranong carpathon to be held, which is an opportunity for some friendly competition fishing and also an opportunity to reduce the number of an invasive pest from our waterways.

I would also like to acknowledge the generosity of all the sponsors, particularly the major sponsors, including the Tuggeranong Good Guys, ActewAGL, LJ Hooker Tuggeranong, Tuggeranong Hyperdome and the Vikings Group.

I would also like to acknowledge the significant contribution that Michael Linfield has made to the Tuggeranong festival over the past few years as well as the committee and the volunteers behind him. I would like to congratulate them all once again on a well-run and well-organised event. I look forward to seeing next year's success.

## **Australia China Friendship Society**

**MR GENTLEMAN** (Brindabella) (5.10): A couple of Wednesdays ago I was privileged to present the prizes for the “If I had a panda” art competition run by the Australia China Friendship Society. The competition is run annually. It gives the students a chance to get artistic and develop their knowledge regarding a theme to do with China.

This year the competition involved imagining what you would do if you had a pet panda. Sixty-six children from various schools around the ACT aged between five and 14 years old participated in the event and received prizes. Students can enter with almost any form of creative work pertaining to the topic. Some options included sculptures, paintings, drawings, dioramas, poems and essays. I was very impressed and intrigued by the style of drawing used by some of the students. Many of the pandas were depicted with very large eyes, looking almost Anime style. This created a great effect and provided very amusing drawings.

In conjunction with the process of producing the artwork, the students learnt about the giant panda, which is currently only found in a few areas of central China. They learnt about what it is like, its nutritional requirements and conservation efforts. The topic goes hand in hand with many of the students’ classes in Mandarin language. The education of children in languages other than English is a very important part of expanding their way of thinking, teaching them cultural understanding and building relationships with schools and students overseas to facilitate various physical and technological exchange programs.

Mawson Primary School has a wonderful immersion program for their students who want to excel in the study of Mandarin. The students have the option of studying for one to two days a week completely in Mandarin. This facilitates their development in Mandarin skills. Learning through absorption or L1 acquisition at a young age has proven the most efficient way to learn a second language. Mawson primary is also doing a great service to these young people by giving them this opportunity. Learning from a foreign language later in life can be very difficult to achieve. I congratulate Mawson primary for this.

Along with students from primary and high schools there were also competitors from the FCCCI Chinese School. This organisation ran the competition for the panda artworks and also runs classes in Mandarin on a Saturday. The two-hour classes are available to children of all ages and skill levels. They are run at a low cost to the student and their parents and present a great opportunity, particularly for students in high school wishing to do well in Mandarin. Along with language classes, the FCCCI also offers drawing and calligraphy classes. This is an excellent program run by the association. I commend them for their efforts.

I wish to extend thanks to the various people who were involved in organising this great event. Firstly, I thank the president of the ACT branch of the Australia China Friendship Society, Carol Keil, who played a major part in the organisation of the competition and awards event. The work she does with the society is truly an

excellent service to the community and constantly she works toward strengthening ties between Australia and China.

I would also like to thank Mr Shu Xiao of the embassy of the republic of China for his contribution to the event. I would also like to extend personal congratulations to the students from my electorate of Brindabella who attended and received awards. They include Erica Mcglashan, Lily Campbell, Abby Higgins, Bo House, Daniella Ord, Justine Murphy, Alana Barnsley, Nina Illingworth, Isabel Essam and Harper Stanier, who are all from Torrens Primary School. I congratulate all the students on their efforts and wish them well in their further studies of Mandarin.

### **Southern ACT Catchment Group**

**MS LAWDER** (Brindabella) (5.14): I rise this afternoon to speak about the Southern ACT Catchment Group, a not-for-profit community organisation formed to represent the environmental needs of the southern ACT community, including Woden, Weston Creek and Tuggeranong.

The Southern ACT Catchment Group is a collection of local residents and community groups who are concerned about the health of the environment around them. The group aims to maintain, improve and protect our natural environment. Some areas of focus for the Southern ACT Catchment Group include community building, biodiversity, weed management, soil health, water quality, European and Indigenous cultural heritage, vegetation loss, and urban land degradation.

Some groups who are members of the Southern ACT Catchment Group include the Farrer Ridge Parkcare Group, Lions Youth Haven, Friends of Grasslands, Tuggeranong Lake Carers, Canberra Environment and Sustainability Resource Centre, primary schools including Bonython and Gordon, Friends of Tidbinbilla, and many other smaller groups within our community.

