



# Debates

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**EIGHTH ASSEMBLY**

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**Thursday, 14 August 2014**

**MADAM SPEAKER** (Mrs Dunne) took the chair at 10 am and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

## **Major Events Bill 2014**

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

Title read by Clerk.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for the Environment and Minister for Capital Metro) (10.01): I move:

That this bill be agreed to in principle.

I am pleased to present the Major Events Bill 2014. The bill will repeal the Major Events Security Act 2000 and replace it with a comprehensive major events legislation scheme. The bill will provide a clear and transparent regime for dealing with major events so that they can be hosted safely and effectively.

The bill will help to promote the ACT nationally and internationally as a welcoming place to visit, live, study and invest. Provisions in the bill will protect the intellectual property and other commercial rights of sponsors to ensure that the ACT is competitive when bidding to host major events.

In addition, this legislation is a critical part of the ACT's preparations for hosting games as part of the Asian Football Confederation Asian Cup and the International Cricket Council World Cup in 2015. Both events are expected to generate significant positive economic and social benefits for the ACT.

The bill will build on existing security and management powers under the Major Events Security Act. It draws on elements of New Zealand, Victorian, New South Wales and commonwealth legislation and is designed to safeguard human rights and protect the commercial interests of events, event organisers and sponsorship partners.

This bill will ensure that the ACT meets the government guarantees associated with hosting events for the Asian Cup and the Cricket World Cup. In order to meet the guarantees, the bill will provide specific powers for police officers and other authorised people to ensure the safety and security of people participating in or attending major events, including sporting events; create protections for the intellectual property and other commercial rights of event sponsors; provide for ticketing arrangements; and create offences to support these provisions.

The act created by this bill will apply in one of two ways to support the hosting of safe and enjoyable events in the ACT. The measures in the bill can be applied selectively to particular events when it is necessary to provide additional crowd management, ticketing or commercial and intellectual property protections.

First, the executive may declare a major event, by disallowable instrument, at least 28 days before the event. There are a number of considerations the executive must consider before deciding to declare an event. The declaration must be published in a daily newspaper. A major event declaration can trigger crowd management provisions, protection of commercial arrangements and protection of ticketing arrangements.

Secondly, a minister may give notice that an event is an “important sporting event”. The minister may only make an important sporting event notice if satisfied that making one is necessary for the safety of people attending the event, and the avoidance of disruptions to the event. Again, there are a number of factors that must be considered before notifying an important sporting event. Like a major event declaration, an important sporting event notice must be published in a daily newspaper.

Only crowd management provisions are triggered to apply to an important sporting event. Crowd management provisions, when triggered by an event declaration, will give authorised people, including police officers, a suite of powers including the power to search attendees and, in some cases, seize prohibited items.

Authorised people will be able, for example, to do basic non-invasive, non-contact searches or give a direction reasonably necessary for the good management of an event. Authorised people can also scan for prohibited items and request that a person surrender those items. Police will be able to conduct ordinary and frisk searches, ask for names or addresses, confiscate items without consent, or arrest, detain or apprehend a person who refuses to heed directions.

Authorised people are appointed by the Director-General and they must be employed or licensed under the Security Industry Act 2003. A number of crowd management offences from the Major Events Security Act are included in the new bill, as well as new offences to be able to enforce the provisions.

Another important aspect of the crowd management provisions is the ability for an interested party to apply to the Magistrates Court for an order banning a person from entering an event, or part of an event, for a stated period. A ban order can only be applied for if a person has been convicted or found guilty of a ban order offence. The ban will only operate for the duration of the events listed in the ban order and is limited to a 12-month period. A person subject to a ban order will have all the same appeal rights that apply to any decision of the Magistrates Court.

The crowd management provisions will apply to both major events and important sporting events. For the commercial arrangement provisions or ticketing provisions to apply, a notice must be published in a daily newspaper. The minister cannot make a

notice unless first satisfied according to the criteria set out in the bill. The protections are designed to ensure that major events with substantial sponsorship are protected against ambush marketing by “association” and “intrusion”.

“Ambush marketing” is a term used to describe a wide range of marketing activities by which a business seeks to associate its name, logos, products or services with an event for which it is not a sponsor. Rights protection is a critical element in attracting hosting incentives for major events. The provisions of the bill ensure protection of commercial rights and the investment made by event organisers or sponsors.

Events that are large enough to warrant a declaration to protect commercial arrangements are mostly reliant on sponsorship revenue to run and manage the event. In return for paid sponsorship, sponsors are able to publicise their support by affiliating themselves with the event. Businesses that do not pay for sponsorship, and seek to gain affiliation with the event for free, damage the reputation of the event and the management of the event.

Under the proposed legislation, it will be an offence to use a protected symbol without written permission, and to advertise in, or near, a clean zone without permission. These offences are targeted at businesses or people who seek to make a profit at someone else’s expense by cashing in on a major event.

The bill also creates offences for street trading in a clean zone, or near a clean zone, without the permission of the event organiser to do so. “Street trading” does not apply to permanent businesses, but to “pop-up” shops wanting to profit from the event without being a sponsor.

There are exceptions and defences contained within the bill to ensure that there is minimal impact on small businesses carrying on their ordinary day-to-day business. The bill also creates ticket scalping offences so that if ticket protections are declared, it will be an offence under the bill to on-sell tickets at a substantial gain, or to use tickets to obtain a financial benefit.

Ticket scalping occurs when a person sells tickets over and above the purchase price of the ticket. People who engage in ticket scalping make a substantial profit at the expense of everyday people and the purpose of these provisions is to discourage that behaviour.

Appropriate laws allowing effective management at major events can have tangible community benefits. Giving authorities the ability to effectively manage security for major events is an important part of their effective and safe management, and is important for the reputation of Canberra as a safe place to hold significant events.

The government recognises that the security and enforcement powers in this bill are significant and for that reason the government will keep the use of these powers under review. Madam Speaker, I commend this bill to the Assembly.

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

## **Planning and Development (Bilateral Agreement) Amendment Bill 2014**

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

Title read by Clerk.

**MR GENTLEMAN** (Brindabella—Minister for Planning, Minister for Community Services, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing) (10.10): I move:

That this bill be agreed to in principle.

I am pleased to present the Planning and Development (Bilateral Agreement) Amendment Bill 2014. This bill will put in place the required legislation to enable the ACT to sign up to the Australian government's one-stop shop for environmental approvals.

The commonwealth has committed to delivering a one-stop shop for environmental approvals that will accredit state and territory environmental planning systems under the commonwealth's Environment Protection and Biodiversity Conservation Act, or EPBC Act, to create a single environmental assessment and approval process for nationally protected matters in each state and territory.

The commonwealth has introduced its Environment Protection and Biodiversity Conservation Amendment (Bilateral Agreement Implementation) Bill 2014 to facilitate the efficient and effective implementation of the Australian government's one-stop shop reform for environmental approvals.

Madam Speaker, the commonwealth legislation will enable the accreditation of state and territory government processes for environmental assessments and approvals. The ACT will approve proposals likely to impact on matters of national environmental significance under the EPBC Act without the proponent having to go through a separate process with the commonwealth.

Importantly, this will create a single point of contact for the entire assessment and approval process. The purpose of this approach is to reduce the regulatory burden on business and meet the planning requirements of both the ACT territory government and the commonwealth government while maintaining high environmental standards. Importantly, this agreement will ensure that areas of high conservation value are preserved or mitigated and that development and infrastructure delivered in the ACT is of the highest environmental standard.

Such reduction in regulatory burden and duplication will help to promote economic development in the ACT. It will also facilitate key government actions including land release and infrastructure development and this will facilitate long-term cost savings

to the ACT. This option comes at the right time for the ACT. The commonwealth introduced cost recovery from 1 July 2014, which provides further impetus for moving to a one-stop shop.

I will now outline the key amendments in this bill. The first relates to the referral of proposed decisions to the commonwealth. In cases where a proposed development is likely to have significant adverse environmental impacts on matters of national environmental significance, and the approval decision is being made either by the planning authority or the minister, the proposed decision must be referred to the commonwealth minister responsible for the EPBC Act for comment. In this situation neither the ACT's planning authority nor the minister can make a final decision that is inconsistent with the commonwealth minister's advice.

Another key amendment relates to the role of the Conservator for Flora and Fauna. The bill gives the conservator a central role in the assessment and approval for development proposals that are likely to have a significant adverse environmental impact on matters of national environmental significance. Most importantly, all development applications for proposals that are likely to have these impacts on matters of national environmental significance must be referred to the conservator for advice.

A development approval given by the planning authority must be consistent with the advice given by the conservator. In the situation where the minister exercises the call-in powers, the minister can only make a decision that is inconsistent with the conservator's advice if the approval is consistent with the ACT offsets policy and would provide a substantial public benefit. One example could be a development proposal for a key major piece of infrastructure.

In addition, the Conservator of Flora and Fauna plays a key role in the development of offsets policy guidelines as well as reviewing the offsets policy. The conservator is poised to provide an additional layer of independence to the regulatory scrutiny of impacts on matters of national environmental significance. This will reinforce and emphasise the ACT's objective to meet the environmental standards required under the EPBC act.

Madam Speaker, the bill also gives legislative force to an offsets policy and offsets policy guidelines in the ACT. This is a mandatory prerequisite for establishing a one-stop shop as it will help to address relevant commonwealth standards for accreditation. Offsets are actions designed to provide environmental compensation for unavoidable significant adverse environmental impacts associated with development.

Offsets are an important part of the environmental approvals process and are designed to maintain or improve the likelihood of ecological communities and threatened species and their habitat persisting in the ACT. Offsets are considered only after avoidance and mitigation measures have been taken. If offsets are required, they can be calculated by either the commonwealth or the ACT offsets calculator and this will be available publicly. The ACT works closely with the commonwealth to ensure the ACT calculator provides for appropriate offsets.

The commonwealth requires the ACT to have equivalent standards for protecting matters of national environmental significance. This bill adopts the commonwealth's offsets policy and provides supplementary information for ACT matters. The creation of an offsets policy gives the ACT better control over its environmental outcomes and a more cohesive and planned approach to the management of offsets.

The formal making of the offsets policy comes after extensive public consultation during June and July 2014 and is proposed to be a function of the Minister for the Environment. All public comments received in this period were carefully considered in the final draft. The offsets policy will help proponents in the ACT to propose acceptable offsets and it will help both the planning authority and the conservator to consider those offsets proposed.

Madam Speaker, the bill allows for the imposition of offset conditions, including conditions requiring offset management plans. This includes the preparation of an offset management plan to include mandatory consultation with the conservator and the land custodian or lessee. This achieves two key things: firstly, it ensures effective independent scrutiny of the offset management plan and, secondly, it ensures the appropriate land manager is involved in developing the plan.

The bill also recognises that an offset condition may include a condition requiring a lease for an offset site, which is not part of the development site, to be subject to a condition that the lessee must comply with any relevant offset management plan applicable to the lease. This provision ensures that a condition requiring an offset management plan for a site, that is not the development site, is specified in the lease so that the requirement to implement an offset management plan does not expire when the development approval expires.

The ACT is in a unique position to use its leasing framework to help strengthen the security of offsets. A number of amendments are proposed in this bill and they will provide greater community involvement in the assessment process and easier access to information on assessments and approvals. For example, the bill requires public consultation on applications for an exemption from completing an environmental impact statement under section 211 of the Planning and Development Act and requires public consultation on any draft revised offsets policy and draft guidelines.

The bill also requires the planning authority to keep an electronic public record of all offsets in the ACT. Under the amendments, the conservator will be able to include conditions on an environmental significance opinion. These conditions will be a mandatory consideration for merit track development applications. The conditions must also be included in any subsequent development application approval and this strengthens the role of the conservator and ensures that relevant environmental considerations are captured in the development application process.

In closing, I would like to reiterate that passing this bill is a prerequisite to creating a one-stop shop for environmental assessments and approvals for developments under the EPBC Act. I would also like to reiterate that the bill introduces requirements that ensure the commonwealth will retain an ongoing role in development approvals.



It provides for clear and transparent decision-making processes and meets our commitments under the parliamentary agreement. This, supported by escalation provisions that will be incorporated into an approval bilateral agreement, will ensure ongoing protection for matters of national environmental significance.

As always, I encourage members of the community to consider and provide comment on the bill and changes proposed. I believe it delivers a more efficient assessment and approval process, balanced carefully with the ongoing need to minimise the environmental impact for developments. I thank Minister Corbell and directorate staff for their assistance on this bill. I commend the bill to the Assembly.

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

## **Planning, Environment and Territory and Municipal Services— Standing Committee**

### **Statement by chair**

**MS BERRY** (Ginninderra): Pursuant to standing order 246A I wish to make a statement on behalf of the Standing Committee on Planning, Environment and Territory and Municipal Services relating to statutory appointments in accordance with continuing resolution 5A.

I wish to inform the Assembly that during the applicable reporting period—1 January 2014 to 30 June 2014—the standing committee considered 11 statutory appointments. For each of these appointments, the committee advised the minister it had no recommendations to make. In accordance with continuing resolution 5A, I now table the following paper:

Planning, Environment and Territory and Municipal Services—Standing  
Committee—Schedule of Statutory Appointments—8<sup>th</sup> Assembly—Period  
1 January to 30 June 2014.

## **Executive business—precedence**

*Ordered that executive business be called on.*

## **Appropriation Bill 2014-2015**

[Cognate bill:

Appropriation (Office of the Legislative Assembly) Bill 2014-2015

Cognate paper:

Estimates 2014-2015—Select Committee report—government response]

### **Detail stage**

Schedule 1—Appropriations.

Consideration resumed from 13 August on amendment No 13 [see schedule 1 at page 2672] moved by Mr Barr.

Environment and Planning Directorate—Schedule 1A, Part 1.11—\$72,452,000 (net cost of outputs), \$5,914,000 (capital injection), \$1,852,000 (payments on behalf of territory), totalling \$80,218,000.

**MR WALL** (Brindabella) (10.23): I want to put on record yet again some comments about the proposal to build a large-scale power facility out in Coree, opposite Uriarra Village. Most members in this place would be familiar with the government's proposal; whether they agree with it or not is still a point of conjecture in this place. As many members are aware, the proposal to install in excess of 26,000 panels within about 150 metres of a residential rural suburb in the ACT has now gone to the development application stage and residents have finally had the first legitimate opportunity to engage in any consultation on this project.

It has been disappointing that there has been a lack of engagement by the government. I note that residents out there were quite relieved to see the back of Mr Corbell, as the now twice-removed planning minister, with the hope that perhaps the new minister in charge of planning, Mr Gentleman, would bring a fresh attitude and a fresh approach to the matters at hand. Sadly, to date, there has been very little action and nothing but a little bit of lip-service paid to residents' concerns—a similar track record to that of the previous minister.

Residents of Uriarra do not object to the development of a large-scale solar facility in the ACT. Their concern is not about whether the project has merits. Their objection is, and always has been, to the location of the development. The village was built with some tight planning controls—some of the tightest that have ever occurred in the territory—around solar orientation, building efficiency and the like. All the homes out there have a northern orientation. Most of them have solar arrays on their roofs and they rely on tank water to support some of their additional water use.

The thought that residents out there are anti green energy, I think, is laughable. The issue continues to be that 100 families that have spent their hard-earned cash and invested in their future by building a home and a lifestyle out on the fringes of Canberra are now going to be faced with an unsightly, large industrial site directly out the front of their windows, directly opposite the village—on the view that they have been told to build on.

The development application consultation, as I mentioned before, has just closed and there are in excess of 100 objections to this proposal. Considering that there are only 100 homes at Uriarra, it is an overwhelming objection by those that have to live with this on their doorstep, not to mention concerns that are felt by other parts of the community. If Uriarra is the thin edge of the wedge, what other green spaces within the territory will soon be covered with industrial sites?

The DA proposal, as I have mentioned, has in excess of 100 negative comments and feedback submissions to it, most of which do not destroy the premise of the idea but, again, are against the location of the proposal. Residents have also raised significant concerns that exist out there with respect to their safety and the measures that are being taken to attempt to shield residents from the view of 26,000 solar panels on their front doorstep by increasing the amount of trees that are planted along the side of the village.

As all members of this place would be familiar with, the village is well acquainted with the risk that bushfire poses, with the 2003 firestorm that swept through the territory all but destroying Uriarra Village. The decision was taken to not just rebuild the village but to expand it, and give other Canberrans the opportunity to experience what is a great rural lifestyle on the western edge of our city. After this expansion the decision now, to say, “Okay, there’s a bushfire risk out there but let’s allow other development directly opposite which may increase that risk,” is laughable.

The residents currently maintain a fire buffer around three sides of the village. You have Brindabella Road, and on the three surrounding sides of the village, the residents, out of their own pockets—not the ratepayers, not covered by the government—through their community title pay to maintain a fire abatement zone. But across the road from the village, the government now believes that it seems reasonable to increase the number of trees that are planted there which act as a fuel load during a fire, and are adjacent to an exit from the village, bringing severe and grave concern to all those that live out there.

As we approach the warmer months, the risk of fire is real and they are now concerned that if this development continues, in the event of another unfortunate incident such as occurred in 2003, the risk to life, the risk to property, is going to be exacerbated if this project, as currently proposed, continues.

Madam Speaker, having gone through the development application, I realise that part of the proposal is also to install a new electricity connection from the Uriarra solar development, running 4.3 kilometres through the hills, down to the Cotter pumping station. So there will be new powerlines installed. These are not the traditional powerlines that you see in the suburbs. Some of these power poles are going to be over 35 metres in height. That is about a four or five-storey building, in height, to give members the benefit of a visualisation. Obviously, the objection is not necessarily to the power poles themselves but to the types of wires that are going to be installed there.

The development application makes reference to a “Neptune 19/3.25 AAC” which, for the benefit of members, is a bare aluminium conductor. Power poles were quite an item of discussion by the Victorian royal commission into bushfires. One of the recommendations that they made to the Victorian government was about the progressive replacement of all 22 kilovolt distribution feeders with aerial bundle cables, underground cabling or other technology that delivers greatly reduced risk of bushfires.

The current proposal, as it stands, has powerlines being installed 4.3 kilometres through one of the highest risk areas of the territory for bushfires and a strategic area when it comes to managing the fire threat to the rest of the city. They are ignoring the advice of authorities such as the Victorian Bushfire Royal Commission by installing uninsulated 22 kilovolt powerlines through a high-risk area.

Again, the litany of flaws in this project continues to be highlighted. We have a threat of fire opposite the village, we have a threat of fire as a result of the power lines being

installed, we have the impost to and the erosion of property values that this project will bring by being built within 150 metres of homes. An alternative site is easily identifiable. There is plenty of vacant land on the western side of the territory—on most sides of the territory—that is not on the doorstep of families' number one investment.

I want to reiterate my concern and the concern that residents continually express to me about the project that is being proposed. The newly appointed planning minister should stand up, show that he represents the constituents that elected him, take some action, heed their concerns and work with them to find an alternative site. As we have said from the get-go, it is not about whether or not this should go ahead. It is a matter of where this should be built.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for the Environment and Minister for Capital Metro) (10.32): It is worth making some observations about the proposed OneSun solar farm for Uriarra. I note, of course, that this proposal is subject currently to a development assessment process and I am not going to comment on or anticipate the outcome of that process. But it is important to stress the significance of this proposal in Australian terms.

At the moment the largest solar project operational in Australia is a 10 megawatt solar PV plant which is operating in Western Australia. That will soon be surpassed by the 20 megawatt Royalla solar farm when it becomes operational in the next few weeks. That project will then become the largest solar PV plant in operation in Australia to date, and it will be the first large-scale solar PV facility connected to the national electricity market.

The OneSun Capital proposal is also a 10 megawatt proposal and it is equivalent to the project already operating in Western Australia. So in terms of the size and scale of large-scale solar, the proposal from OneSun Capital is very significant not just in ACT terms but in Australian terms. It disappoints me that these facilities continue to be characterised as industrial, as though they present some large-scale manufacturing plant with all the noise and emissions that come with that language.

These are not industrial facilities; these are PV panels sitting in a field. That is what they are. They are PV panels sitting in a field. They do not create noise. They do not create emissions. They do not create all of those things that are associated with an industrial plant. Of course, the opponents of these proposals like to characterise them as industrial, because by doing so they hope to attach the emotional language that comes with an industrial manufacturing, mining or other resource intensive facility.

These are facilities that harness the power of sunlight. That is what they do. They are low impact, they are environmentally beneficial and they provide a form of diversity in terms of our energy supply which is critical to our community's social, environmental and economic future.

With respect to the other important point to make, I was interested to hear Mr Wall's commentary about electricity lines. All the issues in relation to bushfire impact and concerns about bushfire risk will be properly addressed and assessed through the

independent planning process. But I am surprised that Mr Wall is concerned about the impact of powerlines in this area, because how does Uriarra Village get its electricity at the moment? It gets it from a powerline that travels through exactly the same landscape that is proposed in relation to the solar.

Madam Speaker, if this is such a dastardly bushfire risk, why isn't Mr Wall saying that the existing powerline should be undergrounded, for example, between Cotter and—

**Mr Wall:** There's a big difference between 11 kilovolts and 22, a substantial difference.

**MR CORBELL:** Not a big difference when it comes to starting a fire; not a big difference at all. One spark can start a fire. It does not matter about the power of the line. Madam Speaker, if Mr Wall was so concerned about bushfire risks associated with an electricity supply, perhaps he should have reflected on the fact that right now Uriarra Village is supplied by an overhead above-ground electricity line.

This project is important for our city's future and it deserves to be properly assessed and considered in that context. It will have to go through a very rigorous process and ultimately a decision will need to be made as to whether or not it should be approved. That will be a matter for the provisions set out in the Planning and Development Act.

We should not underestimate the significance of this project in Australian terms, at a time when the message that the federal Liberal Party is sending to companies and countries around the world is that Australia is not interested in renewable energy generation, Australia is not interested in making the transition to a clean energy future, and Australia is not interested in supporting investment in this new form of technology which is transforming power and electricity systems around the world.

That is the pedigree of the federal Liberal Party and of their counterparts here in the ACT. They are not interested in renewable energy generation. They are not interested in protecting our community from the vagaries and ongoing price increases that we will be held hostage to if we continue to rely on fossil fuel generation for our electricity supply. They are not interested in any of these things. They are instead only interested in opposition for the sake of opposition. They have no vision for the future growth and development of clean energy technology in our city or indeed in our nation.

This government has a clear program and a clear agenda. We support a transition to a clean energy future. We support investment in large-scale renewable energy generation that will help to decarbonise our electricity supply. Whether or not the OneSun proposal is part of that picture is yet to be determined and will have to be determined through the planning and assessment process. But to characterise it as some ghastly intervention is simply to overstate the case.

There are rural producers in the ACT who see renewable energy generation as a very effective way of diversifying their income and providing security for their ongoing agricultural operations. That is why rural producers, rural lessees, are interested in

hosting these facilities, because they see it as a reliable income stream that protects them from the vagaries of climate and the seasons, that protects them when they do not have revenue because of downturn in production due to drought or other factors. They see it as security.

That is why they support these projects. That is why we see farmers around the ACT wanting to have these facilities on their land. And they are entitled to put forward these proposals, because their land is able to be used for these facilities, subject, of course, to the assessment processes set out in the territory plan and the Planning and Development Act.

That is something that should not be understated as well. Helping our rural producers have a sustainable long-term future, and the maintenance of those agricultural landscapes as a whole, includes the ability to be able to farm sunlight and wind. That is just as important as being able to farm the soil, and it should be thought about in that context as well.

It is worth making those points in this debate. Certainly, everyone is closely watching the assessment in relation to this proposal. It will be subject, I am sure, to a very rigorous and considered assessment, and it will need to clear those hurdles if it is to proceed. As to whether or not it proceeds, we will have to wait and see the outcome of that process. But the type of language and the type of assertions we have heard lately fail to appreciate the significance and importance of large-scale renewable energy proposals like this in the context of our future as a community and as a nation. It is about whether or not we are truly able to make the transition to a more sustainable future for ourselves and our children.

Proposed expenditure agreed to.

Environment and Sustainable Development Directorate—Schedule 1, Part 1.11—\$735,000 (net cost of outputs), totalling \$735,000.

**MR SMYTH** (Brindabella) (10.42): This is part of the directorate that was funded from 1 July to 6 July, as part of the changes to the administrative arrangements. We will support it.

Proposed expenditure agreed to.

Exhibition Park Corporation—

Schedule 1, Part 1.12—\$20,000 (net cost of outputs), totalling \$20,000.

Schedule 1A, Part 1.12—\$425,000 (net cost of outputs), \$552,000 (capital injection), totalling \$977,000.

**MR SMYTH** (Brindabella) (10.42): Madam Speaker, Exhibition Park is always one of the highlights of the estimates process for me because I get to ask the question that I think I have now asked for eight continuous estimates: when will the master plan be finished? I now see that, under the 2014-15 priorities, one of the things to do is to finish the corporation's master plan. But it cannot be done now because they are monitoring external studies such as the government's review of the feasibility of the

co-location of Canberra's thoroughbred harness and greyhound racing clubs prior to the finalisation of the corporation's master plan. Elephants' three-year gestation for their offspring is a long time, but the gestation of this master plan must go down in history as—

**Mr Hanson:** A white elephant.

**MR SMYTH:** perhaps a white elephant—one of the longest master plans of all time. But one cannot help wondering if, if Capital Metro goes ahead, perhaps the whole plan has not been to have a master plan for EPIC because EPIC might be on the block too—a nice big development at Thoroughbred Park and EPIC. There is perhaps some logic in having EPIC in a different location; it is a prime site there on Northbourne Avenue. But you do have to wonder whether, in the delay in finalising the master plan, there is an ulterior motive.

We had some nice banter during the hearings about caravan rallies coming to Canberra, and I am sure all members will be pleased that in 2016 two caravan rallies will be coming to EPIC, one of which is confirmed and one of which is under negotiation. Again, it just shows the versatility of having that facility close to the centre of town so that we can use it for a whole lot of things beyond its function as the showground. It does of course provide a venue for various sorts of business events, and indeed, in this case, caravan rallies, so we look forward to all those caravaners coming. I understand that the Treasurer may have got some correspondence seeking assistance for these things. If we can help to bring some grey nomads and some not so grey nomads to Canberra for these functions that would be a good thing.

We are moving closer, of course, to accommodation, and we now have a preferred tenderer, who is called Free Spirit and who has been identified as the developer and tenant to build and operate low-cost tourism accommodation. That is a good thing. It has, of course, also taken an incredibly long time to get to this position. One of the areas that are almost at capacity is visiting school groups. It is very hard for the groups to get the sort of accommodation that school children need and at a price that they need so that they can visit the nation's capital, and I suspect that a new facility, again in that location, would be welcomed by the industry. I have a lovely quote from the CEO about that development:

Currently services to the blocks are being progressed, the timeframes for that will end—will be the end of September. That is going to plan. Free Spirit have commenced advertising for accommodation for next year. They are proposing to have the development up and running by the first term in 2015. Obviously we are helping as much as possible to get that development up and running.

As the committee would perhaps know, there have been delays in getting the block. That is mainly because we have the largest colony of legless lizards in the world—not really, that was a bit of a joke—but we have had some challenges with legless lizards and getting commonwealth clearance. That has all been finalised, and we are now working very closely with EDD and the government to get this happening.

So we look forward to that accommodation. That will help the tourism industry. It will help to take some of the pressure off the other areas, and we look forward to the master plan from EPIC finally appearing whenever it does.

**MR BARR** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Housing and Minister for Tourism and Events) (10.46): The Exhibition Park Corporation will focus in the 2014-15 year on increasing the capacity and occupancy of camping facilities and indeed progressing the low-cost tourist accommodation project that Mr Smyth has referred to. It will also continue to provide excellent customer service, continue to improve its sustainable environmental measures, and provide a safe, clean and comfortable environment for residents and visitors alike to enjoy, and I commend the appropriation to the Assembly.

Proposed expenditure agreed to.

Health Directorate—Schedule 1A, Part 1.13—\$257,615,000 (net cost of outputs), \$132,251,000 (capital injection), \$7,619,000 (payments on behalf of Territory), totalling \$397,485,000.

**MR HANSON** (Molonglo—Leader of the Opposition) (10.47): As I rise today, I would just like to start by congratulating Mr Ray Dennis, who I note in the *Canberra Times* has retired as the CEO of Calvary after 5½ years. I am sure that many of us have had interactions with Mr Dennis, who has, I think, done a great job leading that hospital. I think that he is very well respected by his staff. It is a difficult job running a hospital; there is no question of that. I would like to pass on my congratulations on behalf of the opposition for the great efforts of Mr Dennis and, while I am it, all of the staff there at Calvary, and I look forward to working closely with his replacement.

Madam Speaker, what I would like to go through today in the time allotted is an examination of some of the missed opportunities that have led us to the point where we have far-reaching problems in our health system, an examination of, in particular, a couple of areas of difficulty that we are experiencing, and where we need to go strategically as a direction to get us out of the hole. But you will recall, Madam Speaker, many of the issues that have led us to where we are: the missed opportunities that have occurred, and the capital infrastructure program is principal amongst them. The amount of rollover and delay that we have seen across our infrastructure has been staggering—in some years \$60 million of delay in rollover, \$70 million. This year is not dissimilar: tens of millions of dollars of health infrastructure that should be built but is not being built on time to provide what we need.

This flows through the health system. It causes a lack of infrastructure that leads to a lack of beds, which flows through to problems in the emergency department. It is all connected. A significant aspect of that is the new hospital tower at Canberra Hospital and what is going on, and I will go into that in more detail as I go. But we have seen, for example, delays in the secure mental health facility. Mrs Jones will go into this in more detail when she talks about mental health. But there is no question that that is an example of the failure to deliver something that was promised, something that was



promised to be opened two years ago for \$11 million and now the government is having to actually make new rules, make new laws, specifically focused on that project. There is the bush healing farm, Madam Speaker, and the ongoing delays and issues associated with that.

The women's and children's hospital is now open, and I have been out and had a look, and certainly it is delivering a good service to women, but the problem is the capacity issues there. As we know, the capacity issues have led to women delivering babies and then essentially being forced out after four to six hours, and that is unacceptable. When you track back—we have not really got time to do it today—and you look at the reasons for that, it is because of the changes at the federal government level under the federal Labor Party and the change to the rules regarding Medicare rebates that led to a big influx into the public system, and the public system here broke.

It is also because the government ignored the ANF and others when they said that this model of care will not work. The government went ahead anyway, ignoring that advice, and it was the young mothers and their infants in Canberra who paid the price for ignoring that advice.

The hospital car park, Madam Speaker, we will recall blew out from \$29 million to \$45 million. We saw the extensive delays and the massive disruption to staff and patients. We have been putting pressure on this government to deal with elective surgery, and we still see that we have the longest waiting time for elective surgery in the nation.

There are ongoing problems with communication with patients. We have seen systemic bullying and workplace culture issues, and I again call on the government to release the workplace surveys. It is immensely frustrating to me that they will not do so. We saw the bullying in TCH obstetrics and the data doctoring from 2012.

What I would like to do now is to talk about the emergency departments in more detail. There is no question that we have a problem in our emergency department here at TCH, and this has been the subject of extensive debate in this place. We have had motions. I have tried to refer this matter for inquiry by the health committee, I have tried to refer it for an inquiry by the Auditor-General, and at every step of the way the government refused to have that occur.

The only Auditor-General's review that has been provided was when the data was being fabricated, and what we had was data being pushed out by the ACT government that was proved to be false and that was covering up the problems there at the ED. And as a result of that, as a result of that by the Health Minister's own admission, that has exacerbated the problem, because health planners thought that things were good, things were on the improve, when they were anything but. And we had two or three years of missed opportunity. And what that missed opportunity means is that hundreds, in fact thousands, of Canberrans have waited longer in ED than they ever should have.

So because someone at a senior level in the health system made the decision that they were going to fabricate the data, people are now waiting in ED in Canberra longer than they should, in pain, and, as the *Medical Journal of Australia* makes quite clear,

that has very negative health consequences. I have talked about timeliness as an important factor, and I have said so repeatedly. The *Medical Journal of Australia* had a paper that made it very clear that the four-hour rule in WA was saving lives. In, I think, February 2011 the *Medical Journal of Australia* review said that the four-hour rule in WA had probably saved 80 lives.

So on that, let us have a look at how we are performing. Today, the MyHospitals website has been updated. It is the National Health Performance Authority MyHospitals website, which was instigated by the previous Labor government federally. On that website you can look at each hospital compared by peer group. You will hear the government often make the excuse: "You cannot compare apples and oranges; you must compare by peer group." Well, on that website the analysis is broken down by peer group. So there is a page—I can point members to it if they are interested—that shows each of the major metropolitan hospitals across Australia, and it breaks down by peer group how they are performing when it comes to the percentage of all patients departing the emergency department within four hours of arrival. That information is broken down by quarter from July 2011 to March 2013.

What you see when you look at that data by peer group, Madam Speaker, is that the ACT is flatlining—that across those peer hospitals across Australia, there has been a 10 per cent improvement. So some are better than others, but there has been an improvement. In Queensland, where we have seen significant advances, where we have seen a determination to see improvements—for example, in the Princess Alexandra Hospital—where only 27 per cent were seen within four hours back in 2011, that figure is now over 60 per cent. That is saving lives. That is very good for health outcomes. The Gold Coast Hospital, Madam Speaker, again has gone from 50 per cent to 72 per cent.

In Perth, where they have been doing this, where the Liberal government in Perth led the way and said, "We are going to do this," and they were pooh-poohed by everyone else, by every Labor state, saying, "It is not possible; you cannot do it," 74 per cent at the Royal Perth Hospital are seen, treated, and admitted within four hours. And if you look at the WA hospitals, they are way up there—about 70 per cent. That is for peer group hospitals, compared with our hospitals. Who else is flatlining across the country? What you see are great improvements in Queensland—(*Second speaking period taken.*)

There are great improvements in many of the states, but in South Australia, where there is a long-term Labor government, the Lyell McEwin is flatlining. Flinders in South Australia is flatlining—no improvement. So the improvements are occurring where governments have got in and made a commitment to improve their systems and say, "We can get this done." They did it in WA; they are making extraordinary improvements. Queensland hospitals which were performing at 27 per cent under the long-term Labor government there, have now, under the Premier of Queensland, taken the figure to over 60 per cent, way above the ACT. But what we see in the ACT with our two hospitals, compared with peer groups, is that the ACT is flatlining on 52 per cent, one of the lowest in the nation, and Calvary has gone from 64 per cent down to 63 per cent in that period.

Madam Speaker, there has been a lot of debate about emergency departments. We have exposed many of the problems, and the ongoing excuse from the health minister is: “You cannot compare apples and oranges; this is different; you cannot compare TCH with other hospitals.” That is true. When you look at the national figures, they are all put together, and certainly the ACT looks disastrous, but what this page does is compare peer group hospitals, and we flatline; we are going nowhere.

Across Australia, advances are being made. Lives are being saved and women, children and the elderly, people in pain, are waiting less time for treatment, to be admitted, whereas in the ACT that is not the case. Why is that? Under this health minister, under this government, we are flatlining, when across the rest of Australia matters are improving. We know that one of the reasons is the massive fabrication of data, but, beyond that, what is the excuse? After 12 or 13 years of this government, after repeated health ministers, after this minister has been health minister for six or seven years, we have seen no improvement in our emergency department. In fact, we have gone backwards.

I now turn to the issue of the tower block and what is going on, because we have seen a lack of coherence in health infrastructure planning. It was the capital asset development plan. They had a plan that was going to build a tower block. In fact, I will quote now from the 2011-12 budget press release:

This investment provides \$41 million to progress the next stage of planning and design for new infrastructure such as a new tower block at The Canberra Hospital which will be designed to accommodate the majority of all inpatient activity at the hospital in the future. This new tower block will ensure that our tertiary referral hospital is able to meet projected increases in inpatient bed numbers in a modern hospital setting able to provide health care in the safest and most efficient way.

Anyone reading that in 2011 would have thought, “Wow! They are investing in a new tower block. Isn’t that wonderful?” But, as is so often the case, in the lead-up to an election we are told one story: “Tens of millions are going to be put into planning and then we are going to build this \$800 million new tower block. It is going to secure us and our future and everything is going to be good in the health system.”

After the election, we got a different story—we found out last year that construction of Canberra’s new \$800 million hospital heart would be put on hold while the ACT government focuses on hospital beds in the north. They have now frozen the \$41 million in the budget. We have a situation where it is one thing before the election and another after. It is a bit like the secure mental health facility—“It’ll be built. Trust us”—or the bush healing farm or the tower block or improved EDs. We move on from the election and what do we find? We find no tower block. We find the secure mental health facility is not built. We find the ED is flatlining. The biggest irony of them all was the walk-in centre at the Canberra Hospital. We said it should not be moved out of Canberra Hospital, and we saw the outrage from Labor Party officials and the Chief Minister. And what did they do shortly after the election? They closed the walk-in centre at the Canberra Hospital.

We have endeavoured to find out what is going on at the Canberra Hospital. We followed this issue up in estimates, but the answers we got were unsatisfactory. I will quote from Dr Brown at the estimates:

No, we have some work underway. Ms George might be able to speak to that in more detail. A couple of pieces of work are being looked at.

But when we go through it, we find:

We had a master plan done. It is now a more rigorous analysis of basically whether the master plan will stand up. Is the space right? Are the services able to support the design in the master plan?

They have been peddling this master plan for Canberra Hospital, and I remember seeing it. They were out there before the election, “This is the master plan. This is what TCH will look like. This is what the campus will look like.” Shiny slides, pictorials, briefings. And what do we find out, after the election? “Oh! We got it wrong. We’re not sure if we got it wrong, but essentially we’re back to square one and we’re going to move through and try and come up with progressing with preliminary sketch plans.” What is going on? It is no wonder we are in a situation where our EDs have flatlined and where our bed occupancy—that is the number of beds that are filled measured in percentage terms—is at dangerous levels.

The government used to set a target of 85 per cent bed occupancy, because that is what is considered safe. I quote from the *Australian Medical Journal*:

High bed-occupancy rates have been shown to be associated with greater risks of hospital-associated infection.

Indeed, we seem to be going the wrong way when it comes to staph infections in the hospital. When you look at the statistics, we have gone the wrong way:

Clinical observational data have suggested that bed occupancies above 85% could adversely affect safe, effective hospital function.

From the AMA public hospital report card:

Hospital overcrowding is the most serious cause of reduced patient safety in public hospitals and the cause of waiting times in emergency departments and for elective surgery.

Unless governments improve public hospital capacity, patient access to hospital care will not improve and patient safety will be put further at risk.

A rule of 85 per cent bed occupancy rate should apply in every hospital.

Because they the government cannot meet the figures, they change the target. The target was 85 per cent, and they decided, “Well, we can’t meet that. We’ll just change the target.” It is a pretty clever way of doing it, I suppose. It reminds me of when the elective surgery results were put out, and the health minister said, “It’s wonderful. We

met every target. We're the only jurisdiction that met every target." What the press released failed to mention was that all our targets were the lowest in the nation. She was patting herself on the back for achieving targets which, in some cases, were 30 or 40 per cent below those in other jurisdictions.

So where do we go from here? It is clear we need to achieve some key things. We need to get better access for patients, particularly in our emergency department and particularly for elective surgery. We need a better culture for staff. There is no question that across the health system, when you talk to the staff and the nurses and the doctors, there is a real problem. I have had nurses in tears about the treatment they have received at various stages at the Canberra Hospital. And we need a healthier community. We need strong incentives to be active and well.

It is a great disappointment to me that we are in this place debating the budget, looking at the statistics, looking at the data and we see again that where there should have been improvements, where we were promised new buildings, where we were promised improved access for patients, where we were promised a better culture for staff, none of that has been achieved. What we get year after year are endless promises from the health minister that the situation will improve while year after year it does not.

**MRS JONES** (Molonglo) (11.08): Mental health is a big concern within the community. Many do not realise how difficult it can be to manage at the acute end and there are also many for whom the idea that it can be prevented in some cases or well managed are far from their experience. According to the Mental Health Council of Australia, almost half the population—45.5 per cent—experience a mental health disorder at some time in their lives and one in five, or 20 per cent, of Australians aged 16 to 85 have experienced mental disorders in the previous 12 months. That is equivalent to 3.2 million Australians. These are concerning statistics.

According to Professor Anthony Jorm of the University of Melbourne, in 1997 our first national survey of mental health was undertaken and the treatment gap at that point was 62 per cent, meaning that 62 per cent of those who could access treatment were not accessing it. The World Health Organisation calls for action to reduce the treatment gap. Professor Jorm reports that this 62 per cent treatment gap has not massively reduced since that point in time and, in fact, is still around the same number. He also presents that mental health is the number three cause of disability or death in Australia, so it has a very serious impact on the population.

As a community, our efforts tend to go entirely into treatment and, in my experience, such treatment is often only sought once conditions become critical. We seem to put less effort into prevention. Studies show that 20 per cent of cases can, indeed, be prevented, particularly at the very prevalent but less severe end of the spectrum of anxiety and depression. In the last few years there has most certainly been an increase of awareness of mental health issues and an increased acceptance of the need to seek help when it begins to impact on a person's ability to function.

Another key change in this area was the federal introduction of Medicare-funded psychologist visits based on a GP mental health assessment plan, and this has seen

more widespread accessing of psychologists. The creation of the National Mental Health Commission in 2012 was also a significant milestone.

Many initiatives have been introduced to raise awareness of those who may be living with mental health needs, including R U OK Day, mental health awareness week and Hat Day, all designed to raise awareness and reduce the stigma that has been in the past attached to people who suffer with mental illness. All these things are good and worthwhile.

When the national mental health strategy was endorsed in 1992 one of the key aims was to, where possible, prevent the development of mental disorder, but we seem to still be so heavily focused on the treatment of mental health issues rather than on preventative measures. We need to look at methods that are focused on prevention, as well as those that serve the needs of people who are already dealing with a mental health concern.

That is a view on where we are at as a community as a whole. Here in the ACT I understand that we deal with the highest rate of mental and behavioural problems in Australia per capita, and there continues to be a lack of services. The Auditor-General's report into the delivery of mental health services to older persons in 2010 identified a lack of planning and coordination of services with community organisations, inconsistencies in conducting suicide risk assessments, weakness in monitoring and reviewing individual people and ambiguous entry and exit criteria. Hopefully, some work has been done on this area since.

There also appears to be a lack of staffing across mental health services in general. I am concerned that it may be impossible to adequately staff the increased services that are planned for the mental health area of government service provision. Clearly it is not just a matter of funding because, aside from the Northern Territory, we spend more on health per capita than any other jurisdiction in the nation. So there are several concerns regarding the additional mental health facility which we canvassed through the estimates process and which I will outline here as well.

The government has been promising the secure mental health facility for many years. It is agreed this additional facility is needed. It was initially promised in 2005 and was then re-announced in 2008. By the 2011-12 budget, the project appeared to have been dumped. In 2013 Ms Gallagher had shelved plans for a high-security facility and was looking at the currently proposed model of 25 beds; with 15 beds being medium security and 10 beds being low. The original cost for the first iteration of the facility was \$11 million, and the suggested cost is now \$44 million. This is an increase of four times the original cost for a lower security facility.

We have continued to ask questions about how the building of this facility is being managed, and I add my voice to that of Jeremy Hanson, who said last year that it has been an appallingly managed process. There are now drawings of the look and proposed layout of the new facility, but they are yet to be finalised. With the completion date currently set at just two years away, I hope the new facility can actually be delivered near to budget, because it cannot be built on time as it has already taken a decade to work up the drawings.

I also have ongoing concerns about both the model of care and the government's ability to run the acute-end facilities that they are already operating. I wonder if the model of care is verging on the utopian, and I will be watching carefully to see how ongoing staffing and other concerns are managed at the facilities we already have, such as the current mental health facility in Woden.

To conclude, we can do more in prevention. Changes are underway, but I have concerns about our state and territory level services. The budget predominantly promises a new facility for the acute end, which I hope fulfils the now quite high expectations on it after a wait of more than a decade for its construction.

**DR BOURKE** (Ginninderra) (11.13): I am proud of this government's budget, prudently investing in the future of Canberra. I am especially proud of investment in health infrastructure and services in Belconnen. These investments serve the health needs of the fastest growing areas of Canberra with the expansion of Belconnen in the west, infill in Belconnen town centre, the new suburb of Lawson and the rapidly expanding population of Gungahlin. This budget is built on an in-depth understanding of our city, unlike Treasurer Hockey's budget, which is built on a superficial misunderstanding of Canberra. This is not the time for a hairshirt austerity budget from the ACT government. Everybody knows that, including the ACT business community.

Our budget includes record funding for health whilst covering the commonwealth's cuts to our health budget worth around \$248 million. This increase funds across Canberra 31 new hospital beds, 500 extra elective surgeries per year, more staff and services at the Belconnen and Tuggeranong community health services and extra health services for women and children. The major infrastructure projects in Belconnen include the University of Canberra public hospital and the Calvary hospital 700-space car park and electrical works costing \$19 million.

These infrastructure projects will also benefit the private sector and create jobs when we need them most. At Calvary hospital, besides the new car park, they will have an additional 15 acute beds in 2014-15, an additional intensive care unit bed, \$1.5 million for birthing services, \$1.9 million to extend lymphoedema services and \$1.3 million to expand Calvary's ophthalmology services.

The new Belconnen Community Health Centre completed earlier in the year is funded by the government in this budget for the new Belconnen nurse-led walk-in centre—not closed, as Mr Hanson alleged earlier, but opened in Belconnen and in Tuggeranong. The centre gets an additional eight FTE staff in 2014-15 enabling other services to be expanded at a cost of \$9.4 million.

The Belconnen nurse-led walk-in centre opened six weeks ago and is proving very popular, as we heard yesterday. Despite the new locations, already the Belconnen and Tuggeranong centres are getting more clients than the Canberra Hospital service averaged, justifying the decision to relocate the services to both Belconnen and Tuggeranong.

The University of Canberra public hospital will provide a greater range of patient care in north Canberra along with training and research opportunities integrated with the University of Canberra. The nurses teaching and studying at the University of Canberra faculty of health and other health-related courses at the university will all benefit from the proximity of the new hospital.

The sports medicine courses at UC are also benefiting from the new UC sports commons and the concentration of professional and community sports facilities as part of an overall intensification of health infrastructure on the campus that includes the new super clinic. The University of Canberra public hospital will also work closely with staff and researchers based at the nearby Calvary hospital and will allow patients to move between the hospitals as their needs for different services require. The hospital will become another major employer in north Canberra, and the capital works will maintain jobs in the construction industries.

I might also add that this government's vision of better medical services in Belconnen is enhanced by faster response times from the recently completed ambulance station at Charnwood and funding in this budget for the new \$20.9 million ambulance and fire station being built in Aranda. Construction is expected to start in late 2014 and be completed in mid-2016. I commend this upgrading of our health facilities and services in Belconnen included in this budget to the Assembly.

**MS GALLAGHER** (Molonglo—Chief Minister, Minister for Health, Minister for Higher Education and Minister for Regional Development) (11.18): I welcome the opportunity to talk about this part of the 2014-15 budget. As we know, Canberrans' number one issue is access to good, high-quality healthcare. Overall in the ACT we are exceptionally lucky to have such wonderful services and staff that operate 365 days a year to deliver that high-level care to people in the ACT.

This budget continues to grow the health expenditure, as our budgets have done in years previous. We are continuing to invest over the forward estimates with growth and expected growth across the outyears. The 2014-15 budget provides \$1.39 billion across both areas, the Local Hospital Network and the ACT Health Directorate, in annual and recurrent funding. It also includes new capital funding of \$122 million over four years. This new capital allocation takes the health infrastructure program to the largest capital program delivered in the ACT, a grand total of \$877 million. The budget also includes growth and new initiative funding of just under \$37 million or \$164 million across the four years. This funding provides for an additional 129 full-time equivalent positions for ACT Health across those initiatives, and I will run through a few of them now.

As I said yesterday, at the Belconnen Community Health Centre there are additional staff in the walk-in centre. This is part of the complete reconfiguration of the health system where we are increasingly moving services out into the community close to where people live. The Belconnen Community Health Centre includes breast screening, aged care and rehab, pathology collection in time, community mental health, medical outpatients. Renal care is also provided there. Of course, the recent opening of the walk-in centre at Belconnen Community Health Centre is proving to be very popular in Belconnen.



We have also, on the north side of Canberra, the ophthalmology services, again an area of huge growth. Just a few years ago we did not run an ophthalmology service at the hospital and people needed to go interstate for treatment. We now have a high-level service in high demand that needs to be expanded. That expansion is available at the Calvary Public Hospital and will be moving out of the Canberra Hospital.

The Canberra Region Cancer Centre which opened last week will see more staff, nurses, medical and support staff, to operate the new services—a great addition to the health system with the opening of that facility. There will be also extra beds opened in neonatal intensive care, paediatric inpatient, paediatric day surgery, delivery suite and birthing centre and the maternity assessment unit which will help us to again deal with increasing demand for services.

Mrs Jones talked about mental health. There are investments in increasing staffing for child and adolescent mental health services, with an emphasis on perinatal and infant consultation services and also an expansion of the eating disorder program, which is something that has been discussed in this place over the years.

There will also be funding to provide a psychosocial step-up, step-down outreach service. We are also putting in some extra money for community nursing, additional nursing and support staff, to boost the demand there. Again, like I was saying yesterday, we know how popular those services are and how much cheaper they are if we can deliver health services in the home rather than in a health facility like a hospital.

There is more money for elective surgery, which will see an extra 500 procedures per annum, to improve elective surgery waiting times, which are improving year on year. We have got two additional emergency department physicians, one at Calvary Public Hospital and one at Canberra, to help reduce the ED waiting times and meet growing demand there. Again, they will be very well received in both of those units.

We have also delivered on our election commitment around endoscopy services, 300 additional procedures per annum to reduce current waiting time. There will be extra intensive care unit beds, two at Canberra Hospital and one at Calvary Public Hospital—very expensive but essential to the high-level care that we provide here in the territory.

Another issue which has been before the Assembly and which is addressed in this budget is the expansion of the lymphoedema service, with three health professionals to expand the provision of those services. Again, that will be warmly received. There are more inpatient beds coming, 31 additional beds which will be the single biggest item in this budget, to improve conditions and relieve pressure in the emergency department. There will be inpatient beds but there will also be six bed equivalents provided through the expansion of hospital in the home.

As we are growing other areas of health, it also places demand on the other support services. So there will be funding going in to expand outpatient and imaging services and this, I guess, continues to build the level of service we can provide. If we are

seeing more patients, more patients are going to need imaging—more outpatients particularly if we are delivering more elective surgery. And this goes to dealing with that demand.

In the capital area there is the construction of the car park at Calvary Public Hospital with works underway already, as I understand, on that project. There is work on the refurbishment of beds at Calvary Public Hospital, the secure mental health unit, essential infrastructure in engineering works at Canberra Hospital. There is the refurbishment at Canberra Hospital for the additional beds. Importantly, one of our key major projects, the University of Canberra public hospital, is also receiving funding in this budget.

In terms of some of the areas of pressure that Mr Hanson always likes to focus on, I will go to the latest quarterly performance report that I believe is online, because I think the figures Mr Hanson was quoting, from my understanding, were probably a bit dated. In the quarterly performance report which brings our statistics up to March 2014, all triage categories have recorded improved performance over the first nine months of 2013-14 when compared to the same period last year. National targets were met for triage categories 1, 2 and 5. This is now the third consecutive quarter where triage category 2 timeliness has achieved the desired target. Category 5 continues to exceed benchmarks with 86 per cent of the cohort seen on time. This is despite a 39 per cent increase in category 5 patients during the first nine months of 2013-14.

This is a significant improvement for the ACT emergency departments and shows that recent initiatives are starting to take effect. There is a table which shows the median waiting times for patients to be seen from when they present to an ACT public hospital emergency department to when treatment first commences.

I also note we have seen improvements in NEAT target. For the first three calendar months to March 2014 the ACT NEAT result was 63 per cent, a considerable improvement when compared to 58 per cent reported in March the previous year. So I completely reject Mr Hanson's allegations that it is flatlining and not improving.

I also think there was a fairly selective search of the peer hospitals in the MyHospitals website if you actually measure it against admissions, patients actually seen in those emergency departments. I can give you some examples here: Frankston, Victoria, 58,000 patients, performance 48 per cent—I believe that is a Liberal government down there—Gosford, almost 58,000 patients, performance 45 per cent—I believe that is a Liberal government—Blacktown, performance 41 per cent; two in Flinders, performance 51 per cent, 70,000 patients.

The John Hunter Hospital is the hospital which I think is most like the Canberra Hospital in the whole country in terms of the role it provides as a regional hospital, a major tertiary referral hospital. John Hunter's performance was 48 per cent against their peer performance of 60 per cent. They see 69,000 patients a year. Canberra Hospital, on those statistics—and it has improved, as I just read out, to over 60 per cent now—was tracking at 52 per cent and it sees 65,000 patients a year. So I think this line that emergency departments—

**Mr Hanson:** They have all improved.

**MS GALLAGHER:** They have all improved, and so has Canberra Hospital. If you had been listening, we are now tracking at 63 per cent which is above peer benchmark and is about an eight per cent improvement. I completely reject the line that Liberal parties can run emergency departments and Labor parties cannot.

**Mr Hanson:** The evidence is there.

**MS GALLAGHER:** I have just given you a few examples where the Liberal Party are running them, and they are not tracking so well. So I think the line that there is some political affiliation with the performance of your emergency department is just rubbish.

**MADAM DEPUTY SPEAKER:** Ms Gallagher, direct your comments to the chair.

**MS GALLAGHER:** Labor governments run good emergency departments. Liberal governments run good emergency departments. It is absolutely ridiculous. And Mr Hanson knows this. He has been in the shadow role for some time now—and long may he live in that role—but he knows that how emergency departments run has absolutely nothing to do with politicians. Politicians should ensure that hospitals are adequately resourced, that they get the support they need through the budget and that they are managed effectively. The rest of the work is up to them, the clinicians in those emergency departments.

Can I just say again how demoralising it continues to be to have Mr Hanson constantly talk about the below-par performance or substandard performance of the emergency department. We know from patient surveys and from readmissions to the hospital that we offer one of the best services in the country in terms of readmission rates, in terms of patient satisfaction. Yes, on occasions people wait too long for care, and those clinicians are absolutely focused on that.

But we also have to accept—and this is where the emergency department is now sitting, around 60 to 62 per cent of people being seen within the four-hour time, and that is a huge improvement and has taken a huge amount of work from individuals who work tirelessly in our emergency departments to deliver that—that at some point it will reach its peak. And this is what we are seeing in WA, where their performance is actually coming back because of the effort that they have put in.

But you do reach a peak where you cannot go any higher or where the cost of going higher outweighs the benefit of putting that in. And that is the discussion that health ministers are having now, Liberal health ministers and Labor health ministers, around this and the ultimate target of 90 per cent.

Canberra emergency departments will never be able to achieve what New South Wales emergency departments can because of the number of New South Wales hospitals and the number of their hospitals that are small hospitals that do not see many patients and certainly do not see serious conditions. And that is one of the issues when you compare ACT to New South Wales as a jurisdiction, or ACT to WA. But there is huge improvement.

There is also very significant improvement in elective surgery, and this needs to be recognised by this place. It is not fair for politicians just for some sort of political point scoring to come in here and not acknowledge the work done, not by me but by those surgeons and the support staff at the hospital, and focus on people who are waiting too long for care. We have seen those numbers dramatically reduce over the last three years.

This is people's day in, day out task. This is what they focus on at the hospital, to make sure we are seeing more people, that they are being seen in the time that is clinically recommended. The results are clearly there to be shown. But for people not to acknowledge that, regardless of what side of the political fence they sit on, is disrespectful to the amount of effort that has gone in, again not by me but by others.

We can see from the quarterly performance report the amount of surgery that is being delivered, over 11,000 operations being delivered. The increase in the access to elective surgery had a very significant impact on the numbers of people waiting for elective surgery and the numbers waiting too long for care.

At the end of March there were 3,980 patients on the elective waiting list. When compared to March 2010, there has been a 29 per cent decrease. ACT public hospitals have also significantly reduced the amount of people waiting longer than recommended for their care, with a result of 737 long-wait patients at the end of the nine months. This has resulted in a 20 per cent reduction in the number of long waits in just 12 months, and a 71 per cent reduction since 2010. They are the statistics that I know were selectively, I guess, glossed over or not even acknowledged in the Leader of the Opposition's address to the Assembly today. But there will continue to be areas of pressure in the hospital, and those two are key areas which attract the most interest.

I guess I should take some comfort from the fact that Mr Hanson continues to roll out a speech he has been giving for the last four years with no new information other than harping on the old election lines they had in 2012. Meanwhile we get on and run a high-quality, very responsive health service that people in Canberra rate very highly, and that is what we will continue to do. The vast majority of that \$1.39 billion is not spent on elective surgery or emergency departments. The vast majority of that is spent in community health, in other activities of the hospital, in our cancer services, in our women's, children's and youth services, in our mental health services. The health system is much bigger than just elective surgery and emergency departments.

When good work is done and results are delivered, they should be acknowledged by this place, and I will acknowledge them for as long as I am in this place, because I see day in, day out how hard those people work to deliver those results. Just occasionally they deserve a pat on the back for it.

Proposed expenditure agreed to.

Housing ACT—

Schedule 1, Part 1.13—\$1,671,500 (net cost of outputs), \$200,000 (capital injection), totalling \$1,871,500.

Schedule 1A, Part 1.14—\$41,787,500 (net cost of outputs), \$26,648,000 (capital injection), totalling \$68,435,500.

**MS LAWDER** (Brindabella) (11.35): Mr Coe stood in this place last year when talking about the budget for Housing ACT and surmised how tricky this area of government is. He stated:

It is a very diverse area of government whereby you have people who are property managers, people who are counsellors and people who are in effect community nursing. They really are the front line for many people that are often vulnerable and are often in need of assistance, whether it be from the government or from other community groups.

I could not agree with Mr Coe more. It is an incredibly difficult challenge for government in any jurisdiction. It is incredibly difficult to develop the policies that will deal with all aspects of supply and demand for social housing. I commonly say that if it were simple we would have fixed it by now.

I would also like to take the opportunity to acknowledge the work that Mr Rattenbury did as the previous Minister for Housing. Housing ACT is part of what should be a housing continuum. Public housing, operated by Housing ACT, should be a place where we cater for our most vulnerable people. It should be a place where we provide a safe and secure home where people can live with dignity.

My concerns with this portfolio start with the rate of homelessness. Of course, the flip side of homelessness is housing. Housing issues in the ACT range from a lack of affordable housing, the expensive private rental market and high cost to purchase right through to government housing and some of its inefficiencies, with the big gap that exists between public housing and the private market—the gap in the housing continuum.

I will talk a little more about housing affordability. We have some of the most unaffordable housing in the country. To buy a home in the ACT now takes 6.2 times the average annual income, as opposed to 3.4 times the average annual income just over 10 years ago. With the median house price over half a million dollars, it is not exactly a market which is easy for first homebuyers to enter. The private rental market is even worse. The 2014 Anglicare national rental affordability snapshot found:

With the exception of shared housing, there were practically no affordable rental options found in Canberra ...

That brings us to the question: what is the government doing about it? It is increasing cost-of-living pressures on the residents of the ACT. This is very important to the portfolio of housing. The government is itself putting pressure on the residents of Canberra and increasing the cost of living for families. Rates are increasing by 10 per cent this year alone. What does that do for affordable housing in the ACT? Renewable energy targets will increase electricity bills by at least 16 per cent. What does that do to the cost faced by average families in the ACT? I could go on, but I know those opposite have heard it time and time again from all of my colleagues on this side of the chamber. They know exactly what we are talking about.

Recommendation 5 of the estimates report states:

The Committee recommends that the ACT Government detail to the Assembly, by the last sitting day of October 2014, how it will address the structural drivers in the housing market causing housing to be unaffordable in the ACT.

I find it quite telling that the government did not agree with this recommendation, a recommendation that came from the community groups who work extensively in this space. The government will not agree to detail to the Assembly by the last sitting day of October the structural drivers of unaffordable housing in this territory. Instead, the government are saying that housing affordability has improved because the rental market is cooling off. They obviously have not tried to rent a house in Canberra on a low or medium income recently if they think this slight drop in the rental market now means that houses are affordable. I will put it again simply: just because prices have softened it does not mean prices are now affordable.

The estimates report, at recommendation 24, states:

The Committee recommends that the ACT Government review land release in the ACT to ensure that greater housing affordability is achieved and a reasonable return to the Government from the sale of this asset, and report to the Assembly by the last sitting day of March 2015.

The government are only agreeing in part to this recommendation. They seem to believe they have nothing to report. They think they have released enough land to improve housing affordability, but do not want to report on it to show us whether that is the case. You just need to look at the market to see that there is nothing about it that is affordable. It is because of the unaffordable housing in our territory that we have such high demand on our public housing system and a shortfall in emergency housing. We see the high rate of homelessness according to ABS statistics.

Recommendation 1 of the estimates report states:

The Committee recommends that the ACT Government review the shortfall in emergency housing and report by last sitting day of November 2014.

The government noted this response, but will not report back to the Assembly by the last sitting day in November. It is the same story for recommendation 2:

The Committee recommends that the ACT Government detail to the Assembly by the last sitting day of 2014 how it will address the issue of Aboriginal homelessness in the ACT.

There is recommendation 3:

The Committee recommends that the ACT Government investigate and detail to the Assembly by the last sitting day of October 2014 the true extent of housing stress and homelessness amongst university students in the ACT.

This was reviewed in 2012. The government is now dodging this, claiming that additional studies would provide significant new insights. Housing stress amongst students is a serious problem in this town, and it all stems back to unaffordable housing and the cost-of-living pressures that Canberra families face.

Then we have recommendation 4:

The Committee recommends that the ACT Government report to the Assembly by the last sitting day of 2014 on factors affecting older women at risk/in housing crisis in the ACT.

I am pleased that the government have agreed to examine the recommendations of the ACT Shelter report on this issue, but they are refusing to report back on the factors that affect older women at risk in our town. That is disappointing; this is an issue that has been described as an approaching tsunami.

Then, from the issues we face with affordability and cost of living, we move on to the issue within our own housing stock. It constantly completely blows me away that the ACT government do not have a record of what houses they have in the system with disability access. When following this up, I was told that a five-year audit is being undertaken and that maybe after that they will be able to tell me. The idea that we hold homes in the government's housing portfolio that are modified for disability access and we do not know which homes they are is of great concern.

Apparently the government do not know the state of their stock. They do not know what houses have what insulation or what heating and cooling systems there are. They do not know what modifications have been made. These are all things that any general property manager would know, so it is very surprising that we do not know these things, and it is even more surprising that it is going to take five years and who knows how much money to find out.

I am pleased that the government has agreed to recommendation 86, which states:

The Committee recommends that Housing ACT give consideration to requiring that all future public housing stock be built to meet high adaptability and accessibility standards.

That is a good thing. It still concerns me that we have disability modified homes that are not being adequately utilised because we do not know where they are, we do not know what stock we have. It is a bit like property management 101 if you are in the private sector. It should be a focus for our government, which should be trying to give the greatest support to our most vulnerable residents.

I desperately hope we find a way to decrease cost-of-living pressures on people in Canberra, especially the thousands of Canberrans who are considered at risk of homelessness. I hope that very soon the government will take this issue very seriously and stop increasing costs for everyone. I hope we will be able to increase the number of affordable homes in the ACT and fill that gap in the housing continuum to assist to alleviate the housing crisis we have. And I hope the government will realise how important it is to effectively manage our public housing stock and start managing it in the most efficient and effective way.

**MS BERRY** (Ginninderra) (11.44): I was pleased to see the investments that the budget has made in renewing our public housing stock; I congratulate the former minister, Mr Rattenbury, and the Treasurer and new housing minister, Minister Barr, for their work.

As a government, good things are being done in housing, including the development of Common Ground and the strategic plan for community housing. The ACT has a lot to be proud about in its history of investing in public and community housing across the territory. As a member whose electorate incorporates 25 per cent of the ACT's public housing, I am a passionate advocate and defender of our salt and pepper policy, our commitment to placing public housing throughout the ACT regardless of the demographics of the suburb. As someone whose guiding value is social justice, I think debates like this give us an opportunity to look to the future, to look to where, over the coming years, ACT governments will have to make investments that continue to make Canberra a city that is fair for all.

I think it is clear to anyone who looks into public housing in the ACT that we will still need to build our stock. It is not the popular thing to say these days—that governments still have an important role to play in the provision of housing and that public housing is not just for the poor. It was clear, when listening to organisations such as ACT Shelter, Kippax UnitingCare and the YWCA, that, whilst we do not know the exact number of houses needed, the simple fact that we can all agree on is that we need to build more houses and we need to begin the process of planning for investments in public housing.

By committing to renewing and improving our public housing stock, I believe that the first small steps in this journey have been made, but there is a long way to go and I will continue to advocate for the importance of public housing investment.

**MR RATTENBURY** (Molonglo) (11.46): I would like to make a few brief remarks about the Housing portfolio, having recently handed it over to Mr Barr. As a Greens MLA, I believe that safe, secure and sustainable housing is fundamental to ensuring that all members of our community have equal access to service and opportunities. I think it is fair to say that we are not there yet.

Public housing holds an important place in the history of Canberra, and is a vital part of our city. Our salt and pepper policy means that public housing is part of the fabric of every Canberra neighbourhood. This means greater social cohesion and it reduces the risk of concentrating and compounding disadvantage. But public housing also presents some fairly complex challenges.

The Minister for Housing and Housing ACT perform an interesting function. It is a mix of being a landlord and being a social service provider. I believe this dual objective is fulfilled incredibly well by Housing ACT and have no doubt that they will continue to build on the work that we have done over the past months and year.

When I first took on the portfolio, I was surprised by the sheer size of our waiting list and the age of our public housing properties. Many of the flats are old, cold and not



suited to the demographics of the people waiting for housing. The size of the waiting list remains, with many of those waiting on the priority or high-needs list. That means most of the people waiting to be housed are doing it tough, and it is almost impossible to prioritise who has the most urgent need for our limited supply of housing.

But the ACT government recently made a significant decision. Cabinet decided to endorse a range of recommendations to increase the amount of public housing that we have available for members of our community, to speed up the renewal process of our older properties and to maintain and expand the salt and pepper approach to public housing in existing and new suburbs.

Perhaps even more significantly, this whole-of-government approach signals an evolution in housing that has been taking place slowly over recent times—an understanding that when people seek public housing they do not do so simply because they lack accommodation; they do so for a raft of reasons, from temporary financial difficulty to long-term homelessness, from personal crises to difficulties with social inclusion. Our tenants are diverse, and their needs and the level of support they require are not homogeneous. A whole-of-government approach heralds the possibility of providing a more cohesive and integrated range of services to our tenants who need them.

What I can say unequivocally is that we need to grow our social housing stock and we need to be more responsive to the environmental and social needs of a modern housing portfolio. That means we must renew and redevelop our housing stock so that we can better support vulnerable members of our community. It means improving the quality of our housing—for instance, fulfilling our parliamentary agreement item to continue expanding public housing energy efficiency upgrades to reduce the environmental impact of heating and cooling those homes but also to make it more affordable for tenants. That is truly tackling one of those cost-of-living issues that I know public housing tenants face.

It does mean building new houses that are designed to meet the needs of tenants. Often that will mean smaller complexes of 10 to 15 units to reduce the risk of pockets of disadvantage forming and to promote more inclusive neighbourhoods. It also means changing our approach to managing tenants, which we have started by introducing a new management model for Housing ACT that adopts a more responsive, tiered approach to directing the time, resources and services provided by housing managers.

I was very pleased with this initiative, which Housing ACT put in place from the beginning of July, where those tenants who are struggling, who perhaps come to Housing's attention because of issues of neighbourhood disputes and other problems, will receive more support. Those tenants that really need the support will get it, and those tenants who are perhaps just going along fine, who are paying their rent regularly and who Housing perhaps does not need to support nearly as much, will receive less contact from Housing ACT, with the ability for people to move along that spectrum as needed.

I think, though, it is fair to say that housing insecurity and homelessness cannot be solved by government alone. I was pleased to announce just before I handed over the portfolio that for the first time the government will develop a community housing strategy. This means working with community sector housing providers to support the sector's growth and its role in providing an affordable alternative to public and private housing. I have seen some commentary that said, "How come the government has not done this sooner?" The community housing sector has been growing, and I think it has done a fine job. But what is clear in the government getting in behind this is that we have received direct urging from the community sector. The government has responded to that, as the government should be open to doing. It also signals a willingness on the part of government to boost this sector in recognition of the fact that we need a spectrum of housing supply and that the community sector can fill a gap that the private sector or the government possibly cannot.

There are still many challenges to overcome in housing. I look forward to being able to work as part of the ACT government in the coming years to address some of those challenges. We are witnessing, of course, a shortfall in federal funding and some significant uncertainty around federal policy direction. The delays with the one-year on one-year agreements when it comes to funding for various territory-commonwealth partnerships are very unhelpful, but with the incredible work of housing managers on a day-to-day basis, a solid government commitment to improving the quantity and quality of available housing and a nuanced approach to meeting the needs of tenants, I am confident that social housing will remain a keystone of our territory in helping people who are needing better assistance from government.

I will be watching this area with interest over the coming years. The Greens have been key advocates for Canberra's social housing over the last 20 years; it was a privilege to continue that work during the period in which I was the housing minister. I would like to take this opportunity to thank the staff of Housing ACT for their very dedicated work. It can be a tough job sometimes. It can be a bit of a thankless task, it would be fair to say, on occasions. Equally, though, the staff of Housing ACT know the great gratitude that many of their tenants have for the support that is provided.

I would particularly like to thank Bronwen Overton-Clarke, the executive director of Housing and Community Services, who is currently taking on another role, and her colleague, David Collett, the senior director of asset management. They are the two staff from Housing ACT with whom I had the most contact. There are many others in the team, of course, but I would like to thank them and all of their staff for their hard work and their support to me while I was in the role as minister. I wish them well into the future, and I wish Minister Barr well in taking up the significant task of looking after Housing ACT and helping those in our community who need assistance.

**MR BARR** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Housing and Minister for Tourism and Events) (11.54): I thank members for their contribution on this budget line item. The government is appropriating \$43.459 million to Housing ACT as government payment for outputs. Importantly, this includes the territory's matching funding of \$1.52 million for the national partnership agreement on homelessness. The commonwealth is also

providing \$1.52 million. As we have discussed in this place previously, unfortunately the commonwealth's commitment only extends, at this point in time, for this current financial year. We are hopeful that the commonwealth will continue to play a role, working in partnership with the states and territories, and that this national partnership can be extended in the years ahead.

Some other highlights of the budget include funding for the better human services gateway, funding for Common Ground construction, and a series of allocations to support the construction of dwellings to enable older public housing tenants to relocate into more suitable accommodation, as well as the construction of additional dwellings to house older Aboriginal and Torres Strait Islander people in more culturally appropriate accommodation. Older persons accommodation will be built to at least the gold-level liveable design standard or better, to achieve at least a six-star energy rating and to contain a range of energy and water efficient appliances. This program of works in this coming fiscal year is the largest, I understand, since the global financial crisis.

Looking more broadly at the ACT housing market, in assuming this portfolio and now having responsibility for housing across the board—public, community and private housing—I have indicated my desire to seek to boost the supply of housing in the territory.

In the context of public housing, there was a period where the previous Liberal government, prior to 2001, were running down our public housing numbers. They fell as low as 11,454, when we took office in December 2001. We have been progressively building that number back up. Over the next period, it would be great to get that number back above 12,000. We are well on our way to that target, supported by the funding that was made available to the states and territories during the economic stimulus, supported by the commonwealth government. That, together with a range of investments by the ACT government and our future program of asset renewal within the public housing system, aims to continue to grow public housing stock in the city.

We also wish to continue to work with our community housing partners, particularly CHC, Argyle and others, to continue to add to the supply of community housing in the city. In the private market, we continue to work with industry associations like the MBA and the HIA to add to supply. That addition to supply in recent times has made a big difference in our marketplace.

I was just checking online, and the latest data out of SQM is that weekly house rents in the ACT have fallen by nearly 17 per cent in the last three years, which is a saving of around \$120 a week or over \$6,000 a year for those renting houses in the territory. Weekly unit rents have fallen by 12.1 per cent in the last three years. In terms of purchase prices, houses are 11½ per cent cheaper now than they were three years ago, and units are 10.6 per cent cheaper than they were. So this significant increase in supply has resulted in downward pressure on house prices and rents in the city, making housing more affordable—in the context of renting houses, by nearly 17 per cent or \$120 a week.

That gives me encouragement to continue to boost the supply of housing in the territory, that being the most effective way to put downward pressure on house prices. The next most effective way is to abolish stamp duty. That is what this government is doing, and in this budget we are delighted to be able to get rid of stamp duty for those over 60 who are looking to downsize into a property worth less than \$600,000. Stamp duty is cut by up to \$20,000. It is a tax the Liberal Party wants to levy on people over 60 that Labor has got rid of. Jeremy Hanson, Brendan Smyth, those politicians, want to get \$20,000 out of the pockets of Canberrans over 60 looking to downsize. This government, through that initiative, has cut stamp duty by that amount. That is a significant disincentive. If you are looking to move, a \$20,000 stamp duty bill is a significant hit. That is a tax we are getting rid of that those opposite want to keep and increase in the future. That is the clear policy difference between this side and those opposite when it comes to housing affordability.

**MR HANSON** (Molonglo—Leader of the Opposition) (12.00): Madam Speaker, I was not going to speak to this line, but the Treasurer has provoked me into responding to his comments. He is only looking at one small section of the over-60 community. Many Canberrans—in fact most, the vast majority of Canberrans—would like to stay in their home. What you find, if you go out and speak to people in the community, is that with older Canberrans many of them are asset rich and income poor. Through many of the more established suburbs—not fancy suburbs, but more established suburbs throughout Weston Creek, Woden, Tuggeranong, Belconnen, the inner north and the inner south—you will find people who are living on reasonably large blocks in houses where they raised their families or where they have done renovations but that are not necessarily fancy by any stretch of the imagination. These people may find that their pensions are going up at very moderate rates, two or three per cent a year. Or they may be superannuants; many of them have lost a lot of money in the GFC and are not getting a lot of money as self-funded retirees. But their rates are going up well in excess of 10 per cent. As we know, this reform from the government is “progressive”; that means that if you are on a bigger block, if you own a more expensive property, your rates will go up at a greater rate than the average 10 per cent across the territory.

Although Andrew Barr is absolutely right in what he has said about relief for those over 60 and stamp duty, for the vast majority of Canberrans this is a punitive tax that is unfair. As I recall, Madam Speaker, and I stand to be corrected, when the Australian Council on the Ageing appeared before estimates, I think a couple of years ago, they made this point. If you talk to people who are in the aged sector who represent people who are older, they will tell you that the rate increase, going up 10 per cent a year, year after year, is punitive. The people most directly affected by that, the people hurt by that, the people who are struggling to pay their bills, are older Canberrans.

The world’s greediest Treasurer comes in here and says that this is good news, that his tax reform is good news for older Canberrans. It is simply not true. It is good news for that small section who have made the decision that they want to downsize. For everybody else, what you have is Andrew Barr taking more and more out of their pockets every day and probably forcing them into a position where their only option is to downsize, because they can simply no longer afford to live in their homes, where

they want to live. That is the intent of this government—to push people out of their homes, to say: “I know that is your family home. I know it is where you raised your kids. I know it is where you want to stay. But we are going to force you out of that house.” If that is the strategy, it is very effective. They are providing a bit of a carrot with stamp duty relief, but there is one God-almighty stick: “Get out of your home because we want that land. We want to basically impose an ideology on you.”