On Saturday, 2 November I joined with the Tuggeranong Lake Carers, as part of the Southern ACT Catchment Group, to clean up a section of Lake Tuggeranong and spent a few hours filling bags with rubbish from around our lake. We do have Clean Up Australia Day once a year but this organisation knows that it takes more than one day a year to keep our environment clean.

With groups such as this one, it is hard to name and acknowledge everyone that gets involved and helps out. There are many projects happening all the time around the area, and many of the volunteers fly under the radar and come and go as their other commitments dictate. But I would like to emphasise the importance of this organisation and acknowledge the difference that it makes. Even small initiatives such as cleaning the lake for a few hours on a random Saturday, with a handful of volunteers, makes a difference to our community.

I look forward to doing more work with groups such as the Southern ACT Catchment Group in the future. I encourage everyone to do their part to improve and maintain the environment around us. If you would like more information on the Southern ACT Catchment Group, you can go to their website, [www.sactcg.org.au](http://www.sactcg.org.au).

## **Belconnen community health centre**

**DR BOURKE** (Ginninderra) (5.17): The government delivered the new Belconnen community health centre to the public on 11 November on budget and on time. The health centre is a brilliant addition, both functionally and architecturally, to Belconnen, Canberra's largest and most dynamic town centre. It is centrally located for the community on the corner of Lathlain and Cohen streets, opposite Westfield and the Cohen Street bus interchange, and includes patient parking.

I attended the public opening on 2 November, along with about 750 others who took the opportunity to walk through the curved, five-storey building with its state-of-the-art clinical facilities and modern equipment.

The Belconnen community health centre is part of the ACT government's health infrastructure program, the largest capital works program undertaken in the history of the territory since self-government. It is turning the ACT healthcare system into one of the most technologically advanced, state-of-the-art healthcare systems in the world. It addresses our increasing and ageing population and the community's shifts in attitudes towards health as well as understanding the changing patterns of physical and mental wellbeing.

The centre was designed in consultation with stakeholders which included health staff, other health services, the redevelopment unit, the local community and the Health Care Consumers Association. The Belconnen community health centre creates both an uplifting and protective environment. Its inspirational architecture and thoughtful workplace design works for both patient and staff health and wellbeing. The 11,000 square metre development is inviting and light-filled. The many windows connect the centre with its surroundings. Each level is decorated with a nature theme and window gardens and floors linked by spacious lifts and wide stairwells.

The sustainable design includes a double-glazed aluminium curtain wall facade system with integrated metallic frames, providing solar protection. It has energy efficient lighting, fresh air ventilation, air-cooled chillers, low-flow tapware and fixtures, stormwater retention tanks for irrigation, and electric car recharge points and facilities for cyclists.

The main building includes a basement car park with spaces predominantly for patients but also allocated parking for government fleet vehicles and community nurse vehicles. To make it easier for staff to work together across services and support the principle of patient-centred care, there are shared spaces, including consulting, treatment, interview and meetings rooms, that can be booked by different services. Patients will also benefit from the ease of a single booking system in one location for a range of services.

Over time, new services at the centre will include a nurse-led walk-in centre, breast screening, medical imaging, mental health and pathology collection. Services to be enhanced or increased are allied health services such as physiotherapy, child health, dental care, community nursing and ambulatory care services that are normally only

accessible at a hospital. The renal medicine services include satellite dialysis and outpatient clinics, and will operate up to 24 hours a day, six days a week.

Around 90 staff will work at the centre. When it is fully operational the centre is expected to host about 57,000 appointments in the first year, rising to more than 100,000 by 2020. The new health centre is a wonderful addition to the Belconnen community as we near our 50th anniversary and Canberra enters its second century.

### **Canberra Cavalry baseball team**

**MR DOSZPOT** (Molonglo) (5.21): Tonight I rise to congratulate Canberra's own team, the Canberra Cavalry, on what has been a truly memorable year for them and for Australian baseball. Earlier this year, against all odds and expectations, they took out the Australian Baseball League's premiership, the Claxton Shield. This was the first time a team from Canberra had done so, and they achieved this on the back of three previous attempts when they were the wooden spooners. That was excitement enough for the Canberra baseball fans who have been going in ever-increasing numbers to Narrabundah ball park. But the Cavalry have gone even beyond the club's and the fans' wildest dreams by winning the Asia series.

The Asia series is an international club-level baseball tournament in east Asia that was first held in 2005. It features the annual champions of Nippon Professional Baseball, the Chinese Professional Baseball League, the Korean Baseball Organisation, the China Baseball League and the Australian Baseball League. Beginning with the 2013 Asia series, the tournament expanded to include the European cup champion in place of a representative team from the CBL.