As we know, Andrew Barr does not see the family home as a family home; he sees it simply as something to be squeezed, something to get more money out of.

Proposed expenditure agreed to.

Independent Competition and Regulatory Commission—Schedule 1A, Part 1.15—\$548,000 (net cost of outputs), totalling \$548,000.

**MR SMYTH** (Brindabella) (12.04): I suggest that most are well aware of the issues around the ICRC in the last year—pricing determinations, the cost of electricity et cetera. Most of the discussion when the ICRC was before the estimates committee was about the process that is now underway. There is currently a review of the act. It is commendable that the ICRC had the foresight to work out an automatic 7.3 per cent reduction in the cost of electricity in the ACT on the proviso that the carbon tax was repealed. Of course, that came into effect the day the carbon tax was repealed; so well done to the commission there on their foresight.

It was interesting that we had a discussion with the commissioner about the review of the act. That review is underway. I asked whether or not it would be made public. The Treasurer at one stage said, “Well, you may not see a review.” We then asked why not. He said, “I am not going to pre-empt a cabinet decision.” But recommendation 49 of the estimates report was that the review be made publicly available. I note now the government’s response is that it is agreed. So there has been an outbreak of common sense.

**MR BARR** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Housing and Minister for Tourism and Events) (12.06): The ICRC is a statutory body established under the act in 1997. It is responsible for regulating prices, access to infrastructure services for regulated services in the territory, licensing utility services, and a range of other regulatory and administrative matters.

It has three main objectives, which are outlined in section 7 of the act: to promote effective competition in the interest of consumers; to facilitate an appropriate balance between efficiency, environmental and social considerations; and to ensure non-discriminatory access to monopoly and near-monopoly infrastructure. The commission continues to perform those tasks. It is, of course, subject to a series of processes that are underway at the moment to look at reform of that particular act. But for today, I am happy to commend the appropriation to the Assembly.

Proposed expenditure agreed to.

Justice and Community Safety Directorate—Schedule 1A, Part 1.16—\$280,070,000 (net cost of outputs), \$86,432,000 (capital injection), \$158,301,000 (payments on behalf of Territory), totalling \$524,803,000.

**MR HANSON** (Molonglo—Leader of the Opposition) (12.07): Madam Speaker, I rise to speak about this aspect of the budget that I know you maintain an abiding interest in. I will focus on a number of elements relating to the directorate. The first is in relation to sentencing. I welcome the fact that there is \$734,000 over two years to reform sentencing and restorative justice arrangements and, I note, to conduct a review of these matters. I think that is welcome but it has been a long time coming. Indeed, this Attorney-General has been dragged kicking and screaming to the idea.

We have had several attempted and actual reviews of sentencing in the past. Indeed, one of the most recent reviews was the inquiry by the Standing Committee on Justice and Community Safety when I think you were chair, Madam Speaker, in the Seventh Assembly. That conducted an inquiry into the Crimes (Murder) Amendment Bill 2008. In its report on that inquiry, completed in August 2009, the committee made a number of recommendations in relation to sentencing, including:

The ACT government consider the need to undertake a general review of sentencing in the ACT.

It is good to see that five years on that recommendation has taken effect. We have had a number of legislative reviews of penalties and that has been a bit of a band-aid approach. I welcome the fact that we have an inquiry in the JACS committee. It is reviewing sentencing at the moment. There have been attempts over the years—certainly by the Liberal Party—to be more proactive and assertive and try to get some change to criminal penalties, but often at the resistance of this government.

The bottom line, though, Madam Speaker, is that everybody in the community—victims of crime, the legal profession, the DPP and the judiciary—has long been calling for sentencing reform. So let us hope that the reviews that have been conducted, both by the committee and also by the government, are actually resulting in sentencing reform.

Certainly, the victims of crime are complaining that justice is not being served in the ACT. We know anecdotally that criminals prefer to do crime in the ACT because the cost of crime is not as great as in other jurisdictions. After 13 years you have to question, although these reviews are taking place, whether any substantive reform will actually arise from them. But I remain hopeful. I am ever the optimist. I look forward to the government's review.

But what I would say is that I want to make sure its findings are open and are provided to the community. We do not want a secret review from which the government cherry picks the bits that it wants. As the Attorney-General comes into the chamber, I reiterate that I hope the review he is conducting into sentencing at the community's expense is made public.

Another issue that is of significance, particularly within the legal fraternity, is that of a fifth Supreme Court judge. Once again, we see procrastination from the government, in particular the Attorney-General. There seems to be pretty much a unanimous call for a fifth judge—from the legal profession, the judiciary, the DPP, the public and especially those in our community who are embroiled in the backlog of matters that in some cases extend for years. As we often hear from those opposite, justice delayed is justice denied.

The estimates committee has recommended the government:

The Committee recommends that the ACT Government review again the question of whether to appoint a fifth Supreme Court judge.

The government has agreed to do so in its response, but when you read the small print it does appear to be another fob off. The government says:

The ACT Government keeps this matter under regular review. The ACT Government continues to work with the Chief Justice on the question of appropriate Supreme Court resourcing, including through development of a resourcing model.

That is Sir Humphrey at his best. Rather than provide a straight answer, what we have got is, “We will consider it. We will always consider it,” but nothing happens. It is a bit like the single conservation agency that we discussed yesterday. The government continues to consider it even though it is in the parliamentary agreement. It is clear that a fifth Supreme Court judge is needed. I again call on this government to appoint one now.

The next area I want to turn to is the issue of resourcing of the DPP. This has been ongoing for a while now. I recall the DPP appearing before the estimates committee. If it was not last year, it was the year before. Perhaps he appeared before an annual reports hearing, but it was in the last 12 or 18 months. He is saying that they struggle on many days to find anyone to get to the court. They have struggled to meet the demands placed on it to bring criminals to justice.

The staff are stretched beyond any level of reason. We have had situations where staff turnover has become particularly high because of uncompetitive salary levels and because of the workloads. On top of that, we have seen an efficiency dividend that has put further strain and stress on the DPP, amongst other organisations. There are staffing issues at the DPP. These have got to be resolved if the DPP is going to do what it needs to do to make sure that delivery of justice is efficient and is effective. They are working very hard. I commend them but they need the right resources to do that. Certainly that has an impact on the victims of crime, not just the perpetrators of crime.

When it comes to the perpetrators of crime, whether they are guilty or not obviously needs to be determined once people have had their day in court. We have had the situation because of these delays where remandees have actually served more time in prison on remand than they would have eventually through the sentence that has been

handed down by the court. That is an unsatisfactory situation that is occurring. Those great reformers of justice that we keep hearing from over on the other side and the compassion that they keep talking about is a nonsense if they do not properly resource the justice system and people are kept in remand for extended periods simply because of inefficiencies in the court system. It is grossly unacceptable.

I do want to make particular note of victims of crime. There has been upheaval in the last Assembly. There has been turbulence in the area of Victims Support ACT. But I note that the Victims Support ACT website is very useful. I note also that much of the day-to-day support for victims of crime comes from the community sector now. It comes from Communities@Work and their victim support program. I commend Communities@Work for that function they provide.

This is a program that is mainly resourced by volunteers from our community. They provide support to clients as they attend court proceedings, assist clients who are victims of crime to make applications for financial assistance, provide general support, help demystify the court experience, reduce anxiety, and deal with processes and systems and provide referral services. This does receive government funding but it is limited. Much of that support is provided by volunteers and there is only so much that can be provided.

I express my great sympathy to victims of crime who suffer physical injury, financial loss, property loss or property damage. It could even be third parties—friends and relatives—who may not be the direct victim. These people need support on a range of areas and programs like Side By Side, but it can only be provided to the extent that the funding will allow. I think this is an area that needs to be examined more closely because this government does invest a lot in the perpetrators of crime. If you compare the amount invested in victims of crime to perpetrators of crime, you see a great imbalance.

I am sure that Mr Wall will talk about the latest amount of money being provided to the jail. (*Second speaking period taken.*) In respect of the resources provided to criminals, I do not want to be flippant but when you read about the Tuscan pork belly being provided at the jail and then you see the lack of resources provided to support victims of crime, you have to scratch your head.

There is an imbalance. I think this is an imbalance that needs to be rectified across the whole spectrum in our legal system. But it also plays out with our police force. It is not just the victims of crime; it is not just the courts; it is not just the DPP. It is also those who are out on the street day and night implementing the laws that we make in this place here.

We know that the government slashed \$15 million from the police budget last year. Although there is an increase this year, we see that it is below CPI. We are seeing very small increases in police resourcing. In effect, when compared with CPI and wage increases, effectively there is a reduction in funding. I am particularly concerned to make sure that police have the resources to do their job on the ground. A particular issue on this side of the chamber is the impact of violent assaults on police in our streets.



We want to make sure that the police have the powers and the protections to do their job as safely as is possible. It will never be a safe job, but we need to make sure we are doing what we can to assist them. When you look at the number of assaults on police, it is an unacceptable number. At the last election and previously in the last term, we took forward a piece of legislation regarding police assaults where if a police officer was assaulted in the conduct of their duty or another crime was perpetrated against them, it would be an aggravated offence.

That is not going to be a silver bullet. It is not going to resolve all of the issues that police find in our streets, but it was a sensible measure and it mimicked many other measures across other states where they have specific police assault legislation that is absent here in the ACT. People who are actively out in our community dealing with the most dangerous elements of society do need all the protections that we can provide them.

Let me give you a recent example that occurred in June 2014. Police reported that a teenage girl spat on a police officer and punched him or her in the face before kicking another after a fight in the crowd on a Friday Canberra Raiders rugby league game. On 8 March this year police arrested a 25-year-old Queenslander after he alleged assaulted a police officer.

You can see the number of assaults that our police face. The question is this: is this government doing everything it can to provide those protections to the police? Clearly it is not. I think that the most disgraceful example of this was the city beat teams and what was happening there. There are two aspects to this: one is the money that was taken out of the hotels and clubs to fund what was going to be the alcohol crime targeting team, which then was disbanded. The money was taken out that was meant to be provided in support. Let me tell members what was said to the community when the change was made to that structure. I quote Mr House from Clubs ACT:

It's fair to say we are furious; it's just an appalling decision. The government just sees the hospitality sector as a source of revenue.

He also said:

The task force has now been abolished in secret. The territory's pubs and clubs were kept in the dark about the changes to an alcohol crime force that patrolled the city's licensed venues.

I don't think it's good enough when the community and industry clearly have an interest in alcohol related violence and what happens on the streets at night.

What prompted that was that the city beat were not resourced properly and feared for their own safety. There was a safety report and a health and safety notice put in, I believe by a sergeant from that beat. Let me tell you what that notice said:

The staffing numbers of the ACT City Beats Teams have been universally acknowledged by the ACT Operations Committee ... as being inadequate to allow effective and safe deployment of personnel to those duties during the hours of darkness at times where the licensed premises of the CBD are in operation and large numbers of people are in and about the Canberra CBD.

And I note this went on for years, Madam Speaker:

By allowing a continuation of a situation where staffing levels are so low that members are constantly and continually being placed in situations where because of a dearth of numbers they are regularly outnumbered by intoxicated and aggressive people placing them at an unreasonable risk of serious injury due to violence.

The notice continues:

This lack of staffing levels has allowed a culture to develop where it is apparently accepted that Police can be confronted and face abusive and aggressive behaviour again elevating the likelihood of our members being the subject of an unnecessary violence.

We have a situation where the government announced the alcohol crime targeting team, ripped money out of the hotels and club sector to fund it and under-resourced the city beats to a point where for a couple of years they feared for their own safety and could not do the job. Then what did the government do? It robbed Peter to pay Paul. It closed the alcohol crime targeting team that was being funded by the clubs and hotels sector to basically collapse it into the city beat and said, "Look, we've doubled the size of the city beat." Yes, they did, but in doing so they took away the alcohol crime targeting team.

My understanding is that that resulted effectively on the ground in an extra two police. In the context of police officers fearing for their safety, saying they struggled to do their job effectively, in a situation where the government refuses to provide the adequate protections to our police, what is the government doing? I will tell you what it is doing. It is continually eroding the resources that are needed to do the job on the ground.

What I would call on this government to do is to replace the \$15 million that they ripped out in last year's budget. It should make sure that they adequately resource the police. The police will be loyal and they will say the right things in estimates and so on. But you cannot rip \$15 million out of an organisation and say that has got no effect. Clearly, it does. The government should provide that funding. Put it back in.

When we look at adequate funding for police, we should not provide additional resources that are below the cost of doing business, because that is, in effect, a cut. If we do not adequately resource our police force to keep pace with the operational demands they have got for a growing city, that is effectively a cut.

Most particularly, most importantly, the government should make sure that we resource the city beat so we never again get a situation where police officers for two years plead for more resources because they are unsafe, because they cannot do their job, and get ignored by the government. The government's response then is to secretly, without any consultation, collapse the alcohol crime targeting task force into the city beat to make the numbers look better.

I call on the government again to support the Canberra Liberals' call to introduce legislation that provides better protection for our police. Our model creates an aggravated offence for crimes against police officers in the conduct of their duty. We could equally have specific police assault legislation. There are a couple of ways to skin this cow. We would support either model because at the moment police are going out—by their own statements in many cases under-resourced, without the protections that are enjoyed in other states—to keep us safe and they are not getting the support of this government.

Be it the police, be it victims of crime, be it the DPP, be it the courts, be it resourcing, be it sentencing, what we are seeing from this government is lethargy and what we are seeing is a focus that is far more about supporting and providing resources to the people who are perpetrating crime, rather than those who are trying to implement justice and keep our streets safe.

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

**Sitting suspended from 12.27 to 2.30 pm.**

### **Questions without notice**

#### **Health—nurse-led walk-in centres**

**MR HANSON:** My question is to the Minister for Health. Minister, the government now operates two walk-in centres in the ACT. What is the cost of each occasion of service in these centres?

**MS GALLAGHER:** I think there is a question on notice. I did reply, didn't I?

**Mr Hanson:** You did reply; indeed.

**MS GALLAGHER:** I did.

**Mr Hanson:** Can you remember your reply? You might want to advise the Assembly.

**MS GALLAGHER:** It was going to divert too many resources to answer it, and we would happily provide you with a briefing, which is still on offer. I think it was a four-page question with about 100 subsets.

**Mr Hanson:** Very thorough.

**MS GALLAGHER:** It was very thorough, but I did feel that a lot of those issues could be addressed cheaply with the expertise from the directorate.

**Mr Hanson:** Perhaps you can answer my question now, Chief Minister.

**MS GALLAGHER:** I cannot give you an exact figure, Mr Hanson. I am trying to go back through my memory as we speak, to recall the figure I last saw. I think it would be better to inform the Assembly of the accurate figure.

**Mr Hanson:** You didn't answer it last time.

**MS GALLAGHER:** I think we have answered the occasions of service for the walk-in centre. It is more expensive than a GP visit but less expensive than an admission or a presentation to the emergency department.

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

**MR HANSON:** I will look forward to that response, and when you provide it could you also make sure it includes salaries; salary on-costs; IT; HR; procurement; budget and finance; depreciated building costs; ongoing capital; building services, including cleaning, consumables, training; perhaps GP mentoring costs; professional audits and standards—

**Dr Bourke:** Point of order.

**MADAM SPEAKER:** Is there a point of order?

**Dr Bourke:** Madam Speaker, is this a question or a preamble?

**MADAM SPEAKER:** It was a question. The question was “Could you also include...”.

**Dr Bourke:** Sorry; it is the second question. Thank you.

**MR HANSON:** Thank you, Dr Bourke. I will go on: GP mentoring costs; professional audits and standards consultancies; and any other relevant costs.

**MS GALLAGHER:** I repeat my offer for a very detailed and thorough briefing. I am sure officials would be happy to spend several hours with you to go through those details. Where we can easily assist you with that question, I will, but the walk-in centre is not heavily staffed, and to answer that question with the level of detail you were asking for would require, I imagine, the manager to spend days on answering that question. I just felt that it would be beneficial for everybody if we could make officials available for you.

**MADAM SPEAKER:** Supplementary question, Mrs Jones.

**MRS JONES:** Chief Minister, what are the full-time equivalent and actual staff numbers employed in each centre?

**MS GALLAGHER:** I can certainly provide that detail. There are different shift arrangements in place. I think the annual recurrent budget for a walk-in centre is just above \$2 million and the vast majority of that will be for staff and salaries.

**MADAM SPEAKER:** Supplementary question, Mrs Jones.

**MRS JONES:** Chief Minister, what is the annual advertising and marketing cost for the walk-in centres?

**MS GALLAGHER:** I am happy to provide that to the Assembly. It would be very, very low. With the opening of the Tuggeranong and Belconnen walk-in centres, there was obviously a very small marketing budget associated with ensuring people knew they were opening and where they were.

### **Planning—project facilitation**

**MR COE:** My question is to the Minister for Planning. On 24 June this year, the then Minister for Environment and Sustainable Development informed the estimates committee in relation to the project facilitation bill that the government proposed to put forward a revised bill later this year. Minister, when will the revised bill be presented to the Assembly?

**MR GENTLEMAN:** I thank Mr Coe for his question on that particular issue. I have not given any consideration to when that bill may be brought forward or redesigned at this stage, but I am certainly taking some counsel on it.

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

**MR COE:** Minister, how will the consultation for the next round of the bill differ from the first round?

**MR GENTLEMAN:** I thank Mr Coe for the supplementary question. That will be determined on the amount of consultation that we want to go forward with for that proposed bill but at this stage, as I said, I have not had any thoughts on how that may go forth.

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

**MR WALL:** Minister, will the legislation include project or precinct-specific clauses?

**MR GENTLEMAN:** I thank Mr Wall for his question. As I said, I have not had any thoughts on how the bill may proceed or whether it would involve those clauses or not.

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

**MR WALL:** Minister, will you ensure that community groups are consulted before the bill is presented to the Assembly?

**MR GENTLEMAN:** I thank Mr Wall for his question. Certainly for any bill that I want to bring forward I am very concerned about consultation. I want to make sure that all people are consulted, and so I am very keen to ensure that all community groups are consulted. Indeed, as you are aware, Mr Wall, with the Uriarra residents group, I am very keen to have their consultation. I have been out to visit them several times.

**Environment—water strategy**

**DR BOURKE:** My question is to the Minister for the Environment. Minister, earlier this month you released the ACT water strategy. Can you please tell the Assembly about this strategy and what it means for Canberra?

**MR CORBELL:** I thank Dr Bourke for the question. Earlier this month I was very pleased to be down at the Tuggeranong Arts Centre to release the new ACT water strategy, as a guest of the Australian Water Association. This new strategy, ACT water strategy 2014-2044: striking the balance, sets out the government's objective for the management of our water for that period. It builds on the success of the think water, act water strategy which has put in place a range of very significant infrastructure projects to provide long-term water security for our city.

The new water strategy identifies three key outcomes for the government: firstly, healthy catchments and water bodies; secondly, sustainable water supplies; and, thirdly, community wellbeing and support. For each of those outcomes we are very strongly focused on a range of actions.

In relation to the healthy catchment and healthy water bodies objective, this is about very much focusing on the key issue now for us as a city, which is the health of our waterways, the health of our subcatchments and addressing concerns, environmental and community, about the health and wellbeing of our waterways. Of course this underpins directly the steps taken by the government to secure commonwealth funding to deliver improvements to our water bodies—\$85 million, the largest commonwealth funding commitment ever made to an urban area—to improve urban water quality. We are very focused on the delivery of these outcomes with the support of the commonwealth government through the new water strategy.

The second outcome is again focused on a sustainable water supply. We recognise that we need to make sure that we have a diversity of supply, both potable and non-potable, to ensure that we are adaptive to climate variability, which we know will only increase into the future, as well as ensuring that we have underpinning levels and high levels of water security. Of course important projects like the Cotter Dam enlargement and the Murrumbidgee to Googong pipeline transfer infrastructure are critical as part of our long-term water supply and water security objectives.

The water strategy has been developed with extensive engagement with stakeholders, water infrastructure managers, water carers and other stakeholders. I am very pleased that the new strategy is now finalised and is underpinning the government's efforts to continue to responsibly manage its most valuable of resources, the territory's water resources.

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

**DR BOURKE:** Minister, how does the water-sensitive urban design review contribute to the outcomes of the water strategy?

**MR CORBELL:** I thank Dr Bourke for the supplementary. Along with releasing the new water strategy, striking the balance, I also released the outcomes of the review into our water-sensitive urban design guidelines. Water-sensitive urban design guidelines have been in place now for approximately a decade. The original objective was to ensure that we achieved a 40 per cent reduction in water usage in new and refurbished developments. The previous guidelines certainly delivered that outcome.

What we have looked at now in engagement with industry and the broader community is how can we further improve our guidelines to provide greater flexibility for industry in terms of the best fit-for-purpose responses they deliver at an estate level and at an individual development level and how we can continue to drive down the level of potable water use in new developments.

The key principles of the water-sensitive urban design review include looking at the use of water-efficient appliances, minimising waste water generation and treatment of waste water, how that can be done in smarter and more effective ways, fit-for-purpose ways, and in particular how, where appropriate, we can lift it beyond an individual development level and how it can potentially occur at an estate-wide level and other levels of development across the city so that we get cost-effective ways to achieve water-sensitive urban design into the future.

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

**MS PORTER:** Minister, how will the improved water-sensitive urban design principles be applied and what will they achieve?

**MR CORBELL:** Water-sensitive urban design, of course, is about reducing the need for water use in new dwellings and that, of course, leads to direct savings for householders. If you have water-efficient appliances and water-efficient measures in estates, it improves the overall use of the resource and it reduces the overall level of demand.

It also, of course, reduces impacts on our catchments because another very important aspect of water-sensitive urban design is in relation to the management of stormwater. Stormwater run-off is critical in terms of addressing the broader issue of catchment health. All of us in this place know the community's concerns about the health of some of our subcatchments.

Measures that continue to improve the way we manage stormwater run-off, how we detain, for example, stormwater before it enters our catchments so that any pollution—and one of the primary causes of water quality problems in our subcatchments is the run-off from the urban area—how we detain that run-off and clean it before it enters into the broader catchment. These are the types of steps that need to continue to be pursued.

In the last decade the number of on-site stormwater detention facilities has grown by around 300 to 400 separate installations. That really highlights the emphasis that the government and the community as a whole have put on to improving stormwater

management, but there is still more work to be done. The new water-sensitive urban design guidelines that will come out of this review document will assist in that very important work.

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

**MS BERRY:** Minister, what other initiatives are in place to improve the health of our waterways?

**MR CORBELL:** I thank Ms Berry for the supplementary. Of course, the other big, critical element of this is, as I mentioned earlier, the \$85 million funding program in collaboration with the commonwealth. The project, as members would know, is focused on a range of subcatchments across the ACT. I am very pleased to say that we are moving ahead with the implementation of this program and this funding agreement with the commonwealth. We are about to finalise the awards of the first tenders under the project to facilitate the data gathering and monitoring regime required of us by the commonwealth. We have done that in conjunction with the commonwealth. We are also exploring opportunities for early interventions as part of this program, as I have said that we will, because these are opportunities that can and should be pursued if they stack up, in terms of their potential viability in outcomes. If that can be included as part of the monitoring regime, the government is very keen to pursue that.

### **Bushfires—preparedness**

**MR SMYTH:** My question is to the Minister for Territory and Municipal Services: regarding the four positions in the forestry and fire management unit, you stated on Tuesday that:

My advice is that four positions in the forestry and fire management unit are occupied with suitably qualified and experienced people, including all senior management positions.

Minister, is it true that of the four positions in the fire management unit one member has just gone on six months' leave, one member has just gone on one month's leave and one member is currently not working in the unit, leaving only one permanent member on duty?

**MR RATTENBURY:** As I indicated to Mr Smyth in my answer on Tuesday, my advice—and I have checked this recently—is that the unit is functioning and delivering the preparations for this coming fire season, including the elements of the bushfire operations plan it is required to. I do not have the specifics that Mr Smyth clearly does on what the staff movements are in that unit, but I am more than happy to follow that up.

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

**MR SMYTH:** Minister, have any of the positions been backfilled?



**MR RATTENBURY:** I will take that on notice and advise Mr Smyth.

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

**MR DOSZPOT:** Minister, if the positions have been backfilled, would the combined skill levels now be greater or lesser within the FMU?

**MR RATTENBURY:** Clearly, given my previous answer to Mr Smyth, and not having that specific information to hand, I am not able to answer Mr Doszpot's question specifically.

What I can say is that I have sought assurance, as I said in my earlier answer, that TAMS has the capability to deliver bushfire preparedness for the coming season. I think it is important that in this sort of environment we are not relying on single individuals to deliver the entire bushfire operational program. Clearly we need to have capability across the entire government to deliver these necessary and vital preparations. So TAMS needs to be in a position, as does the rest of the ACT government, where, if one member is on leave or not available, for a range of reasons, as a unit and as an agency we have the capability to make the necessary preparations.

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

**MR DOSZPOT:** Minister, have you sought answers since the questions you received from the opposition this week?

**MR RATTENBURY:** I indicated in my answer on Tuesday that I had recently sought advice as to whether TAMS had the capability to deliver this year's bushfire operational plans. I have received that assurance. I have received it personally and directly from the director-general, who I know has also had conversations with the head of the Emergency Services Agency, to seek information that the head of the ESA is satisfied with the preparations that TAMS are making. I sought those assurances prior to the start of this sitting week. The additional information I have had since then was in response to the question that Mr Smyth asked me on Tuesday, about specific numbers of incident managers level 3, and I provided the answer to Mr Smyth on that yesterday. That is the additional information I have had this week.

### **ACT Policing—outstanding arrest warrants**

**MR WALL:** My question is to the minister for police. It has been reported in the media in articles such as that in the *City News* of 30 July 2014 that ACT police were engaged in Operation Azine. This operation was aimed at reducing the number of outstanding arrest warrants across the ACT and particularly targeting those people with outstanding arrests warrants for a range of offences including theft, driving while disqualified, and drink-driving. Minister, how is it possible for outstanding arrest warrants to date back as far as 1995?

**MR CORBELL:** There are always a range of factors in play in relation to outstanding warrants that have been issued, and they will vary depending on the

circumstances of the persons against whom they have been issued. It is worth highlighting also that a number of these warrants relate to the execution of outstanding arrest warrants for persons who had those warrants issued in other jurisdictions and who have subsequently moved to the ACT.

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

**MR WALL:** Minister, on completion of operation Azine on 28 July this year, how many arrest warrants still remained in the territory?

**MR CORBELL:** I will take the question on notice.

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

**MR HANSON:** Minister, what are you doing to ensure that offenders with outstanding warrants are arrested?

**MR CORBELL:** I refer Mr Hanson to the operation referred to by his colleague Mr Wall.

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

**MR HANSON:** Minister, can you provide a breakdown of which were ACT outstanding warrants and how many were from other jurisdictions?

**MR CORBELL:** I will take advice as to whether it is reasonably practicable to provide that.

### **Planning—deconcessionalisation**

**MRS JONES:** My question is to the Minister for Planning. Minister, I refer to a finding by the Civil and Administrative Tribunal that planning authorities adopted a “formulaic” approach to the deconcessionalisation of community group leases for 13 leases since 2010. All of the minister’s reasons were found to have been “couched in roughly similar terms”. One of the concessions granted was for the Weston Creek Labor Club in Stirling in 2012. Minister, what actions will you take to ensure that a formulaic approach is not taken to deconcessionalisation of community group or club leases in the future?

**MR GENTLEMAN:** I thank Mrs Jones for her question. I will be having a look at the process for deconcessionalisation of those particular sites. I have a list of sites in front of me and I have had a look at the particular one you have mentioned. There was an application and a sum to deconcessionalise. I think that is still in the process.

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

**MRS JONES:** Minister, what action will you take to ensure that the community is provided with all relevant information about the deconcessionalisation of the Weston Creek Labor Club?

**MR GENTLEMAN:** I will take some advice from the directorate on how we could go about providing that information for the community.

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

**MR COE:** Minister, why did the government refuse to answer questions that I have lodged on this matter?

**MR GENTLEMAN:** I have not received a question from Mr Coe on this matter at this stage.

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

**MR COE:** Minister, will the government be sure that future planning applications by the Labor Party or associated entities, including trade unions, are dealt with in an open, transparent and appropriate manner?

**MR GENTLEMAN:** As I said in answer to Mrs Jones's question, I will take some advice on how we can better consult with the community on these processes.

### **Arts—funding**

**MS PORTER:** My question is to the Minister for the Arts. Minister, could you update the Assembly on the government's progress in meeting its commitments to the arts.

**MS BURCH:** I thank Ms Porter for her interest in the arts. This government recognises the considerable value that the arts bring to our community. We are committed to enabling strong community access to and engagement with the arts. We provide more than \$8 million in funding, including through the ACT arts fund, which supports high-quality work across a broad range of art forms and practices through programs such as artists in schools, artists in residence, key arts organisation funding and program and project grants.

Developing arts hubs is a significant part of achieving the goals outlined in the ACT arts policy framework. Before the 2012 election, the government committed to delivering \$4 million over four years to develop Kingston visual arts precinct and the Ainslie Arts Centre. I can report that work is well underway on both. With reference to the Kingston arts precinct, Stewart Architects and a team of sub-consultants have been engaged to undertake a feasibility study for the next stages of creating this new arts precinct.

The architects will consider the earlier reports and review the opportunities for the development of the remaining areas included in section 49, possibly including a stand-alone arts facility. This is consistent with the Land Development Agency's master plan for section 49 to be funded for construction in coming budgets. The section 49 master plan was publicly released in May of this year. Potential tenants and current users of the precinct are being consulted, so we will have a comprehensive list of

organisations and their individual requirements. The feasibility study will also identify complementary commercial activities that could be co-located in the precinct. Key arts organisations have been given notice about the feasibility study and will continue to be actively engaged throughout the process.

Work is also in train in the Ainslie Arts Centre. That includes upgrading the hall to become an accessible and affordable performance space, co-locating office spaces for all tenants, refurbishing the foyer and reception area and modifying the music workshop to include smaller tuition pods.

Cultural planners have worked with Philip Leeson Architects to progress the development of both Ainslie and Gorman House as arts hubs and to develop options for how the centres can be best modified without detriment to their heritage value.

There has been extensive consultation with tenants and management and construction will begin in the last quarter of the year to align with the school terms and public programs.

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

**MS PORTER:** Minister, could you further tell the Assembly about the work being done to meet the government's commitments at the Gorman House Arts Centre and the benefits it will bring to the tenants of Gorman House and the ACT community?

**MS BURCH:** Gorman House Arts Centre is a highly valued arts hub and one of our city's finest cultural assets but it is also in need of an upgrade. Before the last election we committed to invest \$1 million to upgrade the centre. Consultation was undertaken with Gorman House Arts Centre and its tenants, external arts and community users and the new cultural precinct in Braddon, and will continue through the next planning and design stages.

Work in the first stage of construction will focus on a review of entry points from Batman Street, associated signage and landscaping; upgraded administration facilities to accommodate the art centre's growing staff requirements; upgrades to the Bogong Theatre; and minor upgrades to the Ralph Wilson Theatre and Currong Hall.

Philip Leeson Architects have progressed drawings to final sketch plan stage, and a DA is being prepared. There has been an extensive conversation with the tenants and management of Gorman House. As with the Ainslie Arts Centre, construction will begin in the last quarter of 2014. This will be the first major injection of capital works to support Gorman House since the 1980s. Gorman House has been a centre of alternative community arts activity for three decades, and I look forward to the new future and having more accessible and welcoming aspects for its visitors.

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

**MR SMYTH:** Minister, why have you not taken up the Childers Group's suggestion, which was supported unanimously by the estimates committee, to have an embedded arts officer in the education directorate?

**MS BURCH:** Because we have a strong arts in schools program and a strong unit within ETD that looks across all aspects of curriculum. Arts is part of the Australian curriculum, and we will support it that way.

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

**MS BERRY:** Minister, could you provide an update on how the government is meeting its commitment to the arts by developing plans for the new Canberra theatre?

**MS BURCH:** The government is meeting its commitments to develop plans for the new Canberra theatre by providing initial funding of \$170,000 for a feasibility study. The study will assess the viability of such a venue and create a concept design within the cultural precinct around the eastern perimeter of City Hill. The outcomes of the study will allow a rigorous business case for the new facility to be put to government for consideration.

Economic Development is undertaking this study in close working partnership with the Cultural Facilities Corporation as a key element of the city to the lake initiative. I note the estimates committee recommendation that the study also look at the possibility of establishing a national performing arts centre in the ACT, and we will do that. It is a good suggestion and it is noted in the government's response to the committee's report.

A new theatre will bring significant value to Canberra, including providing a venue with an auditorium capacity and technical ability to host national and international touring productions. This will allow the Canberra and regional community to experience major commercial musicals, ballet and opera performances.

The new theatre will also support a vibrant city centre, especially by revitalising the City Hill cultural precinct. It will complement other facilities identified in the city plan and the city to the lake initiative, including the proposed Australia forum. Investing in a theatre is a future aspect that will support Canberra's cultural life.

### **Racing industry—unclaimed dividends**

**MR DOSZPOT:** My question is for the Treasurer. Treasurer, what is the government's policy regarding unclaimed dividends in the racing industry?

**MR BARR:** I am not sure that it is actually in my portfolio areas, but I will take that question on notice.

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

**MR DOSZPOT:** Treasurer, what legal and compliance elements are in effect?

**MR BARR:** I will take that on notice as well.

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

**MR SMYTH:** Treasurer, what arrangements have been struck regarding unclaimed dividends in the ACTTAB sale to Tabcorp?

**MR BARR:** I will take that on notice.

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

**MR SMYTH:** Treasurer, how will unclaimed dividends be treated in the future? Are there plans to redistribute these dividends to the industry?

**MR BARR:** I will take that on notice.

### **Planning—proposed Civic stadium**

**MS LAWDER:** My question is to the Minister for Economic Development. In his column in the *Canberra Times* Jack Waterford stated:

Barr's stadium is a completely unnecessary barnacle ... some useless and expensive edifice ... and the triumph of the greed and ugliness of the ALP-trade union-developer nexus.

Minister, who has the government been working with to develop the stadium project, including trade unions, and what was the result of those discussions?

**MR BARR:** The government has been working with a range of industry stakeholders—those private sector companies who have an interest or experience in the delivery of major stadium infrastructure. That includes groups who have been involved in the delivery of similar stadium upgrades elsewhere in Australia, within South-East Asia, the Pacific and the United States.

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

**MS LAWDER:** Minister, what is the breakdown of costs that the government has incurred on this initiative so far?

**MR BARR:** All work undertaken in this area has been achieved within existing resources or project money allocated to the city to the lake project.

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

**MR DOSZPOT:** Minister, why are you destroying the land base of Canberra for what is reported as a useless barnacle?

**MR BARR:** I am not.

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

**MR DOSZPOT:** Minister, why are you spending hundreds of millions of dollars on what is described as a useless, expensive, unnecessary barnacle that shows the greed and ugliness of the ALP-union-developer nexus?

**MR BARR:** That would be Mr Waterford's opinion. It is not shared by the majority of Canberrans, and I am certainly not doing what he has accused me of doing. That is his view; he is entitled to hold that. Many disagree with him.

### **Budget—west Belconnen**

**MS BERRY:** My question is to the Minister for Territory and Municipal Services. Can the minister please outline what investments have been made in the suburbs of west Belconnen in the 2014-15 budget?

**MR RATTENBURY:** I thank Ms Berry for the question. There have obviously been a range of investments in both west Belconnen specifically and in Belconnen more generally, which is, of course, of benefit to those residents, and across a range of portfolios. I certainly take a focus from a Territory and Municipal Services perspective.

One of the key investments is the new weekend bus service to west Macgregor. I know this is something that I have received a number of representations on, and I know other members have. That service will be getting underway with a new timetable on 1 September.

We have also just had a significant tree planting take place in Dunlop. As it turns out, historically Dunlop was not provided with the usual range of street trees when the suburb was first constructed. TAMS has just gone through a process of undertaking a significant planting in the order of, I think, 400 to 500 trees across the suburb, which was consulted on with residents beforehand.

Interestingly, members may wish to know that TAMS set out to fill in all the gaps in the suburb, and some residents said they did not actually want a tree out the front of their house. In those circumstances trees were not planted. When people wonder why there are gaps, it is not because the government did not offer them; it is because the residents did not want them.

There are, of course, a range of new assets being provided as the city expands. Both Parks and City Services and Roads ACT, in particular, have funds allocated for the expansion of the city. That will cover new assets such as community paths, issues around stormwater drainage and water management as well as street lights and similar matters.

In terms of broader issues in west Belconnen, certainly funds have been allocated in the capital upgrade program for the conservation management of the Jarramlee area in Macgregor west to monitor and improve the golden sun moth and natural temperate grassland habitats. We have also seen upgrades to the recycling drop-off areas at Belconnen and west Belconnen, in particular, with continuing works at Charnwood oval and also continuing funds to upgrade work at Charnwood shops, amongst a range of other initiatives.

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

**MS BERRY:** Minister, can you tell the Assembly if a sign for the Holt community park in west Belconnen has been funded in the 2014-15 budget?

**MR RATTENBURY:** Yes, I can confirm that that is the case. In fact, as part of this year's capital upgrade program, TAMS has allocated \$300,000 for a range of open space furniture and asset protection, including bollards, seats and signs. These are the sorts of things that, again, people regularly make requests for because of problems of people illegally parking and illegally accessing certain areas.

*Mr Coe interjecting—*

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

**MR RATTENBURY:** Part of that package of works is signs that will go in parks and on walking trails, for example, and I can confirm that the sign for the Holt community park is listed as a high priority on the capital upgrades program. That is after certainly I received representations and I believe that other members have also received representations about that matter.