Canberra Cavalry is the first team outside Japan and Korea to win the series, and again it really was a case of the minnows against world giants. Far more important than the \$500,000 prize money is the prestige that goes with it.

The success of the Cavalry lies in great teamwork on and off the field, and I would like to acknowledge their enthusiasm, their dedication and their belief that Canberra could deliver world-class baseball for Australia and to Australia. Chair of the Cavalry is Glenn Bain. Board members are Terry Daily, Tony Fraser, Peter McGrath, Theo Vassalakis, Kate Goatley, Andrew Blythe and Peter Wermuth. General manager is Thom Carter and, for any listener to Canberra radio, he is well known. He is always on air promoting the game and promoting the team. Like his assistant GM, Anthony Cangelosi, both came out from the United States to work on establishing the team and the game here in the nation's capital. Michael Collins is the team manager. Well done to all of them, to all of you: the management, the players and the entire support staff.

The players, a mixture of Australian and overseas talent, clearly do not do it for the money because the Cavalry cannot afford to pay ball players very much at all. In fact, their overseas players are billeted with Australian families and the home-grown stars have day jobs to keep the wolf from the door.

They also have some great sponsors, and in Rolfe Renault they have a great one. Richard Rolfe, as we know, is a strong supporter of sporting teams in Canberra,

including the Canberra Capitals and of course the Canberra Cavalry. Richard and his wife Debbie support many other worthwhile causes, many charities around Canberra. Richard and Debbie have certainly shown their vision in coming on board with the Cavalry so early and so strong.

The players listed in the Cavalry roster are: pitchers, Casey Beck, Ethan Cole, Brian Grening, Jeff Lyman, Eric Massingham, Michael Morgan, Chris Motta, Kyle Perkins, Nick Puglise, Jon Berti, Sean Toler, Gavin Guarrera, Steven Kent and Chris Morgan; catchers, Matt Blazynski, Taylor Davis, Jack Murphy and Robbie Perkins; infielders, Caleb Albrecht, Jeremy Barnes, Jon Berti, Casey Frawley, Josh Matavesi, Shane Optiz, Aaron Sloan, Sam Thornton and Michael Wells; outfielders, Antonio Callaway, Micke Crouse, Nick Kimpton and Ben Warner.

I hope that, with the success of baseball in this city and with the international success of the Cavalry, sports minister Andrew Barr might be inclined to perhaps direct some financial attention to the Narrabundah ball park. I know the Cavalry were pleased to get the upgrades in 2010 to allow them to start playing there but I also am aware that the Chief Minister offered them \$5 million during the 2012 election. Sadly, most of that money is not likely to be seen for another three years, but perhaps this recent success might encourage both the Chief Minister and her sports minister and Treasurer to open the purse strings a little earlier and a little wider.

Congratulations, Cavalry. You have certainly made your mark, both in Canberra and on the competitive Asian baseball scene. Canberra is proud of you.

### **Young Canberra citizen of the year awards**

**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) (5.25): I want to talk briefly about the young Canberra citizen of the year awards that were held last week and acknowledge the winners of a number of awards. Siblings Dainere Anthony and Jarrett Anthony were the joint recipients of this year's young Canberra citizen of the year award in recognition of their leadership, courage and determination to raise awareness of paediatric brain tumours.

Ms Anthony lost her battle with brain cancer in June of this year but has been awarded this award with her brother. The award gives the ACT community another opportunity to recognise and reflect on the achievements of both Ms Anthony and her brother, Jarrett. I believe Dainere showed great strength in raising awareness of brain tumours and supporting others as she battled her own brain cancer. As I heard on the night, she touched many people and inspired many in the community by raising awareness of the illness.

Jarrett was drawing on his sister's strength to continue the undertaking that they both had started, including being the highest individual fundraiser at this year's City2Surf fun run. Mr Anthony will proudly honour his sister's legacy when he takes on the responsibilities of the young Canberra citizen of the year.

These awards are now in their 24th year and recognise Canberra young folk between the ages of 12 and 25. There were over 113 nominations across six categories. In addition to Dainere and Jarrett being jointly awarded the young Canberra citizen of the year, awards also went to Emily Cheney for the personal achievement award, James Presneill for the individual community service award, Alex Moffat for the youth arts and multimedia award, Maris Tebecis for the young environmentalist award, and the Weston schools network student representative councils won the group awards.

When we look at the fabulous work youth in our community do, it bodes well for our great city as we enter our second century. I want to acknowledge those young folk and, indeed, all the nominations for that award. It is an achievement in itself to be recognised and nominated by your peers. Well done to the young people.

Question resolved in the affirmative.

**The Assembly adjourned at 5.27 pm.**