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

**MR COE:** Minister, do you support the greenfield development at Riverview?

**MADAM SPEAKER:** Let me think about that. I am sorry; it does not refer to Mr Rattenbury's ministerial responsibility.

**Mr Coe:** On a point of order, Madam Speaker. Firstly, it is with regard to developments. The question was about investment in west Belconnen, and that is exactly what this government is doing through a joint venture with the Riverview Group and the LDA in west Belconnen. Further to that, TAMS have been involved in providing advice to that project, and for that reason I think it is highly relevant that the Minister for Territory and Municipal Services answer the question.

**Mr Hanson:** On the point of order—

**Mr Corbell:** Madam Speaker—

**MADAM SPEAKER:** I will hear Mr Hanson and then I will hear Mr Corbell.

**Mr Hanson:** In answering the initial question, Mr Rattenbury very specifically said that there were a range of benefits and issues in the budget across a range of portfolios. In answering the question he opened up the fact that there were a range across west Belconnen, not just specifically west Belconnen. He has already opened it up to issues beyond his portfolio in answering the question.



**Mr Corbell:** On the point of order, Madam Speaker, ministers are to be asked questions in question time on matters that they are responsible for under the administrative orders. Mr Rattenbury is not responsible for the Riverview development; that matter is the responsibility of the Minister for Economic Development, Mr Barr.

**Mr Coe:** On the point of order—

**MADAM SPEAKER:** This is the last one.

**Mr Coe:** it is interesting that Minister Corbell should contribute to this discussion on the point of order. I actually asked him a question about emergency services in the proposed estate in west Belconnen.

**Mr Hanson:** And he answered it.

**Mr Coe:** And he answered that earlier in the week. With that in mind, surely, if I can ask him about emergency services in this part of Belconnen, I can ask the Minister for Territory and Municipal Services about TAMS's role in west Belconnen.

**Mr Corbell:** Madam Speaker—

**MADAM SPEAKER:** It is all right, Mr Corbell. I am going to make a ruling. I am ruling the question out of order because the original question was about budget initiatives in Territory and Municipal Services. The standing orders require that questions be asked of ministers in areas for which they have responsibility. There is latitude and we have indulged a fair amount of latitude this week when other ministers have taken questions because they may not have been absolutely perfectly directed. That is probably a function of the change in the administrative orders. It is not a reflection on members; it is just that ministers have been helpful in answering questions.

On this occasion, my understanding is that primary responsibility for the development at Riverview does not fall within Mr Rattenbury's responsibility. You did not ask about TAMS's activities in Riverview, unlike the occasion when Mr Corbell was asked about emergency services for the Riverview development. It is a nice try, Mr Coe, but the question is not in order.

We have one more supplementary question. Thank you, Dr Bourke.

**DR BOURKE:** Minister, when is the sign scheduled to be installed at the Holt community park?

*Mr Coe interjecting—*

**MADAM SPEAKER:** It is not out of order to ask more than one question on a sign, Mr Coe. I have called Mr Rattenbury. Obviously everyone is very interested in the sign at the Holt community park.

**MR RATTENBURY:** Yes, indeed. I am not able to provide the Assembly with an exact date at this time. It will be in this financial year, and I will be happy to provide Dr Bourke with an email update when I do have an exact date.

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

## **Paper**

**Madam Speaker** presented the following paper:

Estimates 2014-2015—Select Committee—Report—*Appropriation Bill 2014-2015 and Appropriation (Office of the Legislative Assembly) Bill 2014-2015*—Speaker's response to recommendations 36 to 41, dated 14 August 2014.

## **Supplementary answers to questions without notice Canberra Hospital—internal review**

**MS GALLAGHER:** Yesterday Mr Hanson asked me whether any seminars were being conducted as part of this body of work in external locations to the hospital. Dr Brown has not presented at any external seminars, conferences, or workshops regarding the patient safety conversations conducted at Canberra Hospital.

## **Bushfires—preparedness**

**MR RATTENBURY:** I was asked earlier today about positions in the fire management unit at the Territory and Municipal Services Directorate. I can inform the Assembly that I have been advised that all positions have been backfilled in that unit with suitably qualified officers.

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

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

Financial Management Act, pursuant to section 26—Consolidated Financial Report—Financial quarter ending 30 June 2014—2013-14 Interim Result.

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

Leave granted.

**MR BARR:** Madam Speaker, I present the June quarter 2014 consolidated financial report for the territory to the Assembly. This report is required under section 26 of the Financial Management Act. I am delighted to be able to inform the Assembly that the interim headline net operating balance for the general government sector has improved by nearly \$70 million. The general government sector was in deficit to the tune of \$197.9 million. This is a \$67.4 million reduction in the estimated 2013-14 deficit of \$265.3 million.

This report represents the interim outcome for the territory, so there is a degree of caution as it is unaudited and significant changes can occur once the audits of individual agencies as well as the total territory financial statements are underway. Nevertheless, it is a pleasing outcome, and the improvement is largely due to an increase in revenue, including and most particularly driven by higher than expected sales of goods and services, driven particularly by higher cross-border health receipts; and increased commonwealth grants revenue. The increase in revenue was partially offset by lower than expected contributed assets transferred at fair value from the LDA and private developers, and we also experienced a decrease in taxation revenue.

I am also pleased to advise the Assembly that lower than anticipated total expenditure in 2013-14 has assisted the interim outcome. This has come about as a result of lower than budgeted expenditure from the Treasurer's advance and a delay in expending funds associated with some capital projects due to unfavourable weather conditions.

The GGS balance sheet remains strong. As forecast, key indicators such as net debt and net financial liabilities have increased, although somewhat less than what was anticipated, as a result of additional borrowings undertaken in support of the territory's infrastructure program as well as an increase in the territory's superannuation liability.

It is pleasing to see that in spite of the commonwealth government cuts to employment, the rest of the territory economy is still contributing to employment growth, and that in 2013-14 the rest of the economy was able to grow employment by 0.6 per cent. This is in line with our budget forecast. This is lower employment growth than we have experienced in the past because the commonwealth are cutting jobs, but we are in the enviable position of having the lowest unemployment rate in the country and the second-highest participation rate.

The latest national accounts subdued gross state product growth driven by a moderation in economic activity, again due to the commonwealth government, but we are seeing contained local price growth. We have seen that both in terms of very low CPI and low WPI.

I am pleased to be able to commend this June quarter 2014 report to the Assembly. We look forward obviously to the completion of the full audited reports, but a near \$70 million improvement is, indeed, a good outcome for the territory.

## **Paper**

**Mr Rattenbury** presented the following paper:

Human Rights Act and Human Rights Commission Act, pursuant to subsection 41(2) and subsection 87(2) respectively—Human Rights Audit on the Conditions of Detention of Women at the Alexander Maconochie Centre—A Report by the ACT Human Rights and Discrimination Commissioner—Government response—Corrigendum.

**Appropriation Bill 2014-2015**

[Cognate bill:

Appropriation (Office of the Legislative Assembly) Bill 2014-2015

Cognate paper:

Estimates 2014-2015—Select Committee report—government response]

**Detail stage**

Schedule 1—Appropriations.

Consideration resumed on amendment No 13 [*see schedule 1 at page 2672*] moved by Mr Barr.

Justice and Community Safety Directorate—

Schedule 1A, Part 1.16—\$280,070,000 (net cost of outputs), \$86,432,000 (capital injection), \$158,301,000 (payments on behalf of Territory), totalling \$524,803,000.

**MR WALL** (Brindabella) (3.17): I rise to speak to Corrective Services within the line item of justice and community safety, and what a hot potato of a portfolio this has been in the past. I must congratulate Mr Rattenbury for retaining his portfolio in the recent cabinet reshuffle. This government has a long, long legacy of cutting and running from this portfolio. History reveals that Mr Quinlan, Mr Stanhope and Mr Hargreaves are past ministers responsible for this portfolio. Of current members still in this chamber Ms Burch had a crack at corrections and, in fact, Mr Corbell is a twice-sacked corrections minister, just as he is from the planning portfolio.

The litany of issues that have plagued previous corrections ministers in this place continue to plague the minister currently in charge of the portfolio—constant cost blowouts, questions over security and staffing and capacity issues. Again on the agenda is the issue of syringes in prison; once again it is back on the ideological menu of this government.

Let us look at the major cost blowouts in spending as illustrated in this year's budget. We were told by Mr Rattenbury prior to the budget of additional facilities and upgrades at the AMC. The prison that was meant to go without any further expansion for 25 years, but it now needs \$54 million for additional facilities. You would think this would be as far as it goes—the expansion of the prison that apparently did not need to be expanded—and yet this debacle just keeps on giving. Delve deeper into the fine print and the somewhat confusing budget papers and hidden in there is another \$25 million towards additional facilities. To top it all off, that does not even take into account the gross amounts of money that have been spent on the design component.

This facility was supposed to have lasted for 25 years and should have been sufficient to meet the needs of the ACT community for that time. Only six years after its opening, we need to spend \$54 million to upgrade it. If we find the truth—the facts Mr Rattenbury and the department and this government do not want to tell us or do not want us to find out—it is that Canberrans are going to be paying in excess of \$79 million. And knowing that this hopelessly irresponsible and wasteful

government—I guess you might refer to it as a watermelon of a government—treats the money of Canberrans as its own, we will, no doubt, continue to see the costs of this prison spiralling out of control. The fact is those opposite continue to deliver poor performances on capital projects, and the AMC is no exception.

At this point the average Canberran would probably be thinking that it is a bit excessive. However, the spendthrift attitude of this government will continue to amaze. Even the most politically tuned-out citizens of this city will tweak their ears when they realise that there is \$13.6 million of additional funding for additional staffing and a further \$3 million for a new electronic security system to put this upgrade into the AMC facility. That brings the total of this expansion close to \$100 million. This was an upgrade that was not meant to be needed for another 19 years. If we have had to spend \$100 million in just six years, the underlying question which this minister needs to be absolutely and fundamentally clear on is: how much more are we going to have to pay over the next 19? It is a grim future for this once pet project of ACT Labor government, now left in the hands of the Greens minister to try and iron out some of the problems

A notch on the belt of failure this ACT government consistently wears is the distinct lack of security and safety which plagues the AMC. Even this week the belt got tighter as another notch was added through the idea that absolutely dumbfounded me—to put syringes and needles into the jail. Who in their right mind thinks it is a good idea to provide detainees, most of who are convicted criminals, with sharp needles in order to use illicit drugs? On one hand, Minister Rattenbury and the Corrective Services executives are saying they are trying to combat the use, sale and infiltration of illicit substances in the AMC, but then in a bizarre move they think that it is a good idea to provide prisoners with the tools to use such substances. The logic behind this is absent. Not only is the government contradicting itself, but it is quite simply condoning the use of drugs, something which the Canberra Liberals plainly do not support, and I think that is in line with the views of most Canberrans.

If the program is to limit the transmission of bloodborne viruses and illnesses, let us have a constructive discussion about some of the other issues that cause these health issues to occur, such as the unprotected rape and sex that often occurs in prisons, as well as the practice of jailhouse tattooing. But putting aside for the moment that condoning drugs is not a good thing, the sad reality is that the ACT government has not kept the welfare and safety of their own employees at the AMC in mind. What a failure in the duty of care that they have to staff that work for the territory. What a lapse in judgment from this minister.

The anger and the frustration of corrections officers and staff at the AMC over this issue is evident in their attitudes towards the enterprise bargaining agreement negotiations. You will not see the minister come out and admit it, but simply give the unions a call or talk to the staff directly themselves, and you will clearly and very quickly understand that they are up in arms about this blatant green light to drug use in the AMC.

Let us turn this around and look at it from the point of view of a prisoner and what they have to go through. For a prisoner to access a needle, they will need to ask the

authorities for a syringe. It is going to trigger a flag that they are potentially using an illicit substance. That completely outs them as a drug user in the prison and most likely will result in increased searches of their personal space, body and their cells. This practice will also potentially increase the occurrence of standover tactics in the prison as stronger prisoners will force other detainees to collect needles for their own use.

If the prisoners are not going to use the program because it creates increased safety hazards, if the program is causing revolt within the ranks of ACT Corrective Services, and if the program is essentially condoning drugs, what is the point of implementing such a program? It goes against basic logic. Whilst we would expect a government to possess some logic, this program shows that this Labor-Greens government has none.

In conclusion, I apologise that I said that Ms Burch was a corrections minister; she was responsible for youth corrections.

**MR SMYTH** (Brindabella) (3:25): I have a couple of areas to raise within the JACS portfolio. First and foremost, I would like to speak to recommendation 105 in the estimates report:

The Committee recommends the ACT Government review all proposed options for a new Supreme Court building taking into account functionality, capacity and cost, and report to the Assembly on the outcomes of the review.

The government has not agreed. It is one of the 12 not agreed from the government and I do think that is a shame. I understand a cheaper and potentially a more functional offer has been made to the government. I do not believe, the proponents do not believe and, indeed, the architecture fraternity do not believe that it has been taken seriously. They proposed a different way of doing it. What the committee was suggesting here was that it might be worth one last look. But of course the government have simply said no. They have said they have previously considered options for a new Supreme Court taking into account the things listed and that they are now going to proceed. Given Mr Corbell's record on delivering capital works, whether it be Gungahlin Drive or the prison, the outcome now of the Supreme Court remains to be seen and whether or not it will turn into another Corbell bungle.

The other issue that came up in a significant way during the JACS hearing was the issue of bullying, sexism and misogyny in ACT emergency services. I would give credit particularly to Mrs Jones for the way she followed the issue of bullying across all of the portfolios but she participated in this area as well. The problem is that there is now a cloud hanging over members of the Fire & Rescue service who continually say to me that they do not believe the air has been cleared, that because of the way the government, particularly the minister, has handled this there is now a slur over all male officers in the Fire & Rescue service and that really justice has not been done.

There are a number of recommendations here. Recommendation 109 states:

The Committee recommends that the ACT Government introduce measures to effectively address bullying, sexism and misogyny in ACT Emergency Services.

To which the government has only said:

Noted.

This is what you say when you do not have an answer and you do not intend to do anything. The response is:

ACT Emergency Services takes bullying and harassment seriously and manages issues in line with the ACT Public Service Respect, Equity and Diversity Framework and the Public Sector Management Act.

In addition, in the 2014-15 Budget the Government announced the development of a 'Women in Emergency Services Strategy' and reallocated \$0.160 million for this initiative.

I think if you want women in Emergency Services, the best way to do it is provide an environment for them to prosper and thrive and to be allowed to do their job, as well as allowing the male officers in the service to do their job. It is interesting that these inquiries and these recommendations stem from an incident where a firefighter placed a camera in the female toilet. I asked several questions of the commissioner who just waffled on. I will give Mr Corbell his due. In the end he said, "What happened was this." I think we all knew what had happened but it was interesting to get the government to fess up to it. But I give Mr Corbell his due.

I did not follow it through and I regret perhaps not following it through further, but it had taken so much effort to get the admission that it had happened. What members might not know is that the firefighter who was responsible was eventually suspended, almost a year after the event, and then left ACT Fire & Rescue. But he received a payout as part of a confidential agreement with the government for his departure from Fire & Rescue.

You put a recording device in a colleague's cubicle in the bathroom at your fire station, you get caught, initially you get a slap on the wrist, there is a fuller inquiry which reveals your part, you leave the service and on the way out you get a payment for it. That is not going to engender in women in the ACT the desire to become part of Fire & Rescue. If that is how that works then that is appalling and there is no justice in this. Women in the service currently must be scratching their heads, and women thinking of joining would be going, "How does that work?" I would be interested in a response from anyone on the other side as to whether or not they think that is just.

The female firefighter, I understand, is still there. She had to go on a different shift to avoid the complications of these things. I understand that she went to the police but withdrew her complaint, and you can understand why. It just gets too hard. It is not worth the effort when the system does not back you up and the individual that did the act gets a payment for it.

I think you can spend your \$160,000 to develop a women in emergency services strategy but I would simply give you one piece of advice: do not pay those that commit the insult, the injury or the action to leave the service. If that is your way of dealing with this then you have no idea about staff management. I think it is just appalling.

An article in the *Canberra Times* by Christopher Knaus has referred to this. It would appear nobody is happy with this practice except the individual who has got the money. Even the ACT branch secretary of the United Firefighters Union has condemned the incident, labelling it appalling and labelling the delayed action disgraceful. We always talk about justice delayed being justice denied. It has certainly been denied here. In the article the UFU secretary said:

“It is also disgraceful that workers affected by this were not protected, that due process was not observed, and that it took over a year of bungling for the bureaucracy to resolve this shabby episode,” ...

“It’s time they had a real dialogue with us—

the union—

to fix these process problems, so that history doesn’t repeat itself.”

The incident, and one other, helped mark a major ... review, which has now been completed.

That is all well and good. The article mentions:

ACT Fire and Rescue stations have also gone through a “respect, equity and diversity” program.

I assume that is the officers at the stations. But again, it is not going to change if that is the way that this government deals with bullying. Then it says, “We will note this and we will just have a program.” Then recommendation 110 says:

The Committee recommends that the relevant Minister detail to the Assembly the manner in which the Justice and Community Safety Directorate managed allegations of bullying, sexism and misogyny in the ACT Emergency Services Agency.

The response is:

Not agreed.

“We are not going to tell you what we did. We are not going to tell you what went wrong. We are not going to tell you how we fixed it. What are we going to do? We are just going to refer you to the things that were in place when this happened.” Yet the response, as I said, is:

Not agreed.

The JACS Directorate including the ACT Emergency Services takes bullying and harassment seriously and manages issues in line with the ACT Public Service Respect, Equity and Diversity Framework and the Public Sector Management Act.



How can you write that down, put that in a document and table it in the Assembly and expect it to be taken seriously? Remember what the union said:

“It is also disgraceful that workers affected by this were not protected, that due process was not observed, and that it took over a year of bungling for the bureaucracy to resolve this shabby episode,” ...

The government answer was:

The JACS Directorate including the ACT Emergency Services takes bullying and harassment seriously ...

No it does not, if this has been allowed to go the way that it does. And the response from the government goes on:

...and manages issues in line with the ACT Public Service Respect, Equity and Diversity Framework and the Public Sector Management Act.

The ACT government’s respect, equity and diversity framework can be found on a website. The Public Sector Management Act can be found on another website. The response continues:

These matters are regularly reported on to the Assembly through Annual Reports Hearings.

They are not reported regularly; it is annual. What the Assembly wanted to know was how it had happened. Indeed, I think implicit in that is, “What have you done to fix it?” But no, the minister, who I assume crafted the response, does not think that is a reasonable outcome. If you have that attitude, it is not going to fix the problem. You can throw as much money as you want at it but it is not going to improve the outcomes for anyone and the cloud will hang over the male officers in the service. They do a great job. I would think the bulk of them behave as gentlemen and act respectfully towards their female colleagues. But a lot of them are very cranky that they have been left hung out to dry by this minister who will not stand up and do the right thing.

The next recommendation from the committee is:

The Committee recommends that the ACT Government’s Emergency Services Agency should comply with the Emergencies Act 2004 requirements for the upcoming version 3 Strategic Bushfire Management Plan by including in this Plan an explicit statement of all resources needed to meet the objective of the Plan.

The response is:

Agreed.

An explicit statement of all resources needed to meet the objective of the Strategic Bushfire Management Plan ... is already planned to be included in version 3 of the Plan. The SBMP version 3 is expected to be released by October 2014.

*(Second speaking period taken.)*

If it is included, that would be a delightful change. When the Auditor-General made a recommendation on bushfire preparedness that the explicit detail be included, I asked the minister to give me the explicit detail. His explicit answer was:

I have got a Fire and Rescue Service. I have got a Rural Fire Service. I have got a couple of helicopters and a couple of bulldozers.

That is clearly not what is meant by the act, that is clearly not what is required by the Auditor-General and that is clearly not what is required, I believe, by the community.

There are some issues inside the Rural Fire Service at the moment. It has been raised with me that a number of the paid staff, the full-time staff, at the RFS have gone. There are questions over the use of officers—officers have been seconded to do some reports—and whether or not they have been replaced. In the approach to a fire season, as we know with a potential El Nino effect, are we as genuinely prepared as we could be?

I would bring to the attention of members that there were two grassfires in the ACT yesterday, one on Canberra Avenue and one, I believe, in Lyons. Here we are in August and the fires have started already. Given what happened particularly in the Blue Mountains last year, Canberra got off quite lightly. We had a number of fires but not a great deal and not anything significant. There is fuel out there. On average we have a major bushfire event in the ACT every eight years. It is now some 11 years since 2003, and there is a lot of fuel out there. The question there is: are we ready?

As members would know, I am a member of the Guises Creek volunteer bushfire brigade. We had our annual general meeting last week. The commissioner came. I understand he has gone to every AGM, and that is a good effort on behalf of the commissioner. But you could see the hairs rise on the back of the neck of the firefighters in my brigade—and I understand there was similar consternation in other brigades—when the commissioner starting speaking about integration.

We volunteer because we want to be members of the ACT Rural Fire Service. We do not want to be members of a larger, one-size-fits-all organisation and when the commissioner starts using the word “integration” people get very nervous. I call on the minister in this debate to totally and categorically rule out the integration of Fire & Rescue and the RFS or, indeed, all four services into one ACT emergency service. There has been talk about this behind the scenes for a long time now, and I would like the minister to rule out any integration of the services.

The services need to work together and we need to make sure that we use all resources wisely and economically. But the volunteers that I have spoken to—and I have had many discussions with members of a number of different brigades and with the VBA—are very concerned about the integration word. They see it is a threat to what we do as volunteers. We see ourselves as doing something totally different to what the Fire & Rescue service does as their main job, although they certainly do

have off-road and bushfire capability. In the lead-up to the start of the season let us get off on the right foot by making it abundantly clear that the RFS is not at threat or at risk of integration. The minister will have ample time when he responds to make that abundantly clear.

The other issues that were asked about during estimates included the culture review that is going on in the Ambulance Service. I understand that was due by the end of August. So it is certainly in the home straight for that and we look forward with interest to the report. This is a report that is long overdue.

There is an old saying that the fish rots from the head. We have had so much trouble inside Fire & Rescue and we have had difficulties with, as the union, the TWU, called it, the toxic culture of management inside the Ambulance Service that we do have to ask: what has the minister been doing to ensure that his portfolios are run properly? When you have two key services, the two full-time services of the Emergency Services Agency, under a cloud like this, I think it is unfortunate, it has gone on too long and it shows the level of negligence of this minister.

We also asked questions about the defibrillators. There were five clinical safety alerts and six other alerts, which is a lot for a lifesaving product that you would think would operate from day one. Again, the implementation of that and the way the minister responded I think have been less than satisfactory.

We need to look at things like the CFUs, the community fire units. I acknowledge Ms Porter is a member of her local community fire unit. Recommendation 112 says:

The Committee recommends that the ACT Government ensure that the Community Fire Units and the Farm Fire Wise program receive adequate resources to enable them to effectively fulfil their functions.

The government response again is:

Noted.

It is dismissed by the government. The response continues:

The ACT Government currently provides appropriate ongoing funding to Community Fire Units and the Farm Wise Program.

It would be interesting for the minister to stand up and say that he believes that the funding that is currently received is adequate to enable them to effectively fulfil all of their functions, and I look forward to the minister's answer on that one as well.

There are a number of issues here. There certainly is a lot of work to do, and I think the highlight, if there was a highlight, of the estimates was that the minister was able to report—he finally had a smile on his face—being able to deliver a capital works program not just on time but a little earlier than it was due and a lot cheaper. I would like to congratulate the team who have been putting that work together. Dr Mark Doverty, Mr Hammond and the team, full marks. To be able to deliver these projects

has been a great success. It is a shame that it has taken 13 years for the minister to be able to say that he has finally delivered a project on time or, indeed, early, on budget and on scope.

I say to all the professional members of our emergency services, the full-time members, whether they be in the Ambulance Service, the Fire & Rescue service, the paid staff at the State Emergency Service and the Rural Fire Service, well done for all that you do.

I know that there is some turmoil internally, again with discipline actions in, for instance, the Ambulance Service where a lot of very senior and long-serving officers were suspended and left hanging, in one case for up to a year. One of those officers moved on because he could not put up with it. Another, I understand, has now taken a package. That is a shameful way in which to handle internal disciplinary actions inside the Ambulance Service. Apparently there was a bit of a joke or consternation, and inappropriate remarks were made. Nobody should put up with inappropriate remarks. But not to be able to deal with that issue in a year and to have these people languishing, I understand at full pay, while the issue is not dealt with—and if the government's way of handling internal complaints, personnel complaints, is just to hang people out to dry until they get so frustrated they quit—again is very poor management.

I understand there is at least one other case in the Ambulance Service where the officer has now been almost 55 or 60 weeks on suspension, on full pay. We are not getting the benefit of that officer's experience. We are paying for somebody else to do his job. This is the officer that I think complained to WorkCover and to Fair Work Australia, and in both cases his complaints were validated.

We have significant problems here, and I think it behoves the minister when he responds to stand up and tell us how he is going to fix that. Referring people to websites is not how you fix this. Giving people who have caused grief payouts as they leave the service is not how you are going to fix this. Ignoring it for more than 12 months is not how you fix it. Leaving officers languishing on full pay while, for reasons unknown, you cannot resolve complaints for more than 12 months is not how you fix the toxic culture in the management of the Ambulance Service.

It is important that it is addressed, because the last thing any of us need is an ambulance officer turning up and being distracted because it has been a bad day at the office and they have taken that into the field. I know they do not. I know they try hard not to do that, but it does put a degree of pressure on ambulance officers that they do not need. And it just should not exist. We all agree bullying should not be tolerated. Sort it out, make sure you have a clear process and a quick remedy to make sure that justice is done for all.

That said, again, as I was saying, to all our firies, to our ambos, to our SES volunteers and the RFS volunteers, well done for all you do in the service of your community.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for the Environment and Minister for Capital Metro) (3.45): I am

pleased to rise in this debate this afternoon to highlight the significant commitments being made by the ACT government across the Justice and Community Safety portfolio, including in the area of emergency services.

I will turn to the area of emergency services first, given the extraordinary diatribe we have heard from the shadow minister, Mr Smyth. The first point I would want to make is that if Mr Smyth believes that the management of the emergency services is so terrible on the part of the government, why has Mr Smyth ignored the most recent review, for example, of the Ambulance Service, commissioned by the government as a follow-up to the Lennox review that was commissioned a number of years ago, which of course was in response to criticisms of response times and management of the ACT Ambulance Service in terms of meeting response times?

Mr Smyth was very vocal then about problems identified in both the Auditor-General's report and Mr Grant Lennox's report into response times by the Ambulance Service. But we have not heard a word from him—not a single word from him—in relation to the follow-up review that the government commissioned to see whether or not we had fixed those problems with response times by the Ambulance Service.

Mr Smyth is very quick indeed to point the finger at me as the responsible minister when there are problems, but very slow—indeed I would say negligent—when he actually is presented with evidence that those problems have been fixed. I draw Mr Smyth's attention to the most recent report by Mr Lennox, which the government commissioned following his extensive review of the ACT Ambulance Service in 2009 and 2010.

Let us have a bit of a recap. In 2009-10 Mr Lennox identified that escalating demand and response capacity were among a series of challenges faced by the ACT Ambulance Service, as well as problems with clinical governance, monitoring and evaluation.

The government have undertaken to implement the recommendations made by Mr Lennox as a result of his review. We have increased the number of front-line ambulances, we have increased the number of paramedics, we have increased the staffing resources in the 000 call-taking centre, we have increased clinical governance arrangements and put in place for the first time extensive and comprehensive clinical governance and improvement arrangements for the Ambulance Service.

Mr Lennox looked at all of these issues in his most recent review. He said:

I believe it is fair to say that the strong consensus in each of the various viewpoints was that substantial progress had been made in virtually every facet of the organisation and in its relationships with other key components of the emergency medical system and the health system generally.

He went on to say:

The funding injection by government has led to a revitalisation of the ACT Ambulance Service with a much improved focus on patient safety and effective clinical governance but without compromise to response performance despite continued growth in ambulance demand.

That was his conclusion—that, across the board, in every aspect of the organisation, it has been revitalised. Of course, the conclusion by Mr Lennox, a former head of the Tasmanian ambulance service and now an expert reviewer on two separate occasions, is that the ACT Ambulance Service has the best response times in the country for any capital city for the priority one 000 call, at the 90th percentile. That is this government's record; that is my record as Minister for Police and Emergency Services—the best response times in the country of any capital city for a 000 priority one call, at the 90th percentile.

I am very happy to stand by that record, but of course I do not expect any credit from the shadow minister for emergency services because he is not truly interested in these outcomes. He is only interested in making his base political points.

I turn to a number of other matters that Mr Smyth raises, particularly the recommendations in relation to the allegations of bullying, sexism and misogynistic behaviour in the Emergency Services Agency. In particular, he made reference to the matters arising in the ACT Fire & Rescue service. There is no cloud hanging over the membership of the Fire & Rescue service—none put there by me.

The facts are that the overwhelming majority of personnel in the Fire & Rescue service do an outstanding job. They are professional and capable officers who do their job of providing a critical emergency response capability to the community. The facts are also that there have been a number of incidents where behaviour that could be classified as sexist or misogynistic have occurred within the organisation.

Calling that behaviour out does not mean that every member of ACT Fire & Rescue is culpable or associated with that behaviour, because they simply are not. They are good, dedicated and capable professionals who perform a critical task for our community each and every day, and I thank them for that. But I will not walk away from the need to identify and address the problems associated with sexist behaviour when it occurs. That is my focus and that is my concern. It is wrong to say, as some have said, that there has only been one incident and no others. That is wrong. There have been multiple incidents, and it is a problem. The fact is that it is occurring in an organisation where there are only seven women employed in front-line operations, out of over 300.

Those are the facts. It is not a criticism of all the male firefighters at Fire & Rescue; it is not. It is a simple statement of the facts, and I stand by every one of the Fire & Rescue firefighters in ACT Fire & Rescue who do the right thing each and every day, who behave appropriately, responsibly and professionally in the way they do their work and in the way they engage with their colleagues, because we know that is the case for the overwhelming majority of firefighters. We know that is the case.

But there have been inappropriate incidents and they need to be addressed. My directorate and the management of the ESA are working hard to address those matters. That is why we have made the commitments that we have to recruit and provide for more diversity in the workforce, by seeing more women considered for the role of firefighter, because an organisation that is more representative in its make-up of the community it serves is an even healthier organisation, an even more robust and capable organisation.

We know that other workforces that have been predominantly male have gone through this change in our community, whether it is police services or the military. We know that it has happened in other organisations and that it is challenging, difficult and confronting at times, but it is important that we do so for Fire & Rescue as well. I am committed to working with everyone within Fire & Rescue to achieve those outcomes.

Mr Smyth makes a number of other claims about the management of particular incidents. And it is the case that in some instances the management of certain complaints has been less than satisfactory. My directorate has stepped in to ensure that those deficiencies are addressed as they should be, because complaints should be handled appropriately and in a timely manner, and that is what I expect to be done.

Mr Smyth also makes some claims about the Rural Fire Service. The government has no proposal—and I will not support any proposal, and there is no proposal—to change the existing structure of the four services as set out in the Emergencies Act. There is a Rural Fire Service today and there will be a Rural Fire Service tomorrow. But it is critical that all of our services integrate their operations to deliver the best emergency response to the community, because at the end of the day citizens of Canberra do not care whether the service is delivered by the Fire & Rescue service, the Rural Fire Service, the State Emergency Service or the Ambulance Service. They expect a capable, coordinated emergency response.

The Emergencies Act puts obligations on me and the commissioner to ensure that emergency services are delivered in an integrated and coordinated way by all the services. That is our focus and that is the commitment that we have to the community, because it is our statutory duty to ensure that emergency services are delivered in a coordinated and integrated way.

It is not about getting rid of one service or merging it into another. That is not on the agenda. What is on the agenda, as it always has been, ever since the Emergencies Act was made law, is continuing to improve coordination and integration of the response delivered by each of our emergency services with each other and to the community. That is the focus we have.

Turning to some other areas of the justice directorate, in particular I saw the criticisms from Mr Hanson where he suggested that not enough support has been given to the Director of Public Prosecutions. I would draw Mr Hanson's attention to the significant commitments that this government has repeatedly made in terms of funding and resources to the Director of Public Prosecutions.

In 2006-07 there was half a million dollars in additional funding and indexed supplementary annual funding. In 2007-08 there was \$300,000 for three additional staff as part of the sexual assault reform program. In 2009-10 there was \$841,000 indexed for eight additional prosecutorial staff. In 2011-12 there was \$213,000 for three additional prosecutors and paralegal staff. In 2011-12 there was \$571,000 to meet the DPP's wage outcomes, rising to \$907,000, indexed from 2012-13. In 2012-13 there was \$52,000 to support the Supreme Court blitz activities, and also capital funding of \$250,000 for a new case management system and over half a million dollars for capital upgrades.

Those are the funding commitments made by this government on repeated occasions from 2006-07 to the current day to support and improve the capability of the DPP. In the most recent budget there is even more funding being made available. In particular, funding is being made available to support the Director of Public Prosecutions in his prosecution responsibilities for breaches of the work health and safety laws. We have provided \$1.158 million in funding over four years for the establishment of a dedicated work safety prosecutions unit to manage the increased number of WorkSafe prosecutions that will result from the increased capacity of our work safety inspectorate, which we know will lead to a higher level of compliance action, including prosecutions.

Members would recall that in last year's budget the government funded eight additional WorkSafe inspectors, to have more WorkSafe inspectors out on building sites and other workplaces across the ACT, to deal with the problems we saw that resulted in four tragic deaths over the past five years on workplaces here in the ACT.

Of course, that flows through to increased prosecutorial action. The government has provided funding of over \$1 million over four years to fund dedicated prosecutorial capacity to follow through on those matters and to deal with them appropriately. So the government has a very strong record of continuing to support the work of the DPP.

Other funding in this budget is also very important. The budget provides for \$6 million over four years to deliver a justice reform strategy focused on sentencing reform, supported by targeted research and evaluation, the development of justice reinvestment options and a proposed research project on justice reinvestment. This is perhaps the most significant of all the elements in the current Justice and Community Safety budget.

We know, for example, that there are enormous opportunities to do more work and deliver more and better outcomes for the community through the use of restorative justice. The ACT has been a leader for many years in the delivery of restorative justice outcomes. The existing restorative justice unit provides restorative justice for young offenders—that is, juveniles—and for less serious crimes. But what we know is that the evidence tells us very clearly, not just in relation to our program but in relation to restorative justice programs around the world, that restorative justice works best for serious offenders, serious crimes and for adult offenders. And it works best for victims. At the end of the day, that is what a justice system is all about—it is all about the victims, it is all about providing for restoration, rehabilitation and healing for those victims and for recognition of wrongdoing on the part of offenders.

Restorative justice leads to better outcomes for victims than the traditional court sentencing process. It leads to better closure for victims than the traditional court trial process. It leads to better restoration for victims in allowing them to move on with their lives.

It also allows better outcomes for offenders, because offenders have to confront the consequences of their wrongdoing in a manner that can at times be avoided through the traditional court process. It is very easy to hide behind your lawyer in court, to not



face your victim directly, to not have to answer their questions or deal with their anger and grief. Indeed it is very easy to say nothing at all. But through restorative justice, we know that an offender has to face their victim directly. They have to account for and explain themselves directly to their victim and hear about the pain, hurt and suffering that they have placed on their victim.

That is why restorative justice is so powerful. That is why the government is investing in a program of research and policy development that will look at how we can use restorative justice for adult offenders, use restorative justice for serious crime, including violent crime, and how it can become much more of a mainstream part of our justice system. I think that is a very significant development that the government has agreed to fund in this year's budget.

We are also providing funding to support the Aboriginal Legal Service, to help Legal Aid with managing its expensive criminal cases, further improvements to the court management system and further assistance to the Supreme Court in relation to the management of its workload. It is the case that the government continues to work closely with the Supreme Court on management of its workload. We have seen some really significant improvements and reductions in delay as a result of the steps taken collaboratively between the government and the court over the past 12 months in particular.

I will give some examples of that. Civil matters pending in the Supreme Court have declined by 50 per cent over the last two years, from 1,404 matters as at 30 June 2011 to 718 matters at 30 June 2014. This is a real indicator of the success of measures put in place by the court, in particular led by Her Honour the Chief Justice, who has focused very strongly on the need to improve work practice and case management practice within the court.

It highlights, again, the government's view and position that the effective dispatch of business within the court must be focused on practice and procedure and opportunities for efficiency as opposed simply to requests for additional judicial officers. The government keeps the matter of additional judicial officers under close review, but what we know is that the number of lodgements per judicial officer at the supreme and what would be characterised in other jurisdictions as the district court levels are some of the lowest in the country, when you look at court systems around the country.

That is one of the key indicators that we look at: are our judicial officers dealing with a workload that is over and above what would be reasonably expected in other jurisdictions on a per judicial officer basis? So that takes account of population and relative size. What we know is that per judicial officer, the number of lodgements—civil and criminal—dealt with by judicial officers here in the ACT is at the low end. Other systems deal with a higher case load per judicial officer than the ACT does, and that highlights opportunities for reform in case management. That said, the government is also committed to working with the court on the issue of judicial resources, and the Chief Justice and I have agreed on a way forward as to how that analysis and consideration should proceed.

The government is implementing its election commitments and parliamentary agreement commitments to provide \$416,000 over four years to the Canberra office of the Aboriginal Legal Service. This will facilitate the Aboriginal Legal Service providing additional duty solicitor capability in the Magistrates Court. That is a very important reform. The government is providing \$200,000 in additional funding for the Legal Aid Commission to help it meet the cost of expensive legal matters.

There is also significant investment occurring in the area of the Office of Regulatory Services—in particular, more capacity to deal with complaints about illegal parking. We have seen a significant increase in the number of complaints from residents about illegal parking in Canberra, particularly parking on verges, parking on nature strips and so on. It is a real bugbear for many people, and I receive many complaints about it. As a result the government has put more funding in place to employ additional parking inspectors so that we can respond to these complaints. We will also upgrade existing single-bay parking meters with new solar-powered kerbside parking meters to modernise that infrastructure and improve service delivery to the community.

I will close by mentioning the significant investments we are making in the area of emergency services—\$50.7 million in new funding for the ESA in this year's budget. That is a mixture of both capital and recurrent expenditure. That includes \$20 million for the new ambulance and fire station at Aranda. This is the third large-scale build of new emergency services facilities being delivered by this government—a really significant investment. This government has implemented its election commitments to build new Fire & Rescue and ambulance stations at west Belconnen and at Aranda, and a new Fire & Rescue station at south Tuggeranong.

This Labor government has a strong record of investing in better facilities, better infrastructure and better equipment and vehicles to meet the important needs of our emergency services. I do not believe that any other emergency services minister can boast of such a record—improved and new ESA headquarters capability, a new training centre for all of our emergency services, including for the first time a dedicated hot fire training capability right here in Canberra. Previously our Fire & Rescue personnel had to travel to Sydney to undertake such critical training. It is something that was never addressed by previous governments.

This government has invested in, for the first time, a dedicated helicopter operations facility for rural firefighting operations. For the first time we have a dedicated facility that provides for that very important and critical rapid attack capability for remote area firefighting through those helicopter operations. That is another very important piece of infrastructure.

Then, of course, there are the new stations themselves—west Belconnen, south Tuggeranong and Aranda. The government has made the investments in new infrastructure. We have upgraded a whole range of equipment. Apart from the communications and other critical data transfer technologies that the ESA now has, we have invested, for example, in new equipment for our Fire & Rescue service, state-of-the-art road rescue equipment, to meet the needs and face the challenges of the new materials used in modern vehicles.

We have invested in a comprehensive fleet replacement program, including new pumpers for Fire & Rescue, new rural firefighting appliances for Fire & Rescue and for the Rural Fire Service, new storm trailers and response vehicles for the State Emergency Service, and an expansion in our community fire unit program to 50 units. The government has a strong and proud record in emergency services, one that no other government can speak of, and we remain committed to continuing our strong commitment to our emergency services into the future.

**MR RATTENBURY** (Molonglo—Minister for Territory and Municipal Services, Minister for Corrective Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for Sport and Recreation) (4.12): I rise to speak to the Corrective Services elements of the justice and community safety budget. As part of the 2014-15 budget, the government has committed almost \$2.2 million to extend funding of the through-care initiative for a further two years. This funding will enhance the government's efforts to provide evidence-based detainee reintegration into the community. This money extends the government's earlier funding in the 2012-13 budget, of \$1.1 million across two years, for an extended through-care model.

The extended through-care model covers the period from release to approximately 12 months post release to support offenders at the end of their custodial sentence to transition into the community. Detainees who are not under a post-release supervision order are actively encouraged to access the program. The extended through-care model provides a single point of service coordination, client-centric case management and the provision of services that are responsive to offenders' needs.

The through-care unit coordinates the delivery of five packages of services for detainees upon release from the Alexander Maconochie Centre. These packages address basic needs, health needs, housing needs, connections to family and community, and jobs needs. The through-care unit works with a large range of non-government, commonwealth and territory government service providers as well as with advocacy agencies.

As members know, it is still early days in the through-care program. We have had just over 12 months now since the program started operating. Whilst one should never draw conclusions, I have said to a range of stakeholders that it does look very promising in the sense that the early results indicate a low level of repeat offence and a low level of detainees returning to custody, significantly below the historical ROGS data levels. They are not like-for-like comparisons yet, because of the way data is measured, and I put those riders out there; I am very careful to express this. But in the early days, the signs are encouraging. The program is delivering the sorts of outcomes that were aspired to when it was designed and funded. I congratulate and thank the staff who have been working on that program, because I know that they have put their heart and soul into it. I remain optimistic that it will continue to deliver outcomes. Those thanks, of course, extend to the significant range of community organisations that have partnered with government, both in the design of through-care and in its execution.

As members well know, over the last 12 months staff and management at the AMC have had to respond to intense accommodation pressures, with an increasing number of detainees. During the 2013 calendar year, the number of detainees increased significantly, from less than 240 in January 2013 to more than 340 in October 2013. Numbers have remained well above 300 since that time. The rapid rise in numbers during 2013 was unprecedented in the ACT, with a longer term increase that is part of a national trend, with many other states, including Victoria and New South Wales, also experiencing accommodation pressures. This is a trend right across the country. I recently returned from a meeting of corrective services ministers of state and territory jurisdictions; right across the country, prisons are facing significant accommodation pressures, particularly on the eastern seaboard, where rapid expansion programs are being undertaken.

The government in the ACT is responding to the increasing detainee numbers in this budget, as we did in the previous budget. The government is providing an additional \$13.6 million in recurrent funding over four years for the costs of higher detainee numbers at the AMC. This initiative will provide additional staffing of approximately 18 FTE ongoing for Corrective Services and will fund increasing operating and detainee-related costs.

Also in the 2014-15 budget the government is providing \$54.1 million in capital funding over two years to deliver additional detainee accommodation facilities at the AMC. This investment will provide for the construction of a new 30-cell, 30-bed special care centre and a new 56-cell, 80-bed flexible accommodation unit within the AMC's existing perimeter fences. These facilities will provide an additional 110 operational beds across two buildings. The accommodation unit will also allow for additional surge capacity of 32 beds, which will mean its capacity can be increased from 80 beds up to 112 beds if required. This will bring the total beds delivered by the additional facilities to 142. As a result, total beds at the AMC will increase from the current total bed capacity of 370 up to 480, with surge capacity to 512.

Through a flexible approach to design, these facilities have features that will improve separation and segregation capabilities, a key issue at the AMC. A hub and spoke design will split the cells in each building across a number of independent wings. Simpler, more efficient detainee management will be enhanced, for example, by the inclusion of programs and interview rooms in each new facility, which will reduce the need for escorts to the dedicated programs building.

The special care centre is expected to come on line in the second half of 2015, and the accommodation unit is planned for completion in mid-2016.

It is important to note that the ACT government is not just building a bigger jail; we are building new facilities that will enhance our rehabilitative focus and allow for more therapeutic interventions while providing greater security to staff and the broader community. As the attorney has touched on, the Attorney-General and I will also pursue a new justice reform strategy focused on enhancing the legal framework for sentencing and restorative justice and including justice reinvestment research. The reforms will give the ACT a better approach to dealing with criminal behaviour and

reducing recidivism. It is my sincere desire that this two-pronged approach will increase community safety and stave off the need to keep building bigger and bigger jails, as we are seeing in other jurisdictions.

For me, this is a critically important point. We have seen a significant expansion in detainee numbers. It is a trend that there is a range of drivers behind. What is clear is that if we do not take steps to try and tackle our increasing prison population, in the future there will need to be a further expansion at some time. I must place on the table some reluctance to needing to expand the jail. It is not the place that I would prefer to spend the ACT government's capital moneys. And it is fair to say that the cabinet has agreed with me on this view. That is why we are making the necessary expansion, given the increase in detainee numbers, whilst at the same time taking this second prong of going down the path of justice reform, of funding justice reinvestment research and strategies so that we have also got a long-term solution.

We must address the immediate question of detainee numbers and accommodation pressures. To not do so would be negligent, because of the current pressures we face, both in terms of the impact on detainees with the significant accommodation pressures and also in terms of the pressure on Corrective Services staff, who have had to make additional efforts to deal with the accommodation pressures that are in place. I thank them for their efforts in recent times. There has been extra pressure placed on the AMC, but I think the staff have responded admirably. Part of recognising the additional pressure they have been placed under is the additional resources that have been provided this year in recurrent funding for additional staffing of approximately 18 FTE to deal with those higher detainee numbers.

In addition to the issues around the expansion, the government has provided recurrent funding for the operating costs of the new facilities, including for additional staffing and detainee-related costs. Recurrent funding of \$7.577 million that has been provided in 2015-16—and that increases in the outyears, as detailed in the budget—will ultimately provide for an additional 39 full-time equivalent officers in Corrective Services.

A further \$5.3 million in funding has been provided through the budget for the design and upgrade of the electronic security systems at the AMC and their ongoing maintenance. The electronic security system is a critical system used to monitor and maintain the safety and security of staff, detainees and visitors to the AMC. The system upgrade will provide the additional capacity necessary to support the electronic security requirements of the new accommodation facilities.

There are other investments that the government has made in Corrective Services in the budget. These include increased funding for the workers compensation premium of \$996,000 in 2014-15, and funding towards an information management solution, with \$400,000 provided in 2014-15 to enable mapping and documentation of existing business processes in order to prepare for the establishment of specifications for a new offender information management system.

They are the initiatives that are contained in the budget. I should touch on some of the issues raised during the debate today for the clarity of members. I did welcome the

comments from Mr Wall, and I thank him for the observation that I have managed to continue in the Corrective Services portfolio. I must say that I am very pleased to continue as the Minister for Corrective Services. It is a fascinating portfolio and one that is very important in ensuring the safety of our community, making efforts to improve the lives of people who end up in the corrections systems and working with them to do our best to maximise the chance of them never coming back to us, which is something that I think is critically important in this role.

In his remarks, Mr Wall sought to build a narrative that suggested perhaps one of conspiracy around a lack of desire to provide information about what the government is spending in the budget. Hopefully, in the remarks I have just made, I have dispelled that myth, but I would like to assure members that there is no such lack of desire on the part of the government; the government has been completely up-front about the money that it is spending on corrections. It is all actually in the budget, but because I like to be a helpful minister, I have brought down a copy of the budget press release, which was issued on the day of the budget. It spells it out very clearly:

The ACT Budget provides recurrent and capital funding of \$98.5 million over four years to increase bed numbers, and to improve the facilities through better use of space.

Mr Wall, in his remarks, suggested “You don’t want us to find out.” The bottom line is that it is all in the budget papers. Because of the fact that Mr Wall feels that that is not a transparent way of doing it, to make it simpler for him, because I do seek to be helpful, I am now going to table a copy of the press release that was issued on the budget day. I have highlighted, in a pink highlighter, for Mr Wall’s benefit, the details where they are fully spelt out in that publicly available press release—just to make it a little bit simpler. I table the following paper:

Budget 2014-2015—Investing in Community Safety—ACT Government media release.

If there are any further questions which are not provided by the budget papers or by the questions that were asked in estimates, I am more than happy to arrange a further briefing for Mr Wall in which the government can again outline the details of the money that is being spent, identify the page numbers in the budget papers and deal with any further questions that he may wish to ask.

Mr Wall then made some rather derogatory comments about the needle and syringe program and the agenda of the government in delivering that. He asked, “Who thinks this is a good idea?” I did check that. Some of the people who have made comments in support of it are organisations such as ATODA and the Public Health Association of Australia, through its local spokesperson, Michael Moore. I believe the AMA have also indicated support; in fact, I recall the AMA indicating their support for it. The AMA had an article in the *Canberra Times* during the period in which government was being negotiated, urging parties to continue efforts to implement a needle and syringe program.

It is far from condoning drug taking, as Mr Wall sought to suggest. The NSP does no such thing. The NSP is a recognised public health initiative that seeks to address the issue of bloodborne viruses. It is a measure that has been implemented in other

jurisdictions overseas, and it is one that is not about condoning drug taking but about operating in the real world, in which, unfortunately, people do take drugs. Through that drug-taking behaviour, we see the transmission of bloodborne viruses. The purpose of an initiative such as this is to minimise the transmission of those bloodborne viruses.

There is a range of ways to do that; this is one of what must be a suite of responses. But I believe it is a sensible and prudent measure to take. That is why I continue to work with staff from Corrective Services across the board, to work on the details of a model that we can effectively implement at the Alexander Maconochie Centre. This is far from failing in our duty of care to staff; this is actually about seeking to minimise the transmission of bloodborne viruses, to ensure the maximum level of health and safety at the AMC and to be a responsible government in taking this prudent public health initiative.

So I reject the insinuations about the government's motivations for this. This is all about taking a public health response to what is a real-world problem that is faced in all jails, both in this country and around the world. The government will continue to work with all stakeholders to find a way to make this project work—a way that addresses safety and the concerns raised by staff and that addresses the most practical way to ensure that detainees can access syringes in a way that is healthy.

I was surprised that for someone who aspires to be the corrections minister, the alternative corrections minister, Mr Wall did not make any mention of through-care, justice reform or justice reinvestment in his remarks. These are the sorts of things that any person with an interest in the corrections portfolio should be focused on and should be reflecting on. And because they are funded in the budget, they warrant discussion in this place.

*Mr Coe interjecting—*

**MR RATTENBURY:** Here he goes, Mr Coe, interjecting, like he always does. He cannot wait for his turn to speak. When we get to TAMS—we will get to TAMS—Mr Coe, I will be happy to answer any questions you have in that space. But I think—

*Opposition members interjecting—*

**MR RATTENBURY:** Yes, because the Liberal Party, of course, never makes personal comments in this space.

**MR ASSISTANT SPEAKER (Dr Bourke):** Mr Coe and Mr Rattenbury, this is not the place for a discussion.

**MR RATTENBURY:** I note the story on the front page of today's paper, and I think yesterday's conduct in this place was deeply regrettable. I note, however, that earlier this week Mr Hanson, across this chamber, called me a coward. He sought to get away with it by not having it recorded on the transcript. The Liberal Party come to this place and go, "Oh, you're making personal comments about my colleagues," when actually I am talking about policy matters in this place. The Liberal Party have no qualms resorting to name calling.

**Mr Coe:** A point of order.

**MR ASSISTANT SPEAKER:** Resume your seat, Mr Rattenbury.

**Mr Coe:** Mr Assistant Speaker, I wonder whether it is appropriate for Mr Rattenbury to be defending Ms Berry in a budget line item related to JACS.

**Mr Corbell:** Point of order: there is no point of order.

**MR ASSISTANT SPEAKER:** Thank you, Mr Corbell. There is no point of order. Mr Rattenbury.

**MR RATTENBURY:** For the sake of clarity, I did no such thing as Mr Coe suggested. I actually said that yesterday's behaviour in this place was deeply regrettable. Right across the board it was deeply regrettable, and there is no place for that sort of conduct in this place.

Let me return to the matters at hand. There is a range of important matters that anybody discussing the corrections budget in this place should be discussing, and I am more than happy to take questions on them at any time. ACT Corrective Services continues to work extremely hard and show a great level of professionalism in what is a very difficult portfolio. I look forward to continuing to work with them through the coming year as we implement this budget to deliver better outcomes in the Corrective Services space.

Proposed expenditure agreed to.

Legal Aid Commission (ACT)—

Schedule 1, Part 1.14—\$275,000 (net cost of outputs), totalling \$275,000.

Schedule 1A, Part 1.17—\$9,670,000 (net cost of outputs), \$234,000 (capital injection), totalling \$9,904,000.

**MR HANSON** (Molonglo—Leader of the Opposition) (4.30): Earlier this year in this place Mr Corbell made some comments about a reduction in federal government funding for the Legal Aid Commission. He said it was \$400,000 and that it would have dire consequences for the commission and its service to the community, particularly the Aboriginal and Torres Strait Islander community. However, Mr Assistant Speaker, the estimates committee was told that this was a specific two-year contract from the commonwealth which had, in effect, been cut in half. But what Mr Corbell was trying to do was to make it appear that there was something sinister about this; that it was a cut to ongoing funding and that it would have a disastrous ongoing impact on the commissioner's ability to deliver services on an ongoing basis. That was simply wrong: it was not ongoing funding; it was a two-year contract.

I fully acknowledge that it was unfortunate that the contract was cut short, because it does have an impact on service delivery in the area targeted by that fixed-term contract. As it turns out, the commission, at the end of 2013-14, had \$100,000 left over from its allocation for that year and the commonwealth allowed it to keep it so



that services could be continued a while longer. According to evidence given in the estimates hearings, this meant that services could continue to be delivered, and I quote from *Hansard*:

... until at least November this year, and we will have to reassess towards the end of the year.

The last part of that statement is important because, even in the knowledge that the funding would not continue beyond November, the commission told the committee:

We want to maintain and increase our services to that sector of the community.

So, even in light of the reduction in the specific-purpose contract with the commonwealth, and in the knowledge that the carryover funding would run out in November this year, the commission wants to maintain and increase its service to the Aboriginal and Torres Strait Islander community. Indeed, a priority for the commission in 2014-15, and I quote from the budget papers, is to:

Improve the provision of dispute resolution and other legal assistance services to the Aboriginal and Torres Strait Islander community.

And what is the government's response to that aspiration? Not very much, Madam Assistant Speaker.

Taking into account the special funding provided to the commission for the Eastman matter over the past couple of years and funding for so-called expensive criminal cases, the government's funding for the commission has in real terms remained pretty much static. In addition, there has been the requirement on the commission to meet efficiency dividends imposed by the government. This in effect amounts to reduced funding from the ACT government.

In 2011, for example, the estimates committee heard that the commission had to meet staff cost savings of \$300,000 in 2011-12, the equivalent of a reduction in ACT government funding of \$300,000. So it is okay for the government to reduce its funding by \$300,000 for an important community service, but apparently it is not okay for the federal government to do the same thing to something that was only ever intended to last for two years. It is okay for the commission to aspire to greater things, especially in relation to services to the Aboriginal and Torres Strait Islander community, but it is not okay for this to be supported by greater funding from the ACT government. One could call this hypocrisy, Madam Assistant Speaker, but I resist stooping to the depths.

Unfortunately, the commission will also suffer a fall in revenue from the ACT Law Society in 2014-15. This reduction, which derives from interest earned on the society's statutory interest account, will exceed \$400,000. Obviously, the government has no control over this, but it perhaps serves to demonstrate the need for the government to take a more holistic approach to the commission's functions. Instead of taking the blinkered-eye approach by keeping its funding static in real terms and crying foul over external factors, this government should be taking more seriously its responsibility to the people it represents. The government needs to look at the

commission's goals and priorities, as well as external factors, and ensure that the Legal Aid Commission is properly resourced so as to counter some of the impact of those external factors.

All of that said, and despite the static funding from the ACT government and the downturn in other revenue sources, the Legal Aid Commission continues to deliver the best service it can to our community. The commission has implemented some innovative ideas, such as the legal aid helpline, to be able to meet the needs of more clients and it is to be commended for these initiatives. I know there still is a significant level of turn-away, but I also am aware that the commission constantly strives to reduce that level. I know also that the commission constantly reviews its service levels and the ways in which those services are delivered. All of this, Madam Assistant Speaker, with static funding from an ACT government that seems blind to the commission's goals and priorities and blind to the needs of many in our community who are most at risk and can least afford legal services.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for the Environment and Minister for Capital Metro) (4.36): Madam Assistant Speaker, the fact is, despite Mr Hanson's apologies for the federal Liberal government, the federal Liberal government cut funding to ACT legal aid services, and they cut it in an arbitrary and indiscriminate manner which meant and means that the ACT Legal Aid Commission will no longer be able to deliver a range of front-line services to those people who need legal assistance.

The cut was arbitrary, it was over \$300,000 worth of funding, and it has been removed permanently. They cancelled the contract. George Brandis cancelled written contracts with legal aid commissions around the country for the delivery of legal aid services to the most vulnerable, including women, women facing domestic violence, and Indigenous people. That was the decision of the federal Liberal government. That was the decision of Senator Brandis, the federal Attorney-General, and it is appalling. It is appalling that Mr Hanson stands up here and is an apologist for that arbitrary and indiscriminate funding cut. That is what happened, and the Legal Aid Commission will no longer be able to deliver legal aid, legal advice and legal representation to some of the most vulnerable in our community as a result.

Now, in contrast, this government is maintaining and indeed increasing its funding to the Legal Aid Commission. It has put in place funding to assist the commission with some of its most pressing and difficult matters, such as expensive criminal trials. Of course the government has also provided very significant amounts of funding for the most contentious and protracted matter that the Legal Aid Commission has had to deal with for a long time, which is of course the inquiry into the conviction of Mr David Harold Eastman, where many millions of dollars have been committed.

This government is serious about assisting Legal Aid to meet its obligations, and it is the case that the Legal Aid Commission continues to face a broad range of pressures. I am committed to working with the Legal Aid Commission to work these issues through. I am very pleased that the new chief executive, Dr John Boersig, has demonstrated significant leadership at this time, as did his predecessor, both of whom have been outstanding leaders for Legal Aid ACT. So the government remains committed to providing support.

In last year's budget—of course Mr Hanson does not mention this—we made significant investments in support for community legal centres in the ACT, funding to provide for the establishment of a community legal hub. That funding has been delivered and community legal services now have a comprehensive, well established, integrated workspace for them to collaborate and get the synergies and efficiencies that arise from that. We will continue to work with the community legal centres in that regard.

This government has sustained and maintained funding for important services that it funded to establish, such as Street Law and the legal aid help desk. Mr Hanson commends Legal Aid on the legal aid help desk, but of course that was provided for by funding through the government's budget. And the legal aid help desk is providing many hundreds of Canberrans with quick and easy access to basic legal advice to help them to resolve basic legal problems or concerns.

*Mr Hanson interjecting—*

**MR CORBELL:** He congratulates the commission for it, but of course it was funded by the government. The government provided the funding for that service to be delivered, and I as the minister sponsored the budget initiative that provided for that service. Madam Assistant Speaker, I am simply highlighting the hypocrisy on the part of those opposite when they are critical of ministers directly when they fail to fund things, but congratulate the organisation only when those services are provided.

The government has also provided significant funding in this year's budget to the Aboriginal Legal Service, another community legal centre that provides support to Indigenous people needing legal advice and legal representation. That will increase the number of duty solicitors on duty to assist Indigenous people when they come before the court for first-instance hearings in the Magistrates Court. That is another very important protection, an improvement in legal representation for the disadvantaged in our community.

The government maintains a strong program and a strong agenda to support community legal services and legal aid services in the territory. There is always demand. I work very hard to ensure that, wherever possible, we secure those additional resources in conjunction with the Legal Aid Commission, the board of the commission, the chief executive and community legal centres, and I will continue to do so.

**MR HANSON** (Molonglo—Leader of the Opposition) (4.42): I stand to speak again. I should correct the record.

**MADAM ASSISTANT SPEAKER** (Ms Lawder): You are taking your second 10 minutes, Mr Hanson?

**MR HANSON:** Yes. It was clearly an error for me to congratulate the Legal Aid Commission when it was all Simon Corbell, based on what we have heard from the minister. Simon Corbell, it is all about you: you did it all, and not the Legal Aid Commission. Well done, Simon; fantastic. That is what you wanted to hear, wasn't it, Simon? "It's all about me."

**MADAM ASSISTANT SPEAKER:** Mr Hanson, you will please refer to the member by his title, or at least “Mr Corbell”.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for the Environment and Minister for Capital Metro) (4.43): I note the continued churlishness of members of the opposition, but the Leader of the Opposition simply fails in his duty, which is not only to highlight deficiencies on the part of the government but also to recognise where the government is acting and to address problems. That is the fundamental point he fails to grasp, because his is an opposition without an alternative plan or program. Where was their policy on justice at the last election? I do not think there was one, actually. I do not even think they released a justice policy at the last election.

It is quite extraordinary for an opposition to go to the people and seek a mandate for government and not have a justice policy. But I cannot recall seeing one. There might have been a law and order policy, but there certainly was not a justice policy. For a shadow attorney who claims to have such a comprehensive and great interest in issues around justice matters, including legal aid matters, perhaps he should start by standing up for community legal centres and legal aid services, and criticising and taking it to his federal counterparts when they arbitrarily cut funding for legal services that help some of the most disadvantaged in our community.

Proposed expenditure agreed to.

Public Trustee for the ACT—

Schedule 1, Part 1.15—\$47,615 (net cost of outputs), totalling \$47,615.

Schedule 1A, Part 1.18—\$1,190,385 (net cost of outputs), totalling \$1,190,385.

**MR HANSON** (Molonglo—Leader of the Opposition) (4.45): I will make a few brief comments about the Public Trustee for the ACT. The bottom line is that the Public Trustee is one of the territory’s quiet achievers—unlike the minister who, no doubt, will take all the credit for everything that the Public Trustee has ever done. Its government funding for 2014-15 amounts to only about 20 per cent of its total revenue. A significant proportion of the government funding represents the operations of the official visitor scheme, transferred to the Public Trustee in 2013-14 and now operated under its auspices.

On top of that, the Public Trustee pays to the government a dividend of 50 per cent of its profits. I have no doubt Minister Corbell, the Attorney-General, will take all the plaudits for taking 50 per cent of its profit, although, no doubt, Minister Barr is disappointed it is only 50 per cent. This, of course, is to ensure the Public Trustee does not have a competitive advantage over the private sector trustee companies operating in Canberra.

All of this makes the Public Trustee financially independent to a large extent, providing a valuable service to the community in the way of wills and estate planning management, care and management of trust funds well in excess of \$100 million, acting as attorney in enduring powers of attorney, and a range of other community services, including on-the-ground promotional and educational activities at community events.

Another important function of the Public Trustee is to manage the Greater Good Foundation, Canberra's public charitable foundation, which enables people to create their own tax-effective charitable funds in a low-cost, tax-effective manner. Lady Helen Deane is the foundation's patron, and I acknowledge the Hon Margaret Reid, former senator for the ACT and former President of the Senate, who was the foundation's inaugural patron. Our Wellness Foundation, which we talked about last night in the statement about Moira Lye, also came under the auspices of that foundation prior to it being the Canberra Hospital Foundation. At the end of the 2012-13 financial year, the Greater Good Foundation managed more than \$11 million over 63 charitable funds, and during that year it distributed more than \$500,000 for the work of those funds.

The last year or so has not been smooth sailing for the Public Trustee with allegations of fraud and mismanagement of powers of attorney. I make no comment on the former, as it remains the subject of a police investigation. I have no doubt these matters will all be dealt with appropriately in accordance with the generally excellent culture and work ethic that exists within the office. I thank the Public Trustee for its commitment to the important work it does in our community.

Proposed expenditure agreed to.

Superannuation Provision Account—

Schedule 1A, Part 1.19—\$198,209,000 (capital injection), totalling \$198,209,000.

**MR SMYTH** (Brindabella) (4.48): The superannuation provision account is a very important part of the ACT budget, holding the superannuation for our public service. I refer to the table on page 3 of budget paper 3 where the superannuation return adjustment is added to give us the headline "net operating balance". For the 2013-14 year, that was to return \$75.8 million. But reading from the Treasurer's consolidated report for the day, the \$75.8 million year-to-date actual is only \$45.4 million, a variation of some \$30.3 million. As the Treasurer said as he tabled these results, they are yet to be finalised and, no doubt, we will see some movement there. But it shows how with just a single line adjustment in the budget papers there can be great variance.

For the 2014-15 budget, the return adjustment leaps 50 per cent on the previous year to \$113 million. In the following year, 2015-16, it grows by nine per cent, and then in 2016-17 and 2017-18 it returns to a more standard 7.5 per cent. The problem for the Treasurer is that the \$113 million expected this financial year based on the current return is perhaps looking a bit shaky. But superannuation returns and the market being what they are, we will have to wait until that day in September when the audited accounts arrive and we get the final figure. But it shows that if we are relying on a large superannuation return adjustment to get the budget back into the black, it could well be a perilous path.

There was some particularly interesting discussion during estimates, particularly with Mr McAuliffe and Ms Doran giving, as always, their excellent answers to questions for those mere mortals amongst us who do not follow the market. There were some interesting admissions that some of the members of the estimates committee do not

read the ASX guidelines as bedside reading. Who would be shocked at that? But the discussion centred on two things: the annual approach, which was to say that what we relied on was the 7.5 per cent return; and, second, the investment policy of the government. Mr McAuliffe and Mr Nicol gave excellent explanations on how the government goes about investing. The funds are not insubstantial and the government, therefore, has influence and the government must ensure that it does good by the way it invests.

We were told we are still on line for a 2030 covering of the liability. That, of course, is still some years away. We will see the ups and downs of the market, no doubt, many times between now and then. I thank particularly Mr McAuliffe and Mr Nicol for the way they answered questions in estimates.

**MR BARR** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Housing and Minister for Tourism and Events) (4.52): The superannuation provision account has been established to recognise and account for the territory's employer-defined liabilities for both CSS and PSS superannuation and the financial investment assets funding these liabilities. The account also recognises the defined benefit superannuation liabilities for eligible members of the Legislative Assembly.

As fully explored during the estimates process, the government maintains the objective of fully funding the territory's defined benefit superannuation liabilities by 2030. On current settings, that objective is on target. In the 2014-15 budget, the annual amount of appropriation funding to the superannuation provision account is used to fund the annual benefit payments to ComSuper. The account is meeting its long-term target investment return objective of CPI plus five per cent per annum net of fees and is on track to meet the objective of being fully funded by 2030. I commend the appropriation to the Assembly.

Proposed expenditure agreed to.

Territory and Municipal Services Directorate—

Schedule 1, Part 1.16—\$14,083,000 (net cost of outputs), totalling \$14,083,000.

Schedule 1A, Part 1.20—\$315,303,000 (net cost of outputs), \$207,145,000 (capital injection), totalling \$522,448,000.

**MR COE** (Ginninderra) (4.53): As I have often said, the provision of urban services should be a core business for the ACT government. The TAMS directorate has been given a significant budget to provide such municipal services. ACT residents should expect to receive better services than they currently do, especially given the increasing rates, land taxes, fees, charges and taxes which we all pay. Unfortunately, it is no surprise that, once again, Roads ACT has failed to meet its percentage of resurfacing targets. This is after the target for municipal roads was reduced for the last 12 months. How is it that the government is still unable to meet its target? Either there is a structural problem within Roads ACT or the target is perhaps just not reasonable. One way or another, the government is not meeting expectations.

For many years the shortfall was blamed on wet weather, but this year the government has a new excuse. Apparently last year the government was unable to meet its target because of an increase in costs. That is not good enough; it should have been anticipated. If the only thing stopping the government reaching its target is the cost of materials then either the budget for resurfacing needs to be increased or the government needs to find a cheaper supplier of the said components. We are all aware of the issues with chip seal, which is noisy and messy. However, if the government could find other ways to reduce costs that do not include a reduction in the quality of work then I would certainly be in favour of it. I note that the government has commenced a trial of a slurry seal and I think that is a worthwhile experiment. I hope that it is a success and that it does prove to be a good option or a good alternative for resealing roads when required.

Unfortunately, the government does not have a good track record when it comes to roadworks. Often the works are poorly planned and of poor quality. Of course, one such example was the resurfacing at Cooleman Court in January. Canberrans are rightly frustrated by the way that roadworks are managed in the territory. Constituents regularly contact me and other members of this place about the state of roads and the significant delays caused by roadworks. I do not think people have too much of a problem with the fact that roads need to be worked on, but people tend to have particular frustrations when the signage around roadworks is not accurate, when the speed limits do not physically reflect the risks posed by the said roadworks, or the timing of the said roadworks is inappropriate.

Everyone accepts that roadworks have to take place and that, when they do, they will cause some delays. People are reasonable and will try to avoid the area if they know that there is work going on. The fact that works take so long to be completed and are so poorly signed is what can frustrate people a lot. When speed limits are reduced for long stretches of road with no apparent work, people can become complacent, and that can devalue times in the future when reduced speed limits are justified. When multiple roads in one area are all being worked on at the same time, it is no surprise that many people get annoyed. Roads ACT should be more careful about planning roadworks to minimise disruption where possible.

I am pleased that this government is finally making some improvements to Gundaroo Drive. However, more work needs to be done, especially up towards the town centre end. The improvements to the roundabout at the intersection of William Slim Drive and the Barton Highway I hope will go some way towards improving traffic issues on that road. However, I must say, Madam Assistant Speaker, that I am not convinced and I look forward to finding out more information about what it has proposed. The estimates committee has recommended that Roads ACT consult on the temporary management plans for the intersection upgrade, and I think that is vital. I hope the government will take this recommendation on board and will do everything it can to minimise the disruption caused by this major piece of roadwork.

Parking, of course, is still a tremendous issue in Canberra. The government has finally updated the parking machines, having spoken for many years about upgrading to credit card machines. In fact, it was in 2012 that the ACT Liberal Party released a

policy about credit card parking machines, and three hours later—three hours later—the government put out the same policy. It was the same policy on the same day. Three hours later the government put out a policy, saying, “We’ll do what the Liberals are going to do too.”

Once again, the increase in the parking fees is a misguided attempt to force Canberrans out of their cars and onto public transport. The fact is that the best way to get people onto public transport in a meaningful and sustainable way is to actually improve the public transport, rather than simply make it too expensive to park their cars. The government’s plan, of course, is not working.

Since 2008 the cost of parking just here in the city has gone from \$6.70 to \$14.50, yet ACTION patronage has remained the same. That tells you something. It tells you that there is inelastic demand for parking. Therefore, when the government raise the price of parking, knowing that there is inelastic demand, they are simply gouging Canberrans. They know that Canberrans have to pay it; therefore it is simply another tax. People are not making extravagant lifestyle choices to drive their cars. They are driving cars because they have to. They are driving cars because of the way our city has been planned and because of the lifestyle that we all have in Canberra, which is one of going from A to B, to C to D and so on. The government would be better off improving the bus service rather than gouging motorists who still prefer the convenience of their cars.

*Mr Barr interjecting—*

**MR COE:** Mr Barr thinks that we are not particularly unique. He will find that participation rates for the ACT are routinely higher than in almost every other jurisdiction by just about every single indicator. For that reason, Canberrans, more than people in any other jurisdiction, depend on their cars to go to various events and activities.

Basic urban services like mowing and the provision of footpaths should be central to the operation of TAMS. Most Canberrans take pride in the appearance of their properties, but unfortunately the government does not always live up to its end of the bargain. Overgrown grass and broken footpaths all detract from the appearance of our suburbs, and it is certainly something which we on this side of the chamber, including my colleague from Molonglo, Mrs Jones, have spoken about at great length. The estimates committee has called for the government to address the lack of footpaths and footpath maintenance, particularly in the older suburbs. Poorly maintained or non-existent footpaths make it dangerous for less mobile members of the community to move around their suburb, and that is in fact contrary to the government’s stated policy of active living.

Maintaining footpaths so that people are less likely to fall should be a priority for a local government, particularly if it wants to encourage people to be active. Instead of pouring money into many extravagant programs, such as light rail, perhaps the government could think about core municipal services and get those right first. Canberra is the nation’s capital; therefore it is right and proper that we make sure that our city does not look untidy or neglected.



I will turn now to another area of TAMS expenditure, and that is, of course, ACTION. Every year I come into this place during the estimates deliberation and reflect on the accountability indicators in the budget with regard to ACTION. It seems that the indicators are going in the wrong direction. It seems that we are getting worse and worse when it comes to the provision of public transport services in the ACT. (*Second speaking period taken.*)

It is interesting that, in the two years or so that Mr Rattenbury has been responsible for the provision of ACTION buses, the vast majority of indicators, if not all, have indeed deteriorated. What is particularly interesting was the fact that ACTION passenger boardings were significantly lower than was estimated as the target for 2013-14. Further to this, we have seen an increase in the operating cost per kilometre. What is more, we are seeing a predicted increase of well over 10 per cent in the total network operating cost per network kilometre, up to \$5.10. Now, I wonder whether that figure, Madam Assistant Speaker, includes the repeal of the carbon tax and the impact that that is likely to have on ACTION. I doubt that it does. It will be interesting to see whether TAMS could indeed update that. I recall submitting a question some time ago about the cost of the carbon tax to ACTION and I recall it being in the vicinity of \$500,000. If it is indeed \$500,000 as that question on notice advised me, I believe, I hope—

*Mr Barr interjecting—*

**MADAM ASSISTANT SPEAKER:** Mr Barr, do you have a point of order that you would like to make through the chair?

**Mr Barr:** No.

**MADAM ASSISTANT SPEAKER:** It is not really a place for conversation, thank you.

**MR COE:** Coincidentally it might have been the only time that the Treasurer has actually value-added in this chamber. But, alas, that one time you got slapped down. It is a shame. It is a tremendous shame that that opportunity came knocking and was left unanswered. Anyway, we will fight on.

This year the government subsidy fraction is up to \$118 million, up \$7 million from last year. I believe that we do need to get a better return on investment for \$118 million. I know Mr Rattenbury is going to say, “It is not a subsidy; it is an investment; there is no public transport system in the world that runs at a profit,” et cetera. That may well all be true, but the fact is that we should be getting better value for money for the \$118 million. I hope even Mr Rattenbury—even Mr Barr, on this charitable day of his—might also agree that the return on investment may indeed be better than we are currently getting.

Unsurprisingly, ACTION has again failed to achieve its accountability indicators. This year the number of passenger boardings fell 600,000 short of ACTION’s target. In fact, it appears that patronage has actually dropped by approximately 250,000

passenger trips over the last year. We were told that, with MyWay data, we will actually be capturing with a higher degree of accuracy the number of trips being made. So, if this is actually capturing more accurately the number of trips being made, the fact that we are going backwards by 250,000 people, especially under a Greens transport minister, is a worry.

This drop has affected fare box revenue, which, as a percentage of total network operating costs, is down from 16 per cent to 15.6 per cent. ACTION's costs have also increased, with the total network operating cost per passenger boarding rising from \$7.04 to \$7.50. The total network operating costs per network kilometre also rose this year.

Of great concern is the percentage of services operating on scheduled time. Just 70 per cent of ACTION buses run on time, the same percentage which was recorded last year. Last year and the year before that, the government used the MyWay data as an excuse as to why there might be some anomalies in the data. We are now two or three years into this MyWay data being used, therefore they should be able to reach their target.

This means that 30 per cent of ACTION services do not run on time. Practically, it means that over a fortnight someone who uses ACTION to get to work would be late three times, or perhaps the bus would be early three times, which is even worse, I think, than a bus running late. Shortly, ACTION will release the full details of network 14, which ACTION hopes, with the NXTBUS system, will realise a better bus transport system for Canberrans, and I hope that is so. However, the feedback I have received, particularly about the changes to the school bus system, are worrying.

Madam Assistant Speaker, there are many opportunities and challenges facing ACTION. I am concerned that many of these opportunities and challenges will be somewhat neglected by way of all the attention being focused towards light rail. I firmly believe that an improvement in ACTION operating processes and in the general systems being used would deliver to taxpayers a far better return on investment than with the proposed perhaps \$1 billion of construction costs and \$50 million to \$100 million per year every year to operate a light rail system.

The provision of bus services is an extremely important area of government expenditure, and I hope the government will do better in 2014-15 than they did in 2013-14.

**MRS DUNNE** (Ginninderra) (5.10): I will use this opportunity in relation to the appropriation for the TAMS Directorate to touch on a few issues close to the hearts of my constituents.

The suburb of Cook was gazetted just over 46 years ago on 6 June 1968, so the local shopping centre at Cook is likely to be of similar vintage. These days it is looking a little sad. It is not very inviting for the local residents to visit their local shopping centre and, as a result, local businesses struggle in an already challenging economic environment. It is a testament to the shop owners at Cook that all of the shops are full and operating and that there is diversity of shops and businesses there. But it is pretty tough in the environment.

The centre was given a bit of a face lift a little while ago with a much-appreciated new public toilet. I must compliment the staff of TAMS—on the occasions that I have been at the Cook shops, I have witnessed it being cleaned on two or three occasions, and it was always in very good condition. It is a testament to the TAMS staff that, now we are building public toilets at shops, they are the sort that people will not be reluctant to use.

The long-awaited upgrade of the Cook shops seems to be on the never-never. In November last year a preliminary sketch plan for a more comprehensive upgrade was displayed at the centre and public comment was invited. In February this year I wrote to Mr Rattenbury asking him what the government intended to do with the Cook shops, and he replied three months later, on 5 May. After telling me the process involved in the preliminary sketch plan and outlining some of the suggested improvements, Mr Rattenbury said:

The construction of the Cook shops is dependent upon the success of funding bids for the 2014-15 budget.

I am not quite sure that he actually meant “construction”, but that is what he said. I think he probably meant “reconstruction” or “refurbishment”. But at least I was encouraged that there were perhaps changes in the wind—in reality, not much more than a zephyr but at least blowing towards Cook shops.

I was pleased to note a budget allocation of \$2 million over two years for local shopping centre refurbishments. This amount is to be shared between Cook, Rivett and the Mannheim Street shops in Kambah. When I asked my staff to follow up with Mr Rattenbury’s office on the matter to see how much was earmarked for Cook and what the time lines were, my staff were told:

Money has not been specifically earmarked for the projects, as this further work is to be done. Rivett shops will likely be a larger project than Cook and the Mannheim Street projects. At this stage the plan is to have each centre upgrade completed within the next two years.

The response went on to say:

The funding is also to be used to establish a strategy for co-funding of future shopping centre upgrades.

So we do not know how much is going to be spent on the Cook shops or when it is to be spent. All we have is some vague pie-in-the-sky preliminary figure. Yes, it does talk about time lines of two years, but without some specifics, particularly as to the budget for the Cook shops, two years really seems to be on the never-never. Will Cook be done first, second or last? How much will be set aside for the development of the future co-funding strategy? Will the budget run out before we get to the Cook shops? No-one knows, much less the residents of Cook and the long-suffering merchants trying to scratch a living together at the Cook shops.

But Dr Bourke has been out there saying he has achieved a great outcome for the Cook shops. He has been telling the people that the upgrade is in the bag. The real

story is that Dr Bourke has led the residents and the business owners of Cook up the garden path to nowhere. Unless he is getting better information than I am, his stories are little more than bunkum.

While I am on my feet, let me finish with a brief word on charity bins. I was pleased to note in Mr Rattenbury's comments in his letter to me of 5 May that TAMS is currently finalising a code of practice for the management of charity bins in the ACT, and charity bins will no longer be permitted at Cook shops when the new code is in place. Hallelujah, I say, on behalf of my constituents in Cook, in Evatt, in Florey, in Page, in Kaleen, in Giralang. In any place we go and talk to our constituents, the first thing they say is, "Can we please get rid of the eyesores that are the charity bins?"

One thing that was a little perplexing about Mr Rattenbury's letter was that it was already out of date by the time that I got it because the code of practice was released in April. Associated with the release of the code was an expression of interest process available from 25 April to 16 May for charities nominating locations for the replacement of their bins. It would be good to hear from Mr Rattenbury on the progress of the removal of charity bins from neighbourhood centres or group centres.

Nonetheless, the problems associated with charity bins continue. I am aware of one case where recently my staff observed a resident loading black plastic bags into their vehicle at their home, driving around the corner and dumping them at the charity bins at the local shop. My staff took it upon themselves to report this to Canberra Connect, and the rangers quickly responded by following it up with the resident. On this occasion my staff suggested the ranger did not necessarily charge the resident but give them a warning and outline to them the penalties for a future offence and the problems with such illegal dumping.

This practice is representative of a few lazy and selfish people in our community, and it is to be condemned in the strongest possible terms. This is particularly so because the removal of illegally dumped rubbish creates an unnecessary and considerable expense for the local charities who work hard and contribute so much to people at risk in our community. Unfortunately, the rationalisation of charity bins and the benefits they bring to many have become necessary because of the unacceptable behaviour of a few. Once again, it is the thoughtless and careless few who impact negatively on the benefits that can be brought for the many. I look forward to an update from Mr Rattenbury on the important matter of charity bins.

I will reflect on a few other matters, and in doing so I wish to compliment my colleague Mr Coe for his outstanding representation on issues relating to territory and municipal services. Whatever people may think about Mr Coe in this place—and they may not like him—I am sure they have a great deal of respect for the amount of work that he does, the thoroughness with which he does his work and the high level of detail he has to hand. He is formidable in the work he does in representing constituents in many matters.

Some of the matters he has touched on today in relation to ACTION buses I feel I need to echo. Considerable concerns are emerging from constituents about the new network 14 timetable, especially the school bus services. I want to put on record my

dismay that 2½ weeks out from the application of network 14, the route bus service timetables are not available. Many people who are being told they need to connect their new school bus routes with route bus services cannot do so because the route bus service timetables are not available. Many people who have timetables to meet in the morning or afternoon do not know whether the buses they currently catch will help them meet that timetable. Many students go all the way to school on route bus services, and they do not know whether the times will change in a way that will make it possible for them to get to school on time. I come from one of those families where children travel literally across Canberra to go to school, and if there is a five-minute change in the bus timetable, it can mean the difference between getting to school on time or not.

One of the great burdens people currently have is the times that buses turn up early. I have had numbers of constituents complain to me that when they have complained to ACTION they were told that the time on the bus timetable was essentially a serving suggestion and it would be 10 minutes either side of that, which makes it quite difficult for people, especially young children. (*Second speaking period taken.*) So my constituents have been told, “If it says that it’s going to turn up at such-and-such a bus stop at this time, expect it to arrive any time within 10 minutes either side of that.” So you leave home 10 minutes early with the possibility of having to wait perhaps 20 minutes for the bus to turn up. That is completely and utterly unacceptable and defies the notion of a bus service. It is not a service, and that is one of the reasons why we are seeing, as Mr Coe has quite rightly pointed out, falling performance indicators for the ACTION bus service.

The people of the ACT expect to see many things out of the Territory and Municipal Services Directorate. There are high points and there are low points. I look forward to seeing the government come good with its promise to Cook shops that it should be refurbished and that it be refurbished in consultation with the shopkeepers. The shopkeepers have a long list of things they would like to see done at the Cook shops. Most of them are not expensive, but they need to be done and they need to be done in consultation with the shopkeepers to serve the people of Cook.

**DR BOURKE** (Ginninderra) (5.22): I rise briefly to note Mrs Dunne’s interest in the work that I have been doing with my constituents in Cook, who are her constituents as well. I thank her for her interest in my work, but then the bunkum started to fly thick and fast. The Cook shops upgrade has been announced in the budget; the minister has already announced this is going to happen. Any attempt to create mischief and to create doubt in people’s minds that this is actually going to happen is pure trouble making. We are seeing a lot of bunkum being floated by Mrs Dunne which really ignores what this government is doing—that is, upgrading a set of shops which is, indeed, as Mrs Dunne notes, very worthy of an upgrade. It has already had a new toilet placed close to the shops, which is something that the shopkeepers were very keen to have done. I thank the minister for the action in undertaking that.

I also have been out talking to the shop owners and business owners at Cook shops and listening to what they think is needed. I am looking forward to the further consultation which is going to happen with the directorate as the design progresses through the design, development and construction phase. All this sort of bunkum that Mrs Dunne is wafting around is just that—bunkum.

**MRS JONES** (Molonglo) (5.24): The estimates report goes to a number of recommendations around children's playgrounds, and I will take the opportunity under this line item to speak about an issue which is raised with me by mums in the community on a regular basis, often also by carers and grandparents—that is, local playgrounds. Local suburban playgrounds are an important part of communities and need to be well maintained and regularly assessed—as I believe they are by this government—but not just for safety but also to ensure that they have adequate and age-appropriate equipment.

Playgrounds are of great benefit for the families of our city. They are good for the health and wellbeing of children, for mums, dads, carers, grandparents and the like. Additionally, playgrounds are a core municipal service and need to be well maintained, and some playgrounds are in need of upgrading. I am of the strong belief that there should be a fully fenced playground in each zone of our city so that mums and dads and carers can plan to go and enjoy the respite that playgrounds offer for the whole family and so mums can sit on the park bench at the playground and breastfeed their babies with knowledge that the toddler climbing on the rope ladder or sliding down the slide is in safety and will not wander onto local roads or towards water areas.

As I have said in previous debates, imagine getting to the park after doing three-hourly feeds during the night, unloading the kids and finding that the baby needs feeding. You get ready to feed, get the baby feeding, and the other child you are looking after wanders out of the playground area. It is very important that there are at least some parks that are completely fenced so that mums who are breastfeeding or have very small babies can go to the park as well.

Many cities around Australia have fully fenced playgrounds that are frequented by families and are regularly used as meeting places for mums groups. A trip to the playground to meet up with a group of other mums can be the best event of a week for a mum who is at home. It is great for her mental health and to get out into the fresh air. It is a great place for her toddler to develop skills of confidence in climbing, swinging, sliding down the slide. It is a worthwhile adventure for everyone. For examples of such parks, please have a look at Holbrook, near the toilet block; Hobart, Marieville Esplanade, where there is a park fenced for toddlers within a park fenced for older children; and Annandale, Birchgrove and Mosman in Sydney.

For families to be able to plan to spend a morning, not just 10 minutes, at the park, and have all the health benefits that come with it, I support the recommendations of the estimates committee around playgrounds. Having just a few fenced playgrounds in our city would be a real benefit to the families of Canberra, and I will continue to harp on about this as long as necessary until something is done.

**MR RATTENBURY** (Molonglo—Minister for Territory and Municipal Services, Minister for Corrective Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for Sport and Recreation) (5.27): I am pleased to speak about the proposed expenditure for the Territory and Municipal Services portfolio. TAMS certainly has a big job to do out there in our city, and there are a limitless number of areas we could talk about tonight. The thing we all know is that in the scheme of things Canberra is a great city to live in and, in fact, the standard of services and

facilities provided in this city is generally very high. If one travels anywhere beyond our city, one generally finds that the level of services overall in this city is very good. That said, there is always room for improvement, and TAMS has a big job to continue to keep up with the expectations of the Canberra community in delivering the services they believe should be delivered.

There have been a few references tonight to core services, and a lot of core services need to be delivered, whether it is buses, garbage, roads, mowing, litter, dog control, trees, footpaths, cycle facilities, streetlights, and so the list goes on. These are all core services that TAMS is delivering for our community. It is very easy to come in here and say, "This is a core service," because there is a very long list of core services which the community wants delivered and which TAMS is working hard to deliver.

I was very pleased earlier this year to see the results come back from the annual TAMS survey of Canberrans, and the feedback was very positive. On the whole, people are very satisfied with the services delivered by TAMS. That is a testament to the hard work by the nearly 2,000 TAMS staff who are out there every single day delivering services across the city. I know there is a real pride in TAMS about the job they do, and many of the staff I meet are either very experienced or very expert in particular areas, whether they be arborists, rangers or road engineers. They take considerable pride in their work, and because we are a small city, people get some fairly direct feedback.

*Mr Coe interjecting—*

**MADAM DEPUTY SPEAKER:** Mr Coe, I am glad to see you are cheerful but I cannot hear Mr Rattenbury at all.

**MR RATTENBURY:** As I was saying, with respect to the TAMS staff, because we live in a small town, I usually get some fairly direct feedback—whether it is from neighbours or people I run into in the street—about things around the city. Apart from all the other channels, there is fairly strong feedback to the staff of the directorate.

In terms of that information back to the directorate, I take this opportunity to reinforce the facilities that are available. People in Canberra have a tremendous power to influence what gets done and how quickly things get done in this town, through the range of feedback services available, whether it is Canberra Connect or fix my street. Both of those services offer a very direct and quick way to get matters attended to.

Unfortunately, occasionally things do fall through the cracks, and that is usually when members need to write to me. Some things do need that extra level of follow-up. But I would encourage members to empower communities by letting them know that those very good and very effective services are available for getting jobs done.

I have said at a range of fora that I would rather have TAMS staff out fixing things than out looking for problems. We have 370,000 citizens of this city; plenty of them are great at reporting things, and I appreciate that, because I think it is a community effort to let TAMS know what the problems are so that we can focus our staff resources on fixing them rather than looking for them. That is certainly the approach that I prefer to take.

There are many elements of the budget I could speak to tonight. Certainly, roads always come up as a significant issue in the portfolio. I note Mr Coe's comments about frustration with roadworks. I do not entirely disagree; in fact I share that frustration at times. It is certainly an area that I have spoken with Roads ACT about, and have asked them to be mindful of making sure they have a real driver focus when it comes to thinking about that, and making sure that reduced speed zones are the appropriate length—not too far, and obviously not too short so as to compromise safety. People are willing to respect a reduced speed zone when they can see that it relates to some actual roadworks. If it is too far away, they will ignore it and therefore we get a counterproductive outcome. Timing and coordination of roadworks is an ongoing area requiring improvement, and on that point I certainly agree with Mr Coe that it is an area that needs continued focus.

In terms of Gundaroo Drive in particular, Mr Coe spoke about that. Works are underway. The advice to me certainly is that the upgrade of the William Slim Drive-Barton Highway intersection is integral and it is the necessary first step in those works. From an engineering point of view, I am advised that it is the first step that needs to be taken. It certainly sits in the traffic system as the number one black spot in Canberra. So from that point of view it certainly warrants first attention.

The rest of the works on Gundaroo Drive are sequenced after that. This is one where the community may end up feeling a bit frustrated, because as the works progress along different stages it will feel like it is taking a long time, even if each stage gets finished. I hope that the residents of Gungahlin in particular will notice improvements as those works progress.

In terms of other areas related to roads, again, I note Mr Coe's comments on the slurry surface or micro-sealing trial. I certainly heard the feedback from the community about the frustration about car parks in shopping centres in particular. That is why I have asked Roads to look at alternative options. I am hopeful and optimistic that this will provide a good solution and that we will see a better outcome in car parks than some of those we have seen in recent times. I acknowledge the community frustration on those matters. Micro-surfacing is more expensive, but it is probably money well spent in some key locations such as shopping centre car parks.

When it comes to footpaths, I would like to reassure members that I am certainly committed to getting our footpath network upgraded as quickly as we can. Significant effort goes into keeping paths up to a good standard. Having formerly been the Minister for Ageing, I am very mindful of the importance, particularly for our older Canberrans, of ensuring that footpaths are in a good state.

Of course, we are an ageing city, and stuff does start to wear down. There is a steady program of upgrading and fixing footpaths across the city. Suburbs are inspected on a proactive basis, as well as having the reactive work that goes on when people report things. There are 27,000 square metres of community paths, including off-road cycling paths, that are replaced or resurfaced each year, arising from both those programmed inspections and referrals by members of the public. That is in addition to the grinding machines treating over 17,000 linear metres of cracks and raised edges each year.



That work continues, and I am certainly always looking for additional funds to ensure that we can get as much of that done as possible. Of course there are trade-offs there. We also need to keep the roads being resurfaced, and Mr Coe spoke about that as well. There is a large amount of work that goes on each year.

In terms of other roads issues, I could speak at some length about the various projects, but rather than take up the Assembly's time by speaking about specific projects, I would simply note that there is enhanced funding this year. Roads ACT expects to spend almost \$6 million repairing signs, responding to accidents and incidents and making patch repairs on roads. That is about \$1 million more than in the previous year. Roads also expects to spend about \$11½ million on road surfacing this year, which is almost \$2 million more than in the previous year.

I am pleased that we are funding these important areas of safety. I have asked Roads to place particular emphasis on safety issues that are vital to reducing road trauma in our community and ensuring that maintenance is a high priority in our roads portfolio, so that we maintain the assets that we have.

Turning to other areas of the portfolio, I should speak about ACTION, which a number of members raised this evening—another large part of the portfolio. I think the best thing I can do is comment on upcoming improvements to the network. As I spoke about in question time today, there are additional services being added, particularly to new and expanding parts of Canberra—the suburbs of Molonglo, Harrison, Casey and west Macgregor. We will see new services being provided to those new suburbs.

We are in a phase where there is a significant number of improvements coming for ACTION. In particular, network 14 is due to be launched on 1 September. That will see a significant increase in services, around 300 new services a day. So we are seeing, with the design of the new network, more direct routes, more frequent services and better connections. These are the things customers ask us for, and that is the way that the new network is being designed. I hope that customers will see it as an improvement.

In particular, in the parliamentary triangle, with the introduction of pay parking there from 1 September, there will be more than 1,000 services a day servicing the parliamentary triangle and Commonwealth Avenue. It is the most heavily serviced part of the parliamentary triangle, and I would encourage those Canberrans who are keen to avoid paying parking fees now, introduced by the National Capital Authority, to look at ACTION and to look at the services. The full timetables will be available from this coming Monday, 18 August. I encourage people to look at those, and, if they have questions, to contact ACTION, who can provide information if people are struggling.

Mrs Dunne made an observation about the timing of the network 14 information release. My advice from ACTION was that we should not release it too early, because there is potential for customers to be confused. About two weeks out is the optimal time in terms of not confusing people between the old timetable and the new timetable,

and ensuring that people are adequately focused on the upcoming change date. If we were to put the information out too early, the advice from other places is that a level of confusion arises.

That said, in response to requests from parents, I took a decision to increase the amount of time when information was provided to schools. Traditionally that has been done two weeks in advance, but parents requested a greater amount of time and that it not cut across school holidays. We have been able to line that up so that parents have had the school timetables for four weeks. There are obviously some issues there around the route networks as well. All the information has to be produced and we are trying to get it out in a timely manner, but ACTION has met its commitments. The school timetables were provided four weeks in advance and the full timetables were provided two weeks in advance, so that people have time to look at those timetables. As I say, they are more than welcome to contact ACTION if they have further questions.

In terms of network 14, I would also note that there is an 18 per cent increase in frequency of services on Saturdays and approximately a 30 per cent increase in frequency of services on Sundays. Those are additional runs that will make the service more convenient for more people, more often.

*Mr Coe interjecting—*

**MADAM DEPUTY SPEAKER:** Mr Coe!

**MR RATTENBURY:** I would—

**MADAM DEPUTY SPEAKER:** Mr Rattenbury, do not respond to Mr Coe, please.

**MR RATTENBURY:** The new network comes in from 1 September. All the timetables will be available from this Monday, 18 August. I will be making announcements on Monday to bring that to the community's attention. ACTION will roll out a community information campaign which will be taken out in a series of forms of advertising, including online media, on the ACTION bus network and various ACTION facilities themselves.

There are a range of other improvements coming to ACTION, particularly NXTBUS. This goes to come comments Mrs Dunne made earlier about buses turning up on time. I think that is a source of great frustration for people. NXTBUS will live-track the buses. The site went live last week. I have put a rider on that, in saying that it is still in the final testing phase. We have gone live so that the ACTION community can help the ACTION team sort out any last glitches. I accept that there probably are still some glitches in there, but we figured the best way to sort those out was to have the users provide the feedback. For anybody who has experienced problems in that—and I know there are a few glitches—I urge them to report those to the ACTION team so that they can be addressed as quickly as possible.

In addition a series of new park and rides have been built. I have just launched a new one at Gungahlin, with 345 spots. For the residents of Gungahlin this will be a

tremendous facility where they can perhaps drive from the suburbs to the town centre, drop the kids off along the way, go to the shops if necessary, then get a bus to the city and have free parking back in Gungahlin, no parking worries in the city and various other places along the way, and you do not have to worry about negotiating your way through the traffic; someone else can drive for you.

In terms of timeliness, I believe that with the new timetable a lot of effort has gone into improving matching the times. Certainly the transport officers at the interchanges are working hard with the drivers to improve their performance in terms of matching the timetable. I expect to see improvements in the coming months. Improvements have already occurred, and I expect to see further improvements that I will be able to report to the Assembly in the near future about timeliness.

In the spirit of keeping to time, I will turn to some other matters that members have raised this evening, rather than covering the rest of the portfolio. Mrs Dunne asked some questions around the charity bins and the new code of practice. The implementation of the code of practice for the management of charitable recycling bins is in its final stages. TAMS met with all affected charities on 30 July to discuss the implementation of the code and the expression of interest process. All charity bins will be relocated to their new allocated sites by 1 October. That is the current plan.

A targeted compliance program has been developed. That was also explained to the charities. The compliance program will commence a few weeks prior to the relocation of the bins to reduce the prospect of illegal dumping around the bins and will continue following their removal. The compliance work will include monitoring to ensure the bins are removed by the set time frame.

This has been one of those tricky problems. The charity bins obviously are an important source of revenue for the charities and a great way of goods being reused rather than simply dumped into landfill. That said, I am well aware of the community feedback around people's perception that it is an unsightly mess. Certainly I have seen some photos of some pretty dodgy efforts from the Canberra community in dumping things.

I actually witnessed somebody recently dumping something illegally. I was sitting in a restaurant at Cooleman Court on a Friday night with the family and out of the window I saw somebody pull up in a ute and jump out. It was under the cover of darkness; they clearly knew what they were doing was wrong because they were in a considerable hurry. Unfortunately it was too far away for me to dash out and urge them to behave more appropriately. But it is a real shame because it is a great service and it is an important source of revenue for the charities.

I do hope that the new approach works effectively. Certainly, the trial that was undertaken of concentrating the charity bins in higher profile locations seemed to work well. I think taking them out of the local shopping centres will improve the passive surveillance of the sites and it will also mean that TAMS rangers can concentrate their compliance efforts on a reduced number of locations and therefore hopefully be more effective in implementing those.

There are many other matters, but in the spirit of brevity I will leave it there on the TAMS portfolio.

Proposed expenditure agreed to.

Territory Banking Account—Schedule 1A, Part 1.21—\$214,000 (capital injection), \$82,159,000 (payments on behalf of territory), totalling \$82,373,000.

**MR SMYTH** (Brindabella) (5.45): I will go straight to the transcript of 16 June on page 223:

**MS PORTER:** On page 76, under accountability indicators, point 3 in the notes says:

Raising all new Territory borrowing requirements in accordance with approved borrowing limits and guidelines.

Could you talk to us a little more about that and what is going on?

What is going on is that the debt is going up and the interest bill that accompanies that is going up as well. This is a budget that takes debt through the budget papers and into the outyears to almost \$4.7 billion, with really no indication of when the debt will come down or how the debt will come down. The table on page 294 of the budget papers shows the total external territory borrowings; they are about \$4.7 billion and the gradient is ever upward. Page 293, under “General government sector”, states:

It is estimated there will be a net increase to GGS borrowing of \$505 million in 2014-15. Over the Budget and forward estimates period, the forecast total net increase in GGS borrowings is \$1.094 billion to meet budget funding requirements.

It is interesting to see what happens when you go to the budget portfolio statement that contains the territory banking account, page 78, as you are looking through the financials. On page 75 it says that the functions of the territory banking account include:

- ... managing and reporting on the investment assets and borrowing liabilities of the TBA;
- raising new Territory borrowings as required ...

What people forget is that if you are not paying it back quickly and you are just paying off the interest constantly, there is a lot of money going out of the budget.

Over the life of these budget papers, there is a 40 per cent increase in the borrowing costs. They go from \$164 million to \$233 million by 2017-18—almost a quarter of a billion dollars in interest payments in 2017-18. That is significant money. We have already seen it in the ACTEW borrowings, which account for a large proportion of the government debt. What we have got is just interest growing with really no

commitment to the repayment of this. In the current year, the estimated outcome is now \$167 million. For borrowings next year, interest is \$184 million; then it is \$209 million, \$223 million and \$233 million. It is up 10 per cent this year, 13 per cent the next year, seven per cent the next year, five per cent the next year.

This is a government that is borrowing and borrowing. I think the Treasurer said it is a typical Labor budget. Yes, it is—borrowing with no end and no plan to repay the debt. That is the legacy of this budget. We see it in the increased costs that taxpayers will pay. We know the cost of living is going up constantly. We know that really there is no relief from this government, whether it be through fees and fines, whether it be through other charges or whether it be through the fire and emergency services levy.

This is a government that know how to tax; this is a government that know how to borrow. But from all of the questions that we ask there really is no indication, either in the budget documents or in the questions and the answers, that this government have a strategy to repay it. They say we have low debt to equity. True. They say that it is perhaps within the means to repay it and it does not affect the rating. All possibly true. But there must come a moment of truth where we actually get from a Treasurer how they are going to pay off this debt. That is the problem; we have never heard from this Treasurer how he will pay off this debt.

Let us face it; \$233 million by 2017-18 is a lot of money that could be spent on services. It is a lot of money that could be spent on new infrastructure. It is a lot of money that could be left in the pockets of taxpayers so that they can spend money on themselves and their families, and their own pursuits—so that they can get on, so that they can raise a family, so that they can get ahead and have a great life here in the ACT. You will not get that with this Treasurer.

The borrowings cost line there on page 78 tells the real story of this budget. It is a budget of debt; it is a budget of deficits. We now know, through the consolidated financial reports for the June quarter, that the superannuation has dipped.

The real question is: at what stage will we actually get a strategy to pay off this debt? I referred to some of the recommendations in earlier debates about ACTEW and the way they are changing perhaps how they will deal with their debt, looking at talking to ActewAGL about the repatriation of some capital. But when we have interest payments increasing at such a level over the outyears, with no clear indication of how we will pay it back, people should be very concerned about the approach that this government has taken to funding their promises and the approach that this government has taken—or in this case not taken—in articulating how they will pay this debt back.

**MR BARR** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Housing and Minister for Tourism and Events) (5.51): The territory banking account has been established to separately recognise and account for the general government financial investment assets and debt liabilities. So any revenues that are received on behalf of the territory are transferred to the account, and the account makes fortnightly budget appropriation payments to agencies.

In the coming fiscal year the account will seek to ensure an appropriate rate of return on financial investments, to raise new territory borrowings as required. I guess on this point it is worth picking up the observation the shadow treasurer made in relation to the use of debt for infrastructure, his apparent reluctance to use debt to fund infrastructure. He said the interest payments—

*Mr Smyth interjecting—*

**MR BARR:** You made the observation that the interest payments that the government will be making could be spent on infrastructure. The government is borrowing for infrastructure. If your position is that there can be no further infrastructure delivered in the territory until all debt is paid down, it is a bit rich to criticise the government for borrowing for long-term infrastructure unless there is a new position from those opposite that no debt can ever be incurred for infrastructure purposes, which I do not think even the Canberra Liberals or the shadow treasurer would be advocating—although you never know; when he gets into a bit of a groove on the ideological fervour, he does tend to get a bit carried away on these questions.

Let us be very clear: the ACT has a low level of debt compared to any other Australian jurisdiction, compared to any of the AAA-rated jurisdictions, which we are.

*Mr Doszpot interjecting—*

**MR BARR:** We are one of the few AAA-rated jurisdictions with a stable outlook among any government in Australia—or, indeed, post-GFC, any government around the world. We get the snide interjection from Mr Doszpot. Here we are, at five minutes to six on Thursday of the second week of the budget debate, and Mr Doszpot has decided that now it is time to flick the switch to vaudeville and try and entertain his colleagues.

**Mr Hanson:** What are you doing, then?

**MR BARR:** I am speaking on the territory banking account line item. If you are in need of a bit of entertainment, Mr Hanson, if you are in need of just a little—

*Opposition members interjecting—*

**MADAM DEPUTY SPEAKER:** Members! Mr Barr, will you please stop baiting them. Members on the opposite side, will you just, for the next five minutes, remain silent. Mr Barr.

**MR BARR:** I think it is worth concluding on the point that through this budget we have indeed made a capital provision for the territory's future infrastructure needs, and the reports back from the credit rating agencies are that that is an appropriate way for us to approach the balance of this fiscal period. We have established an envelope for infrastructure expenditure that is affordable, that is within the metric of a AAA-rated jurisdiction and that is appropriate for this jurisdiction.

I also draw to the shadow treasurer's attention the success so far of our asset sales program. We look forward to the opportunity to recycle more ACT government assets. In the context of the question of funding future infrastructure needs, there is no doubt that the territory needs to dispose of some assets in order to acquire some new ones. We intend to take that opportunity, and we have done so already, very successfully, with the sale of ACTTAB. That \$105 million capital boost is a significant one for the territory, together with a licence payment of more than \$1 million a year over the next 50 years. That is a good result for the territory. We intend to look at other land and property holdings that we have in order to raise capital to invest in new infrastructure for the territory. That is an appropriate way for us to meet the territory's future infrastructure needs—through a balance of asset sales and prudent borrowings in order to finance our city's infrastructure needs. That shares the costs of the infrastructure that will be long-term infrastructure for this community over the longer term.

With this appropriation, the territory banking account will seek to ensure an appropriate rate of return on our investments. It will raise new borrowings as required. It will settle our debt and financial obligations. I am very pleased to be able to commend this appropriation to the Assembly.

Proposed expenditure agreed to.

Total appropriated to agencies—

Schedule 1—\$102,283,397 (net cost of outputs), \$34,288,573 (capital injection), \$17,354,799 (payments on behalf of territory), totalling \$153,926,769.

Schedule 1A—\$2,650,720,603 (net cost of outputs), \$1,027,799,427 (capital injection), \$560,359,201 (payments on behalf of territory), totalling \$4,238,879,231.

*At 6 pm, in accordance with standing order 34, the debate was interrupted. The motion for the adjournment of the Assembly having been put and negatived, the debate was resumed.*

### **Sitting suspended from 5.58 to 7.30 pm.**

Total appropriated to agencies agreed to.

Treasurer's Advance—Schedule 1A, Part 1.22—\$29,500,000.

**MR BARR** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Housing and Minister for Tourism and Events) (7.31): Madam Speaker, I will go very quickly. The Treasurer's advance for 2014-15 is \$29½ million, which is an increase of \$1.4 million on the 2013-14 provision. This increase is consistent with decisions that the government has made in relation to the provision representing two-thirds of one per cent of the total amount appropriated.

The advance provides flexibility for the government to address urgent, unforeseen and short-term expenditure challenges that occur during the year without the need for resource reallocation. But, of course, there are criteria that must be met by agencies to

access this funding and in the fiscal year just past, 2013-14, not all of the Treasurer's advance was expended. I have obviously advised the Assembly on where Treasurer's advance was utilised in 2013-14. I commend this 2014-15 allocation to the Assembly.

Proposed expenditure agreed to.

Total appropriations—Schedule 1A—\$2,650,720,603 (net cost of outputs), \$1,027,799,427 (capital injection), \$560,359,201 (payments on behalf of Territory), totalling \$4,268,379,231.

Proposed expenditure agreed to.

Mr Barr's amendment No 13 agreed to.

Schedule 1, as amended, agreed to.

Clauses 1 to 11, by leave, taken together.

**MR BARR** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Housing and Minister for Tourism and Events) (7.32), by leave: I move amendments Nos 1 to 12 circulated in my name together [*see schedule 1 at page 2670*].

Amendments agreed to.

Clauses 1 to 11, as amended, agreed to.

Schedule 2.

**MR BARR** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Housing and Minister for Tourism and Events) (7.33): Madam Speaker, I move amendment No 14 circulated in my name [*see schedule 1 at page 2675*].

Amendment agreed to.

Schedule 2, as amended, agreed to.

Title.

**MR BARR** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Housing and Minister for Tourism and Events) (7.34): It is customary to close the debate on this point. In conclusion, I thank members for their contributions to the budget debate—I understand nearly 14 hours, 14 days of estimates, probably 1,400 questions asked over that period. It is the most important bill that the Assembly considers each year. And so I thank members for their contributions.



I particularly thank my colleagues within the cabinet and within the government for their support. It is a challenging process each year to put the budget together and it is not possible without the very strong support of colleagues. I would also like to particularly acknowledge the staff within the Treasury area of the now-expanded Chief Minister, Treasury and Economic Development Directorate who work incredibly hard to assist the government and all members in this place not only in the preparation of the budget but also in the scrutiny and answering of questions and being available to provide advice and assistance most particularly to the government, obviously, but also to all members.

I would also like to thank my own staff in my office. They work very long hours during the budget process, and there are a number who are still there now. Thank you all for your very strong support.

In closing, Madam Speaker, the budget is about investing in our city, in our households, in our businesses and in our most vulnerable and about supporting jobs. We do this with a very strong belief that governments should be here to support the community, and particularly in difficult times like we are experiencing now as a result of decisions of another parliament and another government that will hit our territory very hard. In light of this, the government has made a decision in this budget to support the economy, households, jobs and businesses.

It has obviously been very well canvassed over the course of the debate how we are going about this, but, just to focus on a few key areas, we are very proud that our health and education investment represents more than half of the expenditure in this budget. This, of course, remains the territory's and this government's top priority. In particular, we have taken a decision in this budget to step in to fill the funding gap that was left by the commonwealth. The budget provides \$1.4 billion for health in 2014-15, including about \$40 million to cover the shortfall left by the commonwealth in the coming fiscal year. There is \$961 million invested in our education system, a rise of six per cent on last year, and \$465 million in community services and housing, including disability and out of home care services, community housing and homelessness services, and there are many more areas in which the budget invests in high quality services for the community.

We are also seeking to support the territory economy, particularly the private sector, to grow and to create jobs through a wide range of programs, particularly through Invest Canberra, which is doing an outstanding job in bringing more outside investment and business into the territory, and, through the establishment of the Canberra innovation network, the provision of targeted and expert support to help innovative businesses, start-ups and entrepreneurs go to that next level.

In infrastructure there is a \$2.5 billion commitment over four years, a range of transformational projects for the city, capital metro, city to the lake, Australia Forum, new court facilities as well as a range of smaller projects right across the territory.

We continue our tax reform agenda. Stamp duty and insurance tax are both cut in this budget and the payroll tax threshold is raised. The infrastructure program and our tax cuts are targeted at improving the productive capacity of this economy, and we have

taken a responsible approach to the budget, maintaining growth while returning our budget to balance in a measured way. I commend the budget to the Assembly.

Title agreed to.

Question put:

That this bill, as amended, be agreed to.

The Assembly voted—

Ayes 9

Noes 8

Mr Barr  
Ms Berry  
Dr Bourke  
Ms Burch  
Mr Corbell

Ms Gallagher  
Mr Gentleman  
Ms Porter  
Mr Rattenbury

Mr Coe  
Mr Doszpot  
Mrs Dunne  
Mr Hanson  
Mrs Jones

Ms Lawder  
Mr Smyth  
Mr Wall

Question so resolved in the affirmative.

Bill, as amended, agreed to.

## **Appropriation (Office of the Legislative Assembly) Bill 2014-2015**

Debate resumed from 3 June 2014, on motion by **Mr Barr**:

That this bill be agreed to in principle.

**MR HANSON** (Molonglo—Leader of the Opposition) (7.42): Madam Speaker, I will comment briefly and supportively on this element of the bill with regard to the ACT Electoral Commission, which has now become an Officer of the Legislative Assembly under your wise guidance, no doubt. Last week, as we all know, we voted in this place to expand the size of the Assembly and to create five electorates, each with five seats. This is going to create a reasonable amount of work, I would imagine, for the Electoral Commissioner and his staff, so I note that he has got a lot of work ahead of him. I hope that that is done in a timely fashion, and I have certainly expressed that desire to the Electoral Commissioner. But it is a very important process to make sure that redistribution is done so that we have a fair and equitable electoral system for the people by 2016. I look forward to this new era and life in the Assembly with the Electoral Commissioner under the Assembly.

**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) (7.44), in reply: To close the debate, Madam Speaker, I would like to thank colleagues for their contributions to this part of the debate. The separate appropriation for the Office of the Legislative Assembly is obviously something that has been considered important. As always, you would expect any Treasurer, Madam Speaker, to say, “Spend the money wisely and in the best interests of the people of the Australian Capital Territory.”

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

### **Estimates 2014-2015—Select Committee Report—government response**

Debate resumed from 12 August 2014, on motion by **Mr Barr**:

That the Assembly takes note of the paper.

**Mr Smyth**: Madam Speaker, the Payroll Tax Amendment Bill 2014 is focused on—

**MADAM SPEAKER**: No, no, this is the estimates report.

**MR HANSON** (Molonglo—Leader of the Opposition) (7.45): I think the report that was produced by the chair of the estimates committee was far better than the speech he just gave, and he should be commended for the report if not for the quality of his speech tonight.

Question resolved in the affirmative.

### **Payroll Tax Amendment Bill 2014**

Debate resumed from 5 June 2014, on motion by **Mr Barr**:

That this bill be agreed to in principle.

**MR SMYTH** (Brindabella) (7.46): The opposition will not be supporting this bill because this is a real attack on small business people in the ACT. The intention of the bill is to remove the exemption of genuine employers. In the briefing we had—and I thank the Treasurer for the briefing—I asked whether the government had done any work to determine the impact of the exemption and what it would contribute to the development of the business sector in the ACT, and the answer was no. This is simply a revenue grab—that is what it is about. It is a revenue grab without any work or any analysis to back up whether in the long term the budget will be better off as a consequence of it and, of course, that the people of the ACT will be better off as a consequence of it. It is astounding to ask that question and be told, “No, we haven’t. We took the decision. We think there’s 1,000 contractors.” I am told there are a lot more than 1,000 contractors. They think it will raise \$10 million, but a number of people have said to me it will gain significant value beyond \$10 million.

This is another piece of Labor Party tax reform that fails in what it delivers. It fails because it affects so many people in such a callous and uncaring way. On the recall day we asked the Treasurer some questions:

**THE CHAIR:** Was it your intention that this tax would affect the take-home pay of contractors?

**Mr Barr:** Payroll tax is a liability on the employer.

**THE CHAIR:** Was it your intention that—

**Mr Barr:** I repeat: payroll tax is a liability on the employer.

**THE CHAIR:** You are avoiding the issue.

**Mr Barr:** My intention was to tax the employer and to close a loophole in our taxation arrangements.

**THE CHAIR:** But you avoid the issue. Is the government happy that people now, as in the case of Mr Taylor—

for those that do not recall, he was featured on the front page of the *Canberra Times*—

have \$450 a month taken from the after-tax pay as a result of your changes?

**Mr Barr:** The government's intention is that there is a level playing field in relation to payroll taxation.

**THE CHAIR:** So you do not care about employees taking a big pay cut?

There was a small incident then when somebody from the gallery spoke out, and Mr Barr continued:

**Mr Barr:** You are making that statement. Obviously any increase in taxation is going to have an impact on the community.

I asked again:

**THE CHAIR:** Was it your intention that workers in the ACT took a pay cut?

Mr Barr bravely sticks to his line:

**Mr Barr:** My intention was to close a loophole in our payroll tax arrangements to ensure a level playing field for all rather than continuing with an exemption that allowed some people to not pay the tax whilst others did.

**THE CHAIR:** If it was not your intention for people to have a pay cut, how will you stop that happening?

**Mr Barr:** As I say, I will take advice on the capacity we have to do that. But payroll tax liability falls on employers, and I would expect that employers would meet that cost.

We have a tax that was intended to be a tax on employers, as payroll tax is. But what we have because of these arrangements is now real pay cuts for ordinary Canberrans. It is something that clearly the government did not want, and I do not hear anyone over there saying it is fair that these contractors receive a pay cut. Not one person has said it is fair, and that is why this bill is unfair. It is not a smart bill; it is a bill without foundation except for the tax grab that the Treasurer wants the revenue from.

There has been no analysis as to whether the exemption provides an incentive to set up your business in the ACT. I talk constantly about diversifying the economy and having more people in private employment. The government has lately taken up that line and said, "Yes, private employment is a good thing." Well, here are people in private employment who are trying to make a go of it and you are about to tax them.

I could speak for some time on this, but I will let the people who are genuinely affected by this speak for themselves. Here is the situation faced by one contractor and a number of small businesses:

As things currently stand, my pay (which I negotiated in good faith in May) will be cut by 6.85% in a couple of months. It is just so unfair that the payroll tax harmonisation was announced without warning after I signed my contract. There is no prospect of the Commonwealth Government agreeing to an increase in my rate of 6.85% (as the rate has already been agreed), and the agency won't absorb it either. I am not an employer paying millions in wages, yet somehow I am stuck with paying this awful tax (on top of the income tax that I already pay).

Another contractor:

My 1 year contract runs through to 8 July 2015, so the payroll tax change on 1 January 2015 would still result in a significant reduction to my salary next year (which as a single parent raising 2 kids, will be difficult to absorb). Ideally the change would commence on 1 July 2015 to allow me to try and negotiate a higher rate with the Commonwealth government for an extension to the contract.

This is what you are doing tonight, members, when you vote for this amendment.

As an independent contractor, we do not have an industry body, despite what others may try to pretend, they may be other self-interested parties that would simply pass the payroll tax on, so any discussions with middle persons is not a full perspective and biased and flawed view of the situation, as highlighted they are only a means to work around as the federal government would rather not deal directly with smaller companies/individuals, even though we are more cost effective than other means.

Another one:

We face the highest rate of payroll tax in the country as you know, and also have the highest tax-free threshold. It seems unfair that the big recruiters enjoy that threshold whilst we pay the highest rate of tax on every cent. All recruiters have stated they intend to pass on the full 6.85%. I have asked my agency if they would consider it only fair that the tax free threshold be apportioned across each

of “their” employees as well as “us”, which would result in contractors paying somewhat less than 6.85% of gross whilst the recruiter would see a small % increase in their payroll tax bill. The recruiter replied with a resounding NO. The ACT government would collect the same amount of tax if the threshold were apportioned.

Another one:

Like many other contractors, the proposed changes to Payroll Tax legislation will remove the competitive position of small entities; something that I understood was originally intended to stimulate Government revenues through the small business sector. We are being forced to terminate and renegotiate contracts, requiring an investment of thousands of dollars in legal advice to defend against litigation.

I know some over there find this amusing and they are laughing at the position of small business, but I think it is rather serious. It continues:

We are also being forced to unnecessarily pay Payroll Tax on company operating expenses (also subject to GST and Company Tax) not just the Payroll component. This is because the Payroll Tax is withheld by the recruitment companies (deemed the “Employment Agent”) against the full fees they pay to our company. To further add insult to injury, as individuals, we are then forced to take a significant reduction in earnings of \$10K-\$15K p.a. if we are to keep our contracts with Government.

Again, members, this is the consequence of the bill that you will support tonight. Another one:

Unfortunately until the tax is properly bedded in, the employing agents (recruiters) are going to take the tax from their employees (contractors) which, as we know, will equate to approx. 7% cut in their salary. Although everyone seems to know that it is an employER tax, this unethical passing on initially DOWN the line seems unstoppable. As we have seen in one case, the contracts now just refer to “unexpected fees and charges”, so you get weasels everywhere and once again the ‘little’ man is squashed.

Playing with words.

One small point which still troubles me is that Mr Barr seems to regard ‘contractors’ as bigger companies, whereas the people who are going to be most directly hit were individual contractors employed through Recruitment agencies (who were simply going to pass on the tax to the small people).

It then refers to a *Canberra Times* article:

... seems to include this but still quotes Barr as if he doesn’t understand that it is the ‘little’ people who would be most directly affected and have no way to ‘absorb’ the cost but just take a salary drop.

They go on and this one highlights the government’s ignorance of the impact of the change:

The ACT Government seems singularly unaware of why the ICT contractor market exists so strongly in the ACT: what its value is, how that value is created, how critically it ties to the core functions of federal government, and how a payroll tax that brings ICT contracting 'into alignment' with (say) blue-collar workers in labour hire industries in other jurisdictions defeats much of the value of having a strong ICT contractor market in the ACT in the first place.

Again, members, that is what you are voting for this evening. Another one:

Let's hope Recommendation 56—

from the bipartisan estimates committee report—

is adopted, otherwise anyone signing any sort of contracts in the ACT will be scared that the Government will suddenly change the rules 'post signed agreement'. Is Labor going to go back and change the Stamp Duty on my last house purchase and get me to pay another 10k? Well, if they have done it once, who knows????

This is what we are doing with the nature of this. This is the last one I will read:

Some further proof of the harsh nature of Barr's tax. One of the contractors at the conference, working for the ACT government, has been forced to take a 7.2% pay cut along with all other ACT contractors as far as we know. Now he has to take a pay cut of another 10% approx. of take home pay. There is very little other work at the moment so he is stuck.

I have a folder full of email and I have rung most of them and tried to talk to them. We have been in correspondence by email with most of them. They are willing to accept the government wants to change the rules and have some alignment. They accept the logic of it; they do not necessarily agree with it and they do not necessarily like it. But all they are asking is that the financial plans that they have set for the 2014-15 financial year—in which case most of them have already signed—be honoured. I do not think that is a big ask.

If you talk to any business around the country, probably around the world, the thing they want most is certainty. All these people, based on an understanding of the law at the time, in good faith, with the ACT government, the federal government or others, have signed contracts and made obligations. We all know people often work out their budgets on the basis of what they have got. This tax was genuinely aimed and should only be aimed at employers, but this payroll tax is being passed on by the nature of it to people who work in the industry as independent contractors. Because they have no redress—we all know times are tough and you stick with the deal you have got—these people are being forced to take significant pay cuts.

The one clear case is Mr Taylor who has been to the *Canberra Times* and said \$450 a month. That is a lot of money to come out of somebody's household budget. The problem is that they cannot in most cases break their contracts. Most contracts, as we know, have penalty clauses, and if you do not deliver the goods, if you are a small company with just four or five in a group and you lose staff and cannot accommodate

the contract, you are then liable for damages. The success of this exemption has been that it has given these people flexibility and it really has created a very special market in the ACT. Last time I saw it, we have double the number of the national average of IT workers in the ACT. That is because, first and foremost, the presence of the federal government, but secondly, it is because of the arrangements that exist here.

If you want to change the arrangements and you have got the numbers, that is fair. What is not fair is, because of the way this tax is being implemented, the cost is simply being passed on to these firms as if they had turnovers of \$1.8 million, which they clearly do not. It is iniquitous. The government do not have to pass this bill tonight. The obvious intention is that it will now have a commencement date of either 1 January or 1 July next year. We can adjourn this debate and you can go away and have a think about it. Or, if you are desperate to have the revenue and you want to pass it, at least make it a 1 July start for the sake of thousands of people who will be affected by this. My understanding is that there are more than the 1,000 contractors the Treasurer has estimated. The fact that nobody knows is a flaw in the preparation for the introduction of this bill.

The fact that the only consultation has been with the peak body that represents some organisations but certainly not the small organisations or the independents or the sole trading-type individuals indicates that this process is flawed. We should have a clear indication of how much the government is going to raise. One estimate I saw was the government would make \$40 million a year out of this tax because that is the true extent of the number of people in this industry. Again, you have got the numbers; if you want to change the exemption, go for your life. But do not do it in an arbitrary way that was ill-informed, not consulted on and delivered as a fait accompli—"We've changed this. And by the way, it starts three weeks from now, even though you've signed contracts." That is a despicable way to go about business and it is not how government should behave.

We talk now about the government being the model litigant. What about the model citizen and the model business operator as well and acting a little bit more ethically? If you want to change something, give people some notice so they can get their affairs in order. It would be appropriate when we get to the detail stage that, rather than starting on 1 January, we move it back to 1 July next year, if you want to proceed with it. That would be the fair thing to do. I ask you, Chief Minister, through you, Madam Speaker, to please consider that the start date should be 1 July next year.

We know from the Treasurer's questioning in estimates that it was not the intention that workers take pay cuts. The reality is, members, that when the nine of you opposite vote for this, you are cutting the take-home pay of at least 1,000 people in the Treasurer's estimate. From what I am told it may be two or three or four times that number of people. You tonight are taking money out of people's household budgets. One of the first emails I read was from a single parent:

My 1 year contract runs through to 8 July 2015, so the payroll tax change on 1 January 2015 would still result in a significant reduction to my salary next year (which as a single parent raising 2 kids, will be difficult to absorb). Ideally the change would commence on 1 July 2015 to allow me to try and negotiate a higher rate with the Commonwealth government for an extension to the contract.



We know from the Treasurer they did not want to affect the take-home pay; it is, I assume, an unintended consequence of this bill. We now know it is being directly passed through to people who do not have behind them thresholds of \$1.85 million as a buffer. It is just stubbornness on the part of the Treasurer and the government to push this through tonight.

I implore you to think about what you do tonight and the families you will affect and the change you will make to how the business community views dealing with the ACT government and how, in the broad, people will view dealing with the ACT government when you can change things in this way that affect contracts that have already been signed. If you want to say Canberra is open for business, tonight somebody would adjourn this debate until we had a reasonable time to implement it or, when we get to the detail stage, you will vote for my amendment for 1 July next year. If you do not, what you are simply saying from the comfort of the Treasury benches is that you do not care about the families and about the workers in genuine small businesses in the ACT.

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

That the debate be adjourned.

Question put.

The Assembly voted—

Ayes 8

Mr Coe	Ms Lawder
Mr Doszpot	Mr Smyth
Mrs Dunne	Mr Wall
Mr Hanson	
Mrs Jones	

Noes 9

Mr Barr	Ms Gallagher
Ms Berry	Mr Gentleman
Dr Bourke	Ms Porter
Ms Burch	Mr Rattenbury
Mr Corbell	

Question so resolved in the negative.

**MR RATTENBURY** (Molonglo) (8.06): There has been quite some debate about this issue since the budget was tabled in June. This bill removes a payroll tax exemption for employment agents and it will mean that subcontractors' wages are treated in the same way as contractors' wages. One difficulty with the current exemption is in the interpretation of "genuine employer", which has caused many difficulties, and this is the clause being removed from the act. This will bring us into line with other states; in fact I believe we are the only jurisdiction to have this clause at present.

In the budget the payroll tax threshold was lifted from \$1.75 million to \$1.85 million. This will mean that about 40 local businesses will no longer have to pay payroll tax. This is part of the government ensuring that its focus is on payroll tax being applicable to larger businesses rather than small to medium enterprises. I think this is the right application of payroll tax, as we want an environment where small business is supported, and this is balanced with ensuring consistent revenue to the ACT government.

The largest impact of this amendment will be on the IT industry in the ACT. That is certainly the feedback that I have received, as it seems a number of IT contractors have been creating companies or have been joining with other unrelated contractors to create companies for payroll tax purposes.

The current bill proposes retrospective commencement on 1 July this year, which is problematic to many contractors in this situation, as contracts and structures are already in place. Given the level of feedback on this issue, the government will tonight—and Mr Barr has indicated this in the debate on the estimates report—be tabling an amendment extending the commencement date to 1 January 2015 to give people and companies a longer period to adjust to this change in the laws.

I received contact from quite a few people about this issue. Unfortunately, I was only able to meet with a small proportion of those who contacted me. Overall, I believe that most people were not opposed to the removal of the clause relating to “genuine employer” per se, but rather to the proposed commencement date. After considering these representations and discussing the issue with the Treasurer, giving that feedback to him and seeking his views on that matter, I believe that this amendment is a good compromise in this situation. It is a compromise that addresses the policy issue that the government is seeking to address, while taking into account the feedback that more time was needed before the reforms come into place.

On that basis I will be supporting the bill today and the amendment brought forward by the Treasurer.

**MR BARR** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Housing and Minister for Tourism and Events) (8.09), in reply: The government announced in the 2014-15 budget that we would be making changes to the Payroll Tax Act 2011. This bill introduces these changes and creates a more equitable payroll tax environment in the territory.

Payroll tax is payable on wages paid by employment agents to subcontractors who are engaged to perform work for a client. This approach is taken by all jurisdictions, with the ACT providing a number of payroll tax exemptions for employment agents in certain situations. The Payroll Tax Amendment Bill 2014 removes the “genuine employer” exemption from schedule 2 of the Payroll Tax Act. This exemption, which is only available in the ACT, exempts wages paid by employment agents to subcontractors if the subcontractor can demonstrate it is a genuine employee in its own right.

There are numerous issues in establishing a genuine employer relationship. This has led to complexities and confusion in the interpretation and administration of the exemption. Some people have not been able to structure their affairs in a way to avoid payroll tax and have been at a competitive disadvantage throughout this process. There is evidence suggesting that this exemption has been exploited by some in the employment agent and contractor community, creating an unequal playing field in the payroll tax environment.

While the exemption is intended to apply to subcontractors who are genuinely employing others, it is currently being applied by single-person companies. The employment agent engaging these companies thus exempts the wages from payroll tax. This application of the “genuine employer” exemption has created an inequity in the ACT’s payroll tax system.

The government is of the view that all contractors in similar circumstances should be treated consistently for payroll tax purposes, irrespective of the structure of their business affairs or the industry in which they operate. The amendments contained in this bill ensure that contractors will no longer be able to receive an exemption where a contractor employs themselves or joins with other unrelated contractors to create a payroll company. This bill will help provide more certainty to local employment agents and contractors in relation to their taxation obligations.

The ACT will continue to provide six other exemptions. The remaining exemptions will continue to apply where a contractor is a body corporate, partnership or sole trader or has two people working on a contract, one of whom is an employee of the business. The exemption for a single-person business will no longer be available.

The government has engaged with industry stakeholders since the removal of this exemption was announced. Like the opposition, we have received a range of responses from the community—

**Mr Coe:** Who has written to you saying it’s a good idea?

**MR BARR:** A number of people have. The government has received a range of responses from the community.

*Mr Hanson interjecting—*

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

**MR BARR:** We have also taken into account the views put forward by the estimates committee. We have adjusted the implementation time frames in recognition of the industry’s need for time to adjust business practices as necessary. As I announced earlier in the week, the bill will now commence, by way of an amendment that I will move shortly, on 1 January 2015.

This gives certainty around when industry and taxpayers will need to withhold payroll tax and provides more time to accommodate the necessary changes that may be required. A number of people wrote to me asking for this change to be phased in, for it to have a part effect in one year and then come in in the next. We believe this amendment will achieve that outcome that was requested by many people who wrote to us.

The amendment which has been circulated in my name is minor and technical in nature. So in accordance with standing order 182A(c) it was not required to be considered by the scrutiny of bills committee but it was, of course, circulated in advance in accordance with the standing order. The amendment substitutes the commencement date of 1 July 2014 with 1 January 2015.

Since the presentation of the bill, Treasury and the Revenue Office have addressed a range of queries from stakeholders, providing information and advice on the removal of the exemption and also on the exemptions that remain available to employment agents and subcontractors. Of course, these channels will continue to be open to all stakeholders following the successful passage of the bill.

This bill removes an exemption in the current legislation that provides a tax advantage to contractors who are not bona fide employers. The bill aligns the territory with the approach of all other jurisdictions. It provides more certainty for employment agents in Canberra and the contractor community with regard to payroll tax liabilities under the act. It removes confusion around the exemption of wages under the act and, importantly—and a point that I think is too casually dismissed by those opposite—provides a more level playing field for employment agents.

It will help to increase certainty in the ACT's taxation regime, and a fairer tax environment promotes economic growth. With that I commend the Payroll Tax Amendment Bill to the Assembly.

Question put:

That this bill be agreed to in principle.

The Assembly voted—

Ayes 9

Noes 8

Mr Barr  
Ms Berry  
Dr Bourke  
Ms Burch  
Mr Corbell

Ms Gallagher  
Mr Gentleman  
Ms Porter  
Mr Rattenbury

Mr Coe  
Mr Doszpot  
Mrs Dunne  
Mr Hanson  
Mrs Jones

Ms Lawder  
Mr Smyth  
Mr Wall

Question so resolved in the affirmative.

Bill agreed to in principle.

### Detail stage

Bill, by leave, taken as a whole.

**MR BARR** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Housing and Minister for Tourism and Events) (8.19): Pursuant to standing order 182A (b), I seek leave to move an amendment to this bill as it is minor and technical in nature.

Leave granted.

**MR BARR:** I move amendment No 1 circulated in my name [*see schedule 2 at page 2678*] and table a supplementary explanatory statement. This is a straightforward amendment that substitutes a new commencement date for the act to be 1 January 2015.

Amendment agreed to.

**MR SMYTH** (Brindabella) (8.20): I move amendment No 1 circulated in my name [*see schedule 3 at page 2678*]. My amendment seeks to move the date of the Treasurer's payroll tax changes to commence on 1 July 2015. Mr Barr and the Labor Party and Mr Rattenbury from the Greens have the opportunity to do the right thing by thousands of contractors and their families in the ACT. The fact that this bill was to start on 1 July 2014, then 1 October 2014 and now 1 January 2015 indicates what a debacle the introduction of this change has been.

During the whole budget and estimates process not only have we seen contractors having to foot the bill for Mr Barr's payroll tax changes but we also learned this week that if you are a contractor for Shared Services ICT you are also going to get a pay cut. This amendment is not contesting the government's aim to line up the ACT with the other jurisdictions. What my amendment does is try to address, and with industry and contractor support, the fact that there has not been a decent lead time, which is already having an adverse impact of having contractors bear the burden of the tax.

According to the budget papers, the Treasurer's change will bring in an additional \$10 million every year over the forward estimates and in the Treasurer's comments regarding exempting existing contracts he commented:

... the grandfathering of existing contracts will introduce administrative complexity for the ACT Revenue Office and industry in administering multiple arrangements for different contractors ...

This ignores the fact that registration and lodgement of payroll tax is through self-reporting by the entity responsible for remitting the payroll tax and therefore would not be the administrative nightmare for the ACT Revenue Office that Mr Barr alludes to. Mr Barr may not be aware that there is precedence for exemption as highlighted by revenue circular PTX023 which refers to revenue circulars No 65 and No 69 where, in fact, a similar change was made. This circular states:

10. Where an employment agent has entered into a contract:

- (a) prior to 6 May 1999;
- (b) the terms of the contract were reliant upon the previous exemption regime;
- (c) and evidenced in writing;

the contract will remain subject to the previous exemption regime for the term of that contract or until 30 June 2000, whichever occurs first.

This blows out the idea that you cannot grandfather these clauses. It has been done by the ACT Revenue Office and it can be done by the ACT Revenue Office.

Let us work with the government and not call for an exemption clause because, according to the government, it is just too hard. The point still remains, whether Mr Barr enforces the changes on 1 July 2014, 1 October 2014 or even 1 January 2105, that contractors who entered into negotiations or had arrangements prior to the announcement of this change have been caught out through no fault of their own. They entered into these negotiations and contracts with no knowledge of this change and therefore are at a disadvantage if they are not quarantined for at least the term of their contract or until 1 July 2015.

By moving this to 1 January 2015, as announced in the government's response to the estimates committee recommendation, it has, in effect, halved its expected revenue. As it stands now this government is holding to ransom the financial wellbeing of potentially thousands of families for \$5 million. As I said previously, the estimate is that it will raise more than \$10 million per annum anyway. It is a small price to pay to spare a lot of Canberra families a considerable amount of financial stress and uncertainty, especially in light of the fact that this budget shows that Canberra families will be facing average net increases of up to \$327 on their costs of living and, indeed, as in the budget papers, some as high as \$706 per annum.

I ask members to reconsider what not passing this amendment today ensures. It ensures that, at least by the Treasurer's estimates, 1,000, but probably more, Canberra families will suffer because of what they vote for tonight.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 8

Noes 9

Mr Coe  
Mr Doszpot  
Mrs Dunne  
Mr Hanson  
Mrs Jones

Ms Lawder  
Mr Smyth  
Mr Wall

Mr Barr  
Ms Berry  
Dr Bourke  
Ms Burch  
Mr Corbell

Ms Gallagher  
Mr Gentleman  
Ms Porter  
Mr Rattenbury

Question so resolved in the negative.

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

Bill, as amended, agreed to.

## Land Tax Amendment Bill 2014

Debate resumed from 5 June 2014, on motion by **Mr Barr**:

That this bill be agreed to in principle.

**MR SMYTH** (Brindabella) (8.26): This is another revenue initiative of the ACT government that, again, I do not believe has been well thought out. It is quite interesting that the number \$10 million seems to appear in a number of these initiatives as though we have come up with a number and that is what we are doing.

According to the explanatory statement and from information we gathered during the estimates process it is estimated that although 55 per cent of properties subjected to residential land tax were units or townhouses in 2013-14, these classes of properties contributed only 22 per cent of the land tax collected during that financial year. This contrasts with your standard residential property, one building on one block, one dwelling or one home on one block, which made up 44 per cent of properties but contributed 78 per cent of land tax revenues.

When we asked the Treasurer he said, “Yes, this will bring it up to parity.” We initially thought that perhaps they were going to drop the rates on the single dwelling but no, this is just a tax grab. What they are doing instead of rebalancing it is taking a \$10 million cut on the way and what you have is for almost all properties an increase in the charges that they will pay.

In effect these charges will bring units up to the same level as residential. Even though they do not have the land and have a different sort of amenity to the standard residential block, they will now pay the same. Units will pay more, and up to triple what they paid last year. Some residentials will pay less, but very few.

Let us remember that this is not a revenue-neutral initiative. The government hopes to raise \$40 million over the next four financial years, some \$10 million a year. But according to briefings from the government, these changes will disadvantage investors with one property when compared to the New South Wales regime. It only starts looking better than New South Wales when you have three properties or more. I am not sure how many owners there are with three properties or more in the ACT but I am not sure that is a large number. Again, this is a tax grab.

You have to ask: what are the implications? One of the implications is that, of course, this will be passed on and it will be passed on to those that rent. Often those who rent are already at a significant disadvantage in our community and if they pick up approximately another \$20 a week it will hurt their income. The Treasurer said, “People can claim it back off the federal government.” But, of course, that will only come at the end of each period of the reporting.

The problem here is that again what you have is another grab for cash by a government that have had revenue increase after revenue increase and still have not been able to balance their books. What you have got is a government that have not done the work that is required to diversify the economy so that they will have more businesses to tax—and hopefully tax at a lower level but still make more revenue. But we know from earlier this evening from the Payroll Tax Amendment Bill they do not do that sort of work.

Again, when we asked what the numbers were on this, it was very hard to see how the calculations came about. It simply sounds like exactly what it is, and that is simply another tax grab from the government that has not done enough to make housing more affordable in the ACT. This will have an impact on that. You have got a government that wants investment in the ACT but you are putting a tax on that. You have got a government that wants greater density in the ACT. Let's face it, greater density only comes about through the use of units and apartments and more dwellings on a single block. You are putting a tax on that which, of course, forces development into the outer suburbs, which affects the environment.

I thought we were all about a more sustainable environment, but this is another ill-thought out tax that will go along with the lease variation charge and the extension of time fees that really does cast a pall of doubt over the government's true intentions for the densification of this city.

With that, we will not be supporting the Land Tax Amendment Bill 2014.

**MR RATTENBURY** (Molonglo) (8.31): This bill was tabled in June as a complement to the budget papers. The proposal in the bill is another step in the taxation reform process that has been underway since 2012. The Greens supported the ALP government's rates reforms in order to apply a more progressive taxation system.

The bill before us today addresses an issue of inequity that exists currently in relation to land taxes applied to rental properties in the ACT. The current system is based on the average unimproved land value of each property and a marginal rate. This inequity is created by the fact that multi-unit dwellings or apartments, as well as townhouses generally, have a lower unimproved land value than single dwellings or stand-alone houses. Hence a lower marginal rating factor is applied to calculate the land tax paid on those multi-unit properties that are being rented out for often similar rates to single dwellings.

In fact, the situation we seem to have is that the 44 per cent of dwellings that are stand-alone houses are paying about 78 per cent of the land tax revenue, while the 55 per cent of dwellings that are multi-unit only raise about 22 per cent of the land tax revenue. I consider this to be an inequitable system and I think members would agree.

Also, as the city densifies, that inequity will be enhanced. As more multi-unit dwellings are constructed, single dwellings will be contributing proportionally more to land tax. This proposal today instead introduces a fixed charge of \$900 per annum to each dwelling as well as applying the marginal rates.

The other change to accompany this is that the marginal rates will be decreased and will be applied more equally across taxable properties. This is intended to make land tax more equitable across property types in the territory. This amendment today brings land taxes in line with the general rates framework where 40 per cent of general rates revenue is generated through a fixed charge and makes our system fairer for everyone. On that basis, the Greens will be supporting this bill today.



**MR HANSON** (Molonglo—Leader of the Opposition) (8.34): Madam Deputy Speaker, I just heard Mr Rattenbury talking about this in the context of the government's tax reform, what a great thing it was and how that was going to be able to reform the tax system. In the context of this debate, I would like to briefly read an email that I received at 6.00 pm this evening about this issue. It follows on from some of the debate earlier today. It reflects the concerns of a lot of people that are coming to us. It is from a gentleman called Norm. I will not give the rest of his details. It states:

Following on re Rates Notice, today I paid \$4,100.42 (the discounted amount for payment by 15 August 2014); the amount for payment by instalments for year 2014 was \$4,227.24.

He then goes on:

\$2,571.17 was the amount we paid for year 2012. Our very real concern is that we are retirees on pretty much a fixed income, and when I see in my small Comsuper Pension indexed at something like a 2.5% or so annual increase it is clearly a tax grab by the ACT government. Ongoing costs like that will inevitably force people out of their homes which is disgraceful.

Thank you for taking time to respond.

Yours faithfully.

**MR WALL** (Brindabella) (8.35): This is an issue on which I asked the Treasurer a number of questions during a recall day at estimates. The scenario that I pitched to the Treasurer was of a constituent of mine who has an investment property down in Tuggeranong. The unimproved capital value of the property in the apartment complex is about \$100,000. The changes that this bill proposes to make to their land tax liability is an increase of \$700 per year. This unit rents out for about \$345 a week. That equates to almost a \$14 a week increase in rent.

It is plain and simple to see what this does. To call it by any other name other than a tax on affordable housing in this city would be a travesty. It has been likened to a poll tax but it is punishing Canberra families who seek to better themselves by investing in the city that they live in. Sometimes it is going to affect investors from interstate but they should be encouraged, not punished.

It is taxing people that want to invest in our city—people that want to invest to provide housing, often at the affordable end. The members opposite in the government, in the Labor Party, always fight for and claim to stand up for the working class in this city. But this is a tax that is going to hurt working families hardest, those that are not necessarily able to purchase their own homes, but who are renting often at the more affordable end in a townhouse or in an apartment.

I think that to call this anything other than a tax on affordable housing is simply not being honest. Mr Rattenbury, again, sided with the government on this issue. He claimed that it is, in fact, an equitable change. That is really something quite bizarre coming from the Greens: "Let us make it harder for people to afford housing." I do

not know where this one is going but I think this government continues to want to squeeze revenue from every asset in this community that it can find. It will end eventually. The Canberra community will not be able to bear it for much longer.

**MR BARR** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Housing and Minister for Tourism and Events) (8.37), in reply: The government announced in the budget that it would be amending the Land Tax Act 2004 to provide greater equality in the distribution of land tax and this bill provides for a fairer land tax system in the ACT.

Land tax is imposed on any residential property that is rented and residential properties owned by a corporation or a trustee. It is an important source of revenue to the territory. It is timely to review the structure of how the tax is applied, especially in light of population and housing density changes in recent years.

The Land Tax Amendment Bill 2014 resolves an issue of inequity that exists in the application of land tax. Before 1 July 2014 a determined marginal rate, in conjunction with the property's average unimproved value, was used to calculate the taxation liability. As most members are aware, multi-unit dwellings and townhouses generally do have lower average unimproved values resulting in the application of a lower marginal rate.

Consequently, a unit that has equal or, in fact, greater market value compared with a residential house is paying substantially less land tax. Owners of standard residential properties comprise 45 per cent of the land tax base but are contributing 78 per cent of the land tax revenue. Multi-unit dwellings and townhouses, many of them rented for amounts significantly more than houses, accounted for the remaining 55 per cent of properties liable for land tax. However, this majority of properties only contributed 22 per cent of the land tax revenue.

Without these amendments, not only would there continue to be an inequity where properties rented at similar value, or sometimes even higher value, would attract a lower tax, but also as diversification of our housing stock continued, the land tax base would be eroded over time.

This bill aims to address this issue and introduces a fixed charge component to the calculation of land tax for all liable properties. This provides a more even and equitable distribution of land tax across the ACT. The fixed charge is \$900 per property. The fixed charge component contributes 40 per cent of land tax revenue. This has synergies with the framework for general rates, where 40 per cent of revenue is derived from the fixed charge.

As those opposite have neglected to mention in their commentary, as a result of the fixed charge the marginal rates associated with land tax have been significantly reduced, ensuring the more equitable—

*Mr Wall interjecting—*

**MADAM DEPUTY SPEAKER:** Mr Wall!

**MR BARR:** distribution of land tax across the variety of property types in the territory.

*Mr Wall interjecting—*

**MADAM DEPUTY SPEAKER:** Mr Wall!

**MR BARR:** This recalculation of marginal rates has been implemented by a disallowable instrument. This bill presents the necessary amendments to sections 15 and 16 of the Land Tax Act. These sections allow land tax to be charged only on that portion of a property that is liable for land tax if the whole parcel is not land taxable.

Amendments in this bill ensure that when only a portion of the property is liable for land tax, the fixed charge will not be applied in full. A disallowable instrument has applied the fixed charge to all liable properties since 1 July 2014 pending this bill. From 1 October and the enactment of this bill, the fixed charge will be incorporated into the Land Tax Act, and the current disallowable instrument will be repealed.

The Land Tax Amendment Bill 2014 advances taxation equity in the territory. This is achieved by ensuring certain properties no longer have taxation advantages over others. It is important that the territory addresses this issue to ensure equitable returns from the ever-increasing amount of urban densification in the ACT.

Optimal returns benefit the community as a whole. The additional revenue gained from this initiative will allow the territory government to deliver essential services—health and education being the two most essential services—as well as municipal, community services and fire emergency services, amongst others. This is why I commend the Land Tax Amendment Bill to the Assembly.

Question put:

That the bill be agreed to in principle.

The Assembly voted—

Ayes 9

Noes 8

Mr Barr  
Ms Berry  
Dr Bourke  
Ms Burch  
Mr Corbell

Ms Gallagher  
Mr Gentleman  
Ms Porter  
Mr Rattenbury

Mr Coe  
Mr Doszpot  
Mrs Dunne  
Mr Hanson  
Mrs Jones

Ms Lawder  
Mr Smyth  
Mr Wall

Question so resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## Legislation (Penalty Units) Amendment Bill 2014

Debate resumed from 5 June 2014, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

**MR HANSON** (Molonglo—Leader of the Opposition) (8.46): Madam Deputy Speaker, here we go again: “Let us see if we can squeeze more out of Canberrans.” Let me count the bills today that we have had to try and squeeze the blood out of taxpayers. What is it—“squeeze until they bleed, but not until they die”.

We have had the budget. The government has voted on the budget, and what does that do? It puts up rates. It puts up a whole bunch of other fees and charges at about 10 per cent while CPI is just running at about 2.5 per cent. As we heard in the email that I read out from Norm, that is going to have an enormous effect on his household income—four times the rate of increase of his pension.

We then had the payroll tax; we are going to squeeze contractors. The Treasurer saw an opportunity to get more money out of contractors, and he has taken it. Instead of bringing in this tax change in a more measured way, as Mr Smyth tried to do through the amendment, he is going to grab it as quickly as we can. We have just seen a squeeze on people who own homes as investments, which ultimately is going to squeeze people at the bottom end of the housing market. It is a tax on home affordability. So it is a “squeeze until they bleed but not until they die” budget, in the payroll tax bill, in the land tax bill, and in this bill that we are debating here. Make no bones about it. There is no doubt, as I will explain tonight, that the singular motivation for putting up these penalty units at the rate that they are is to squeeze as much money as they can. We will not divide on this bill, but let me be very clear that that is what this bill is intended to do.

You will recall, Madam Deputy Speaker, that a similar bill was presented in June 2013 and was passed two months later. It went back to the introduction of the penalty unit system in 2001. At that time, the unit values were \$100 for individuals and \$500 for corporations. Until 2009 there had been no regular review regime for penalty unit values. It meant that there was something of a catch-up in 2009, when values were increased by 10 per cent to \$110 and \$550 respectively.

The 2013 bill took the initial values from 2001 and applied an indexing factor equal to the CPI from 2001, resulting in new values of \$140 for individuals and \$700 for corporations. The new values represented an increase of around 27 per cent on the 2009 values.

Whilst we welcomed the review because it brought penalty unit values up to date, the process demonstrated the government’s inability to put those efficiencies to their best use. A penalty unit system allows an easy and efficient review mechanism to be adopted so their values do not diminish and the cost of doing crime does not become cheaper in real terms. But the government did not take up that opportunity when it introduced the penalty unit system. In essence, rather than doing a CPI review every

year, it just does it in an ad hoc fashion. That has meant that we have irregular catch-ups. At the time we argued that that is the way that they should do it, so it would be an administrative measure and it would provide certainly.

But we understand perhaps why the government did not want to take that approach. They did not want to just apply a CPI factor to this, because this was another way that the world's greediest Treasurer could squeeze money out of people—in this case, potentially, out of pretty vulnerable people.

I am sure Mr Rattenbury, as he has done all day, will just skip along with this one—more money in the coffers for light rail and for other pet projects—because the new values represent an increase of seven per cent and they are not based on any science. They are not based on any attempt to justify this other than, in the attorney's words, to try and bring it into line with other jurisdictions. But, as you see from other jurisdictions, there are still significant inconsistencies. He talks about Victoria, but Victoria sensibly applies an annual CPI increase to its values, in an administrative process supported by an appropriate statutory mechanism.

The second justification that the Attorney-General gave was that, in his own words, the seven per cent “reflects similar increases to other fees as part of the 2013-14 budget”—well, the lower end of those fees and charges. But, indeed, that is an admission that fees and charges in his budget are going up at more than double CPI. Basically he is saying, “We are going to put everything up in the budget so we may as well put penalty units up as well while we are at it.” That is “logic” for you. There is no logic that has been provided that is actually connected to deterrence or the value of the penalty unit in relation to crimes committed. It is purely and simply a tax grab on the back of four other tax grabs that we have seen today.

There is a missed opportunity here, Madam Deputy Speaker, to make this an administrative process linked to CPI. What we again see is a government that is addicted to spending; in order to feed that addiction, it has got to get its money from wherever it can, be it from rates, from payroll tax, from land tax or from penalty units.

**MR RATTENBURY** (Molonglo) (8.53): This bill increases the value of penalty units, which are defined in the Legislation Act and which determine the amount payable for a statutory penalty. The bill will increase the amount of individual penalty units from \$140 to \$150 and penalty units for a corporation from \$700 to \$750. The increase is still in line with penalty amounts that apply in other jurisdictions.

The potential concern with this increase is that it could have an unfair impact on people who might be subject to fines. The Greens have, in the past, done significant work on this matter and it resulted in a new flexible scheme for managing traffic and parking infringements.

The government has for some time been undertaking work on a bigger project called the targeted assistance strategy. The intent is to help disadvantaged people in Canberra avoid potential financial shocks. One way this could arise is from receiving a large fine. The particular worry is for people who might already be disadvantaged—the homeless, for example—and are at risk of receiving fines for public order type

offences. The fees and fines of particular concern for a targeted assistance strategy are infringement notice penalties. These would be increased through regulation and they are not affected by the increase in penalty units.

I have written to the Chief Minister and the Attorney-General explaining my view that, despite an increase in penalty units, the government should not increase the amount in infringement notices until work is progressed on the targeted assistance strategy. As I have said, parking and traffic infringements have a flexible payment system but it is not yet available for other kinds of fees and fines. The Chief Minister has agreed to this and I thank the government for their agreement.

In relation to fines that are affected by the increase in penalty units, I want to reiterate some important points that Mr Corbell noted in his tabling speech. These are that the increase in penalty units does not set a mandatory fine; it sets the maximum monetary fine that a court can impose. A court will still take into account the circumstances of the offence and the offender. It also has the opportunity to use non-monetary penalties in sentencing an offender, such as a good behaviour order or a community service order.

Despite the fact that I have actually addressed some of the points that Mr Hanson made, I do not think he actually listened to the substantive thought that has gone into the Greens' view on this legislation. As I outlined in my remarks, there are a number of safeguards built into this, particularly towards more vulnerable people who might find themselves in the space of a financial shock. I think that Mr Corbell and Ms Gallagher have agreed to important safety nets in that regard. On that basis it is quite appropriate that these penalty units do progress over time as part of this budget measure, and that is why the Greens will be supporting this legislation today.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for the Environment and Minister for Capital Metro) (8.56), in reply: This amendment bill increases the actual dollar penalty amount for all offences that include a penalty of a fine, which means that the relative weight of the penalties is maintained and will ensure that penalties in the ACT continue to be at an appropriate level.

Penalty units outline the maximum monetary fine for a particular offence in ACT law. The current value of a penalty unit in the ACT is defined in section 133 of the Legislation Act as \$140 for an individual and \$700 for a corporation. The amendment in the bill we are debating tonight increases the value of a penalty unit to \$150 for an individual and \$750 for a corporation.

This bill will work to achieve equity. Monetary penalties become inappropriately low if they do not keep pace with inflation. This proposal will ensure that penalties in the ACT keep pace with inflation relative to when they were introduced in 2001 and that the maximum financial penalty available retains its relative value. This is particularly relevant when a court imposes financial penalties for regulatory offences in the ACT where corporations are involved.

The increase also reflects similar increases to other regulatory fees as part of this year's budget and also reflects the general increase in the cost of government

administration of penalties and enforcement of the criminal law. Ensuring that the relative weight of penalties is maintained is also linked to supporting the deterrence of crime and the value of financial penalties. The increase of \$10 for an individual and \$50 for a corporation, or approximately a seven per cent increase, will roughly align the value of a penalty unit in the ACT with the increased penalty unit values in Victoria and the Northern Territory for the 2014-15 financial year.

The new values signify the maximum financial penalty that a court can impose on an individual or a corporation. But, as Mr Rattenbury has already pointed out, the court is not obliged to do so in every case. For example, a court will consider the personal circumstances of an offender, which can include their ability to pay any financial penalties. Fines can be limited or alternative penalties, such as non-conviction orders or good behaviour orders, can be made.

The government understands that there may still be some members of the community who will struggle to pay court imposed fines. This is why the government has taken steps to help those who are currently experiencing difficulty and who may experience difficulty in paying a court imposed fine. A new scheme for court imposed fines commenced on 1 July 2010 to provide an easier and more effective way of recovering fines and ensuring that there are consequences to fine defaulters who do not or cannot pay their court imposed fines.

The scheme introduced a new tiered system of alternatives to allow a person to pay a court imposed fine, including through an earnings redirection order, a financial institution deduction order, a property seizure and sale order, or participation in community service work. Prior to this new scheme, there was no alternative to imprisonment for someone who could not pay their court imposed fine.

It is important to point out that the proposed penalty unit increase will not automatically result in an increase in infringement notice values. Current policy is that any increase in the value of infringement notice schemes should be addressed on a case-by-case basis through amending regulations made by the executive and tabled in the Assembly.

Additionally, it is worth highlighting that this amended penalty unit value will not be retrospective, which means that any offences or current proceedings for offences which occurred before the date of this bill's implementation will not be affected by the increase. I commend the 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.

## Adjournment

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

That the Assembly do now adjourn.

### Commonwealth Games—David Katoatau

**MR COE** (Ginninderra) (9.01): I rise this evening to congratulate David Katoatau on winning Kiribati's first Commonwealth Games gold medal in Glasgow recently. I do so because it was a special and significant sporting achievement, and also in recognition of the ACT's special relationship with Kiribati. Kiribati first competed in the Commonwealth Games in 1998 when the games were held in Kuala Lumpur. Before Mr Katoatau's victory, Kiribati had never medalled at the Commonwealth Games, so this gold also doubles as the nation's first-ever medal.

Mr Katoatau, a weightlifter, won gold in the men's 105 kilogram group A weightlifting competition with a combined lift of 348 kilograms. Sitting in fourth place after the snatch, Mr Katoatau, who had become the crowd favourite, blew his competition away with a 200 kilogram lift in the clean and jerk. He beat his nearest rival, Stanislav Chalaev of New Zealand, by seven kilograms, with England's Benjamin Watson finishing third with a combined lift of 337 kilograms. Australian lifters Rob Galsworthy and Max Del Santo finished fifth and sixth.

The win surely cements Mr Katoatau's status as a hero in Kiribati. Previously Mr Katoatau had won medals at both the Pacific Games and the Oceania Weightlifting Championship, and had been the flag bearer for Kiribati at the 2008 and 2012 Summer Olympic Games. Mr Katoatau was also Kiribati's flag bearer for the Glasgow games.

On winning gold, Mr Katoatau said that he was proud to win Kiribati's first medal at a major event, and that he was going to have a big party when he got home. Noted for his dancing, Mr Katoatau is quoted as saying he would "dance all night long" when he returned to Kiribati.

I speak of Mr Katoatau's success today because of the close relationship between this Assembly and the parliament of Kiribati. As all members would be aware, the parliament of Kiribati is a sister parliament of this Assembly. The win of Mr Katoatau is a significant achievement for the country, and is something that we should acknowledge.

Again, I would like to congratulate Mr Katoatau on his gold medal and wish him the best of luck for the remainder of his career. Kiribati has never won a medal at the Olympic Games, but hopefully this duck can be broken by Mr Katoatau or one of his compatriots in Rio in 2016.



## Cancer Support Group

**DR BOURKE** (Ginninderra) (9.04): In June I attended a ceremony where the Love Your Sister campaign presented a cheque to aid the work of the Cancer Support Group. The Cancer Support Group provide financial assistance and help to patients with all types of cancer in the ACT, Queanbeyan and surrounding areas. They are currently assisting 714 individuals and 1,785 families. ACT Health contributes \$120,540 annually to help the Cancer Support Group support cancer patients and their families.

The founders of the Love Your Sister campaign are a sister and brother team, Connie and Samuel Johnson. Connie, a young Canberra mother of two boys, was diagnosed with breast cancer at the age of 33. She had already survived cancer twice in her young life and survived, but this time it was different. Her breast cancer is terminal. Cancer has spread through her body.

Faced with the fight of her life, Connie jokingly set Samuel the tough challenge of breaking the Guinness world record for the longest journey on a unicycle. Their aim was to raise \$1 million for research and to spread Connie's message of breast cancer awareness and the importance of early detection. This challenge became a promise, and the campaign became known as Love Your Sister.

In a determined and remarkable feat, Samuel Johnson pedalled on his unicycle through every state and capital city to our country's most eastern and western points. He covered 15,478 kilometres, and did indeed break the Guinness world record. Donations have exceeded expectations, and the campaign so far has raised \$1.75 million.

A publication of *Love Your Sister* by Connie and Samuel Johnson will be available in November 2014. Their book is part memoir, part travel diary, part conversation. The publisher reveals that it is an inspiring and unforgettable book that shows just how far one man will go for his sister. You can follow the Love Your Sister campaign on [loveyoursister.org](http://loveyoursister.org).

The Cancer Support Group has provided support to Connie for many years, and continues to provide support for cancer patients and their families throughout Canberra and the region. Connie's donation was a pledge to the Cancer Support Group of \$200,000, with the remaining funds going to the Garvan research institute. Garvan's mission is to make significant contributions to medical research that will change the directions of science and medicine and have major impacts on human health. They will be establishing the Connie Johnson Fellowship for future researchers involved in breast cancer research.

The message from Love Your Sister is simple: "Don't fall into the boobyt-trap, be breast aware!" BreastScreen ACT is part of a national breast screening program that is aimed at reducing deaths from breast cancer through early detection. Breast screening is a free service and only takes 20 minutes. Women are encouraged to be vigilant

about their health and attend our local screening program. We can be proud that BreastScreen ACT has achieved the highest small cancer detection rate in the country and that campaigns such as Love Your Sister are helping to get the awareness message across.

## **Breastfeeding**

**MS LAWDER** (Brindabella) (9.07): I rise today to talk about the Australian Breastfeeding Association, which is celebrating 50 years in Australia. The Australian Breastfeeding Association, or ABA, is Australia's largest breastfeeding information and support service. Breastfeeding is a practical learned skill, and the ABA helps more than 80,000 mothers each year. The ABA also provides up-to-date information and continuing education for thousands of health professionals working with mothers and babies.

The ABA was founded in 1964 by six Melbourne mothers as the Nursing Mothers Association of Australia, with the aim of helping and supporting other mothers to breastfeed after they became frustrated at the invisibility of breastfeeding advice in a society where artificial feeding of infants was increasingly accepted as the norm. This mother-to-mother support continues today, with 1,100 volunteer breastfeeding counsellors and educators who are mothers who breastfed their own child or children and completed a certificate IV in Breastfeeding Education.

Through a range of services, the ABA supports and encourages women who want to breastfeed or provide breast milk for their babies, and advocates to raise community awareness of the importance of breastfeeding and human milk to child and maternal health.

Services include membership for both mothers and health professionals, a 24-hour breastfeeding help line, an informative website, local support groups, antenatal classes, retail shops, and numerous print and digital resources. More than 350,000 Australians have been members since the ABA started in 1964, and in fact I was a member when my own children were babies. The vision of the association is to ensure breastfeeding is recognised as important by all Australians and is culturally normal. They have a mission to educate and advocate for a breastfeeding inclusive society.

Last weekend I had the pleasure of attending the ACT-southern New South Wales branch of the Australian Breastfeeding Association 50th birthday celebrations at Lanyon Homestead. It was a beautiful outing, and I was pleased to be part of something that is such an important part of many women's lives.

While I was at the picnic I assisted in the planting of a "little ray of sunshine", which is a rose developed and grown especially for the Australian Breastfeeding Association's golden jubilee by Kim Syrus of Corporate Roses in South Australia. The rose bush, which grows to about 1.5 metres in height, has a bright yellow bloom which flowers consistently throughout the growing season, and they are being sold by the ABA to raise funds to support more mothers.

I want today to thank Andrea Gledhill, branch president, and Megan Lucas-Fox, group leader for the Tuggeranong and Burley Griffin groups, for their hospitality, and thank all the volunteers that make this organisation so successful and a vital part of women's lives in early motherhood.

You can get information and support from the breastfeeding help line on 1800 mum 2 mum, or find out more about the Australian Breastfeeding Association at [www.breastfeeding.asn.au](http://www.breastfeeding.asn.au).

Question resolved in the affirmative.

**The Assembly adjourned at 9.12 pm until Tuesday, 16 September 2014, at 10 am.**

## Schedules of amendments

### Schedule 1

#### Appropriation Bill 2014-2015

##### Amendments moved by the Treasurer

1

Clause 6 (1) (a)

Page 3, line 4—

*before*

in the financial

*insert*

in the period 1 July to 6 July

2

Clause 6 (1) (b)

Page 3, line 8—

*before*

in the financial

*insert*

in the period 1 July to 6 July

3

Clause 6 (1) (c)

Page 3, line 12—

*before*

in the financial

*insert*

in the period 1 July to 6 July

4

Proposed new clause 6 (1A)

Page 3, line 12—

*insert*

(1A) If an agency is mentioned in a part of schedule 1A, column 1—

- (a) the amount mentioned in that part, column 3 is appropriated to the agency for the net cost of providing outputs in the period 7 July to 30 June in the financial year for the appropriation unit mentioned in that part, column 2 (the *relevant appropriation unit*); and
- (b) the amount mentioned in that part, column 4 is appropriated to the agency for capital injection in the period 7 July to 30 June in the financial year for the relevant appropriation unit; and
- (c) the amount mentioned in that part, column 5 is appropriated to the agency for payments to be made on behalf of the Territory in the period 7 July to 30 June in the financial year for the relevant appropriation unit.

5

**Clause 6 (2)**

**Page 3, line 13—**

*omit*

schedule 1, part 1.24

*substitute*

schedule 1A, part 1.22

6

**Clause 7 (1)**

**Page 3, line 17—**

*before*

is identified as a class

*insert*

or schedule 2A, column 2

7

**Clause 7 (2)**

**Page 3, line 19—**

*after*

schedule 2, column 1

*insert*

or schedule 2A, column 1

8

**Clause 8**

**Page 3, line 22—**

*omit clause 8, substitute*

8

**Net appropriations for capital injections**

- (1) For the Financial Management Act, section 9A, the appropriations for capital injections mentioned in schedule 1 are for, or partly for, the net cost of purchasing or developing assets.
- (2) For the Financial Management Act, section 9A, the appropriations for capital injections mentioned in schedule 1A (except the appropriations for capital injections in the following parts) are for, or partly for, the net cost of purchasing or developing assets:
  - (a) part 1.1 (ACT Executive);
  - (b) part 1.2 (ACT Gambling and Racing Commission);
  - (c) part 1.6 (Capital Metro Agency);
  - (d) part 1.17 (Legal Aid Commission (ACT));
  - (e) part 1.19 (Superannuation Provision Account);
  - (f) part 1.21 (Territory Banking Account).

9

**Clause 9**

**Page 4, line 7—**

*after*

schedule 1

*insert*

and schedule 1A

**10****Clause 9 (a) (iii)****Page 4, line 11—***omit clause 9 (a) (iii), substitute*(iii) Chief Minister, Treasury and Economic Development  
Directorate;**11****Clause 10****Page 4, line 21—***omit*

schedule 1, part 1.18

*substitute*

schedule 1A, part 1.16

**12****Clause 11****Page 5, line 4—***omit*

schedule 1, part 1.21

*substitute*

schedule 1A, part 1.19

**13****Schedule 1****Page 6—***omit schedule 1, substitute***Schedule 1****Appropriations**

(see s 6 (1))

column 1 agency	column 2 appropriation unit	column 3 net cost of outputs	Column 4 capital injection	column 5 payments on behalf of Territory	column 6 total
		\$	\$	\$	\$
<b>Part 1.1</b> ACT Executive	ACT Executive			117 000	117 000
<b>Part 1.2</b> ACT Gambling and Racing Commission	ACT Gambling and Racing Commission	177 461			177 461
<b>Part 1.3</b> ACT Local Hospital Network	ACT Local Hospital Network	22 286 000			22 286 000
<b>Part 1.4</b> ACTEW Corporation	ACTEW Corporation	428 000			428 000

column 1 agency	column 2 appropriation unit	column 3 net cost of outputs	Column 4 capital injection	column 5 payments on behalf of Territory	column 6 total
		\$	\$	\$	\$
<b>Part 1.5</b> Canberra Institute of Technology	Canberra Institute of Technology	2 586 132			2 586 132
<b>Part 1.6</b> Commerce and Works Directorate	Commerce and Works Directorate		33 845 490	271 799	34 117 289
<b>Part 1.7</b> Community Services Directorate	Community Services Directorate	37 505 689	10 083		37 515 772
<b>Part 1.8</b> Cultural Facilities Corporation	Cultural Facilities Corporation	300 000			300 000
<b>Part 1.9</b> Economic Development Directorate	Economic Development Directorate	4 129 000	233 000	3 850 000	8 212 000
<b>Part 1.10</b> Education and Training Directorate	Education and Training Directorate	18 039 000		13 116 000	31 155 000
<b>Part 1.11</b> Environment and Sustainable Development Directorate	Environment and Sustainable Development Directorate	735 000			735 000
<b>Part 1.12</b> Exhibition Park Corporation	Exhibition Park Corporation	20 000			20 000
<b>Part 1.13</b> Housing ACT	Housing ACT	1 671 500	200 000		1 871 500
<b>Part 1.14</b> Legal Aid Commission (ACT)	Legal Aid Commission (ACT)	275 000			275 000
<b>Part 1.15</b> Public Trustee for the ACT	Public Trustee for the ACT	47 615			47 615
<b>Part 1.16</b> Territory and Municipal Services Directorate	Territory and Municipal Services Directorate	14 083 000			14 083 000
<i>Total appropriated to agencies</i>		102 283 397	34 288 573	17 354 799	153 926 769

## Schedule 1A Appropriations

(see s 6 (1A))

column 1 agency	column 2 appropriation unit	column 3 net cost of outputs	column 4 capital injection	column 5 payments on behalf of Territory	column 6 total
		\$	\$	\$	\$
<b>Part 1.1</b>					
ACT Executive	ACT Executive		264 000	8 006 000	8 270 000
<b>Part 1.2</b>					
ACT Gambling and Racing Commission	ACT Gambling and Racing Commission	4 436 539	127 000		4 563 539
<b>Part 1.3</b>					
ACT Local Hospital Network	ACT Local Hospital Network	579 439 000			579 439 000
<b>Part 1.4</b>					
ACTEW Corporation	ACTEW Corporation	10 695 000			10 695 000
<b>Part 1.5</b>					
Canberra Institute of Technology	Canberra Institute of Technology	66 261 868	6 134 000		72 395 868
<b>Part 1.6</b>					
Capital Metro Agency	Capital Metro Agency	23 535 000	96 000		23 631 000
<b>Part 1.7</b>					
Chief Minister, Treasury and Economic Development Directorate	Chief Minister, Treasury and Economic Development Directorate	194 559 000	256 524 510	63 182 201	514 265 711
<b>Part 1.8</b>					
Community Services Directorate	Community Services Directorate	194 585 311	4 784 917		199 370 228
<b>Part 1.9</b>					
Cultural Facilities Corporation	Cultural Facilities Corporation	7 945 000	2 181 000		10 126 000
<b>Part 1.10</b>					
Education and Training Directorate	Education and Training Directorate	590 203 000	100 089 000	239 240 000	929 532 000
<b>Part 1.11</b>					
Environment and Planning Directorate	Environment and Planning Directorate	72 452 000	5 914 000	1 852 000	80 218 000
<b>Part 1.12</b>					
Exhibition Park Corporation	Exhibition Park Corporation	425 000	552 000		977 000



column 1 agency	column 2 appropriation unit	column 3 net cost of outputs	column 4 capital injection	column 5 payments on behalf of Territory	column 6 total
		\$	\$	\$	\$
<b>Part 1.13</b>					
Health Directorate	Health Directorate	257 615 000	132 251 000	7 619 000	397 485 000
<b>Part 1.14</b>					
Housing ACT	Housing ACT	41 787 500	26 648 000		68 435 500
<b>Part 1.15</b>					
Independent Competition and Regulatory Commission	Independent Competition and Regulatory Commission	548 000			548 000
<b>Part 1.16</b>					
Justice and Community Safety Directorate	Justice and Community Safety Directorate	280 070 000	86 432 000	158 301 000	524 803 000
<b>Part 1.17</b>					
Legal Aid Commission (ACT)	Legal Aid Commission (ACT)	9 670 000	234 000		9 904 000
<b>Part 1.18</b>					
Public Trustee for the ACT	Public Trustee for the ACT	1 190 385			1 190 385
<b>Part 1.19</b>					
Superannuation Provision Account	Superannuation Provision Account		198 209 000		198 209 000
<b>Part 1.20</b>					
Territory and Municipal Services Directorate	Territory and Municipal Services Directorate	315 303 000	207 145 000		522 448 000
<b>Part 1.21</b>					
Territory Banking Account	Territory Banking Account		214 000	82 159 000	82 373 000
<i>Total appropriated to agencies</i>		2 650 720 603	1 027 799 427	560 359 201	4 238 879 231
<b>Part 1.22</b>					
Treasurer's Advance	Treasurer's Advance				29 500 000
<i>Total appropriations</i>		2 650 720 603	1 027 799 427	560 359 201	4 268 379 231

14

Schedule 2

Page 9—

*omit schedule 2, substitute*

## Schedule 2 Appropriation units and output classes

(see s 7)

column 1 appropriation unit	column 2 class of output	
ACT Executive	1	ACT Executive
ACT Gambling and Racing Commission	1	Gambling Regulation and Harm Minimisation
ACT Local Hospital Network	1	ACT Local Hospital Network
ACTEW Corporation	1	ACTEW Corporation
Canberra Institute of Technology	1	Canberra Institute of Technology
Commerce and Works Directorate	1	Revenue and Government Business Management
	2	Shared Services ICT
	3	Shared Services Procurement
	4	Shared Services Human Resources
	5	Shared Services Finance
Community Services Directorate	1	Disability and Therapy Services
	2	Early Intervention Services
	3	Community Participation
	4	Statutory Services—Care and Protection and Youth Justice
Cultural Facilities Corporation	1	Cultural Facilities Management
Economic Development Directorate	1	Economic Development
Education and Training Directorate	1	Public School Education
	2	Non Government Education
	3	Vocational Education and Training
Environment and Sustainable Development Directorate	1	Environment and Sustainable Development
Exhibition Park Corporation	1	Exhibition Park Corporation
Housing ACT	1	Social Housing Services
Legal Aid Commission (ACT)	1	Legal Aid Services
Public Trustee for the ACT	1	Public Trustee for the ACT
Territory and Municipal Services Directorate	1	Territory and Municipal Services

## Schedule 2A Appropriation units and output classes

(see s 7)

column 1 appropriation unit	Column 2 class of output	
ACT Executive	1	ACT Executive
ACT Gambling and Racing Commission	1	Gambling Regulation and Harm Minimisation
ACT Local Hospital Network	1	ACT Local Hospital Network
ACTEW Corporation	1	ACTEW Corporation

column 1 appropriation unit	Column 2 class of output
Canberra Institute of Technology	1 Canberra Institute of Technology
Capital Metro Agency	1 Light Rail Network Stage 1
Chief Minister, Treasury and Economic Development Directorate	1 Government Strategy
	2 Financial and Economic Management
	3 Revenue and Government Business Management
	4 Shared Services ICT
	5 Shared Services Procurement
	6 Shared Services Human Resources
	7 Shared Services Finance
	8 Economic Development
Community Services Directorate	1 Disability and Therapy Services
	2 Early Intervention Services
	3 Community Participation
	4 Statutory Services—Care and Protection and Youth Justice
Cultural Facilities Corporation	1 Cultural Facilities Management
Education and Training Directorate	1 Public School Education
	2 Non Government Education
	3 Vocational Education and Training
Environment and Planning Directorate	1 Environment
	2 Planning
Exhibition Park Corporation	1 Exhibition Park Corporation
Health Directorate	1 Health and Community Care
Housing ACT	1 Social Housing Services
Independent Competition and Regulatory Commission	1 Independent Competition and Regulatory Commission
Justice and Community Safety Directorate	1 Justice Services
	2 Corrective Services
	3 Courts and Tribunal
	4 Emergency Services
Legal Aid Commission (ACT)	1 Legal Aid Services
Public Trustee for the ACT	1 Public Trustee for the ACT
Superannuation Provision Account	1 Superannuation Provision Account
Territory and Municipal Services Directorate	1 Territory and Municipal Services
Territory Banking Account	1 Territory Banking Account

## Schedule 2

### Payroll Tax Amendment Bill 2014

#### Amendment moved by the Treasurer

1

Clause 2

Page 2, line 3—

*omit clause 2, substitute*

#### **2 Commencement**

This Act commences on 1 January 2015.

*Note* The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

---

## Schedule 3

### Payroll Tax Amendment Bill 2014

#### Amendment moved by Mr Smyth

1

Clause 2

Page 2, line 3—

*omit clause 2, substitute*

#### **2 Commencement**

This Act commences on 1 July 2015.

*Note* The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

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## Answers to questions

### Capital Metro Agency—staff (Question No 294)

**Mr Coe** asked the Minister for the Environment and Sustainable Development, upon notice, on 15 May 2014:

- (1) What is the current staffing profile at the Capital Metro Agency by full-time equivalent (FTE) with regard to (a) total headcount, (b) FTE by gender and (c) headcount by gender.
- (2) What is the current staffing profile at the Capital Metro Agency by the classifications of (a) administrative officer, (b) executive officers, (c) general service officers and equivalent, (d) information technology officers, (e) professional officers, (f) senior officers, (g) statutory office holders, (h) technical officers and (i) legal officers.
- (3) What is the current staffing profile of the Capital Metro Agency according to the employment categories of (a) casual staff, (b) permanent full-time staff, (c) permanent part-time staff, (d) temporary full-time staff and (e) temporary part-time staff.
- (4) How many people, since 1 July 2013, have (a) terminated their contract with the Capital Metro Agency, (b) had their contract terminated with the Capital Metro Agency by the ACT Government and (c) been employed on a temporary basis and have had their contract expire.
- (5) What are the total weekly wages for the staff identified in part (1)(a).

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

- |     |     |                     |
|-----|-----|---------------------|
| (1) | (a) | 18                  |
|     | (b) | 10 Females, 8 Males |
|     | (c) | 10 Females, 8 Males |
| (2) | (a) | 7                   |
|     | (b) | 6                   |
|     | (c) | 0                   |
|     | (d) | 0                   |
|     | (e) | 0                   |
|     | (f) | 5                   |
|     | (g) | 0                   |
|     | (h) | 0                   |
|     | (i) | 0                   |
| (3) | (a) | 0                   |
|     | (b) | 12                  |
|     | (c) | 0                   |
|     | (d) | 6                   |
|     | (e) | 0                   |
| (4) | (a) | 0                   |
|     | (b) | 0                   |
|     | (c) | 1                   |
| (5) |     | \$43,039            |

**Housing—rates  
(Question No 301)**

**Mr Coe** asked the Treasurer, upon notice, on 5 June 2014:

For each suburb in Canberra, what were the average rates for the past six years and the rates for the next financial year for (a) single dwellings, and (b) units.

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

The tables below show the average rates for the period 2008 09 to 2014-15 for single dwellings and units, for each suburb in Canberra. The tables also include the percentage increase in average Average Unimproved Value.

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

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**Health—nurse-led walk-in centres  
(Question No 306)**

**Mr Hanson** asked the Minister for Health, upon notice, on 7 August 2014:

- (1) What was the ACT Government capital contribution for (a) the fit-out and other capital of the setup and (b) on-going annual capital expenses for The Canberra Hospital (TCH) Walk-in Centre (WiC) for each year from 2009-10 to 2013-14.
- (2) What was the Federal Government capital contribution for (a) the fit out and other capital of the setup of the TCH WiC and (b) on-going annual capital expenses for TCH WiC, for the years referred to in part (1),
- (3) What is the annual depreciation costs in relation to TCH WiC for the years referred to in part (1)
- (4) In relation to TCH WiC for the years referred to in part (1), what was the annual ACT Government operation contribution for (a) salaries, (b) salary on-costs including Shared Services (i) human resources, (ii) information technology and (iii) procurement costs, (c) management overhead, (d) training, (e) financial management and audit, (f) professional audit and standards, (g) consultancies and reviews, (h) consumables and supplies, (i) building services including cleaning, indoor plant hire, interior maintenance, exterior maintenance and other building services, (j) other TCH provided support services, (k) general practitioner mentoring, (l) marketing including television, radio, print, billboard, bus, sport venues and any others, (m) all other operations costs and (n) total annual contribution including all overheads and costs.
- (5) In relation to TCH WiC for the years referred to in part (1), what was the annual Federal Government operation contribution for (a) salaries, (b) salary on-costs including Shared Services (i) human resources, (ii) information technology and (iii) procurement costs, (c) management overhead, (d) training, (e) financial management and audit, (f) professional audit and standards, (g) consultancies and reviews, (h) consumables and supplies, (i) building services including cleaning, indoor plant hire, interior maintenance, exterior maintenance and other building services, (j) other TCH provided support services, (k) general practitioner mentoring, (l) marketing including advertising, television, radio, print, billboard, bus, sport venues and others, (m) all other operations costs and (n) total annual contribution including all overheads.

- (6) What was the annual revenue generated by the TCH WiC for the years referred to in part (1).
- (7) What was the (a) full-time equivalent (FTE) for TCH WiC, (b) classifications of all staff who worked in TCH WiC and (c) number of nurses in the TCH WiC for the years referred to in part (1).
- (8) What was the (a) number of staff in other roles, (b) nurse turnover rate, (c) other staff turnover rate and (d) average annual salary including penalties and overtime of an individual (i) nurse and (ii) support staff, at the TCH WiC for the years referred to in part (1).
- (9) What training was conducted and what was the cost for WiC staff of the TCH WiC, (a) prior to the TCH WiC opening, (b) prior to individual staff joining the WiC, (c) as in-service training and (d) for staff to attend conferences and seminars (i) in the ACT and (ii) interstate, for each year referred to in part (1).
- (10) For each training program which was provided by external providers (a) who have been the external training service providers for the WiC, (b) how were each of the training providers selected, (c) how much was paid annually to each external training provider and (d) what were the venues for each of the external training courses, for the years referred to in part (1).
- (11) In relation to the TCH WiC, what was the number of (a) patients, (b) presentations, if not the same as number of patients, (c) patients who did not wait and (d) patients assessed by a nurse who were (i) provided with an Interim Care Plan, as described in the Hansard of 18 March 2014, p 440, (ii) fully treated by a nurse, (iii) redirected to a general practitioner, (iv) redirected to CALMS, (v) redirected to Imaging, (vi) redirected elsewhere and (vii) received some other outcome, for the years referred to in part (1).
- (12) In relation to the TCH WiC, what was the breakdown of patients who used the service by (a) ACT resident/non resident, (b) ACT postcode, (c) age and (d) sex, for the years referred to in part (1).
- (13) In relation to TCH WiC, (a) if residents from outside ACT were treated who paid for their treatment, (b) if only residents of the ACT are treated how are they identified, for example, by sighting a residential address on a driver's license and (c) how many non ACT residents were turned away, for the years referred to in part (1).
- (14) In relation to TCH WiC, what was the average spread of treatment by (a) day of week and (b) time of day, for the years referred to in part (1).
- (15) Did the past three ACT Health Directorate annual reports list the top ten "Conditions treated" by the WiC; if so, for each of the years referred to in part (1), for the TCH WiC, what was the (a) full list of all the categories of "Conditions treated" and (b) total number of patients treated with each condition.
- (16) What is the proposed use for the now closed TCH WiC site.
- (17) What is the cost of refurbishing the site of the TCH WiC for other uses.

- (18) For both the Tuggeranong and Belconnen WiCs, if (a) residents from outside ACT are treated who pays for their treatment and (b) only residents of the ACT are treated how were they identified, for example, by recording a residential address on a driver's license.
- (19) For both the Tuggeranong and Belconnen WiCs, (a) are residential details recorded for patients and (b) how many non ACT residents were turned away in July 2014.
- (20) For both the Tuggeranong and Belconnen WiCs, what is the annual costs of transport including (a) couriers, (b) government vehicles and (c) staff provided transport or cars.
- (21) What was the (a) 2013-14 and (b) 2014-15 ACT Government capital contribution for (i) the fit out and other capital of the setup and (ii) anticipated future year annual capital expenses, for the Tuggeranong WiC.
- (22) What was the (a) 2013-14 and (b) 2014-15 Federal Government capital contributions for (i) the fit out and other capital of the setup and (ii) anticipated future year ongoing annual capital expenses, for the Tuggeranong WiC.
- (23) What is the anticipated annual depreciation costs for the Tuggeranong WiC.
- (24) What is the 2014-15 ACT Government operational budget for the Tuggeranong WiC for (a) salaries, (b) salary on-costs including Shared Services (i) human resources, (ii) information technology and (iii) procurement, (c) management overhead, (d) training, (e) financial management and audit, (f) professional audit and standards, (g) consultancies and reviews, (h) consumables and supplies, (i) building services including cleaning, indoor plant hire, interior maintenance, exterior maintenance and other building services, (j) other TCH provided support services, (k) general practitioner mentoring, (l) marketing including advertising TV, radio, print, billboard, bus, sport venues and others, (m) all other operational costs and (n) the total 2014-15 operational budget including all overheads.
- (25) What is the (a) 2013-14 and (b) 2014-15 full Federal Government contribution to the operational budget including all overheads for the Tuggeranong WiC.
- (26) In relation to the Tuggeranong WiC, what is the (a) FTE, (b) classifications of all staff who work in the WiC, (c) number of nurses in the WiC, (d) number of staff in other roles in the WiC and (e) average annual salary of an individual (i) WiC nurse and (ii) support staff.
- (27) In relation to the Tuggeranong WiC, for July 2014, what has been the number of (a) patients, (b) presentations, if not a patient, (c) patients who did not wait and (d) patients assessed by a nurse who were (i) provided with an Interim Care Plan, as described in the Hansard of 18 March 2014, p 440, (ii) fully treated by a nurse, (iii) redirected to a general practitioner, (iv) redirected to CALMS, (v) redirected to Imaging, (vi) redirected elsewhere and (v) received some other outcome.
- (28) What was the (a) 2013-14 and (b) 2014-15 ACT Government capital contribution for (i) the fit out and other capital of the setup of the WiC and (ii) anticipated future annual capital expenses, for the Belconnen WiC.



- (29) What was the (a) 2013-14 and (b) 2014-15 Federal Government capital contribution for (i) the fit out and other capital of the setup and (ii) anticipated future year ongoing annual capital expenses, for the Belconnen WiC.
- (30) What is the anticipated annual depreciation costs for the Belconnen WiC.
- (31) What is the ACT Government operational budget for the Belconnen WiC for (a) salaries, (b) salary on-costs including Shared Services (i) human resources, (ii) information technology and (iii) procurement, (c) management overhead, (d) training, (e) financial management and audit, (f) professional audit and standards, (g) consultancies and reviews, (h) consumables and supplies, (i) building services including cleaning, indoor plant hire, interior maintenance, exterior maintenance and other building services, (j) other TCH provided support services, (k) general practitioner mentoring, (l) marketing including TV, radio, print, billboard, bus, sport venues and others, (m) all other operational costs and (n) the total 2014-15 budget including all overheads.
- (32) What is the (a) 2013-14 and (b) 2014-15 Federal Government contribution to the operational budget for the Belconnen WiC.
- (33) In relation to the Belconnen WiC, what is the (a) FTE, (b) classifications of all staff who work in the WiC, (c) number of nurses in the WiC, (d) number of staff in other roles in the WiC and (e) average annual salary of an individual (i) WiC nurse and (ii) support staff.
- (34) In relation to the Belconnen WiC, for July 2014, what has been the number of (a) patients, (b) presentations, if not a patient, (c) patients who did not wait and (d) patients assessed by a nurse who were (i) provided with an Interim Care Plan, as described in the Hansard of 18 March 2014, p 440, (ii) fully treated by a nurse, (iii) redirected to a general practitioner, (iv) redirected to CALMS, (v) redirected to Imaging, (vi) redirected elsewhere and (v) received some other outcome.
- (35) In relation to any and all of parts (1) to (34) above, where the costs cannot be separated, for example, advertising for WiC may be budgeted for Tuggeranong WiC and Belconnen WiC together, will the Minister provide the pro-rata figure requested for each individual question.

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

It is not possible to answer the member's question without authorising an unreasonable diversion of ACT Health's time and resources and as Minister for Health, I decline to do so.

I would be pleased to offer the member a general verbal briefing on the operations of the Walk in Centres.

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### **Capital Metro Agency—videos (Question No 308)**

**Mr Coe** asked the Minister for Capital Metro, upon notice, on 7 August 2014:

- (1) What is the cost of producing the following videos placed on the ACT Government's YouTube account (a) Capital Metro in 1 Minute, (b) Overview of the Capital Metro Project, (c) Ride on Board with Capital Metro, (d) Capital Metro Consultation Launch, (e) Congestion is Crippling our Cities, (f) Public Transport is the Glue that Binds Great Cities, (g) The Importance of Having a Vision for Canberra, (h) Light Rail has the Power to Transform Cities, (i) Planning for Healthier People and a Healthier Environment with Light Rail, (j) Strengthening Canberra's Green Character, (k) The Importance of Landscape Quality, (l) Connecting with Nature through Capital Metro, (m) The Importance of Renewable Energy, (n) Considering the Future of Transport in Canberra, (o) Redefining Northbourne Avenue, (p) Recognising Canberra as a Place to do Business, (q) Canberra's Coming of Age, (r) Your Chance to Shape the System, (s) Jobs for Locals, (t) Capital Metro is Encouraging Smarter Land Use, (u) Why this Route?, (v) Benefits of City Living, (w) Where do we put the Growth?, (x) What is City Building?, (y) Urban Infill, (z) Using Light Rail to Create a Sustainable City, (aa) Integrated and Active Transport, (ab) Learning from Other Cities, (ac) Stop Locations, (ad) Active Transport system, (ae) Health Benefits of Light Rail, (af) What is Different about Light Rail, (ag) Integration with the Bicycle Network and (ah) Consultation with Community Groups.
- (2) Were any individuals, outside of those who are permanent full-time employees of the Capital Metro Agency or the Chief Minister, Treasury and Economic Development Directorate, paid to appear in the videos referred to in part (1); if so, (a) who was paid to appear in these videos and (b) what amount was each person paid.

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

- 1) 34 videos were produced. The total cost was \$37,710.
- 2) No.

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### **Capital Metro Agency—staffing and contracts (Question No 309)**

**Mr Coe** asked the Minister for Capital Metro, upon notice, on 7 August 2014:

- (1) What is the current staffing profile at the Capital Metro Agency, according to the employment categories of (a) permanent full-time staff, (b) permanent part-time staff, (c) temporary full-time staff, (d) temporary part-time staff and (e) casual staff.
- (2) What are the total weekly wages, including superannuation, for the staff referred to in part (1).
- (3) How many contracts has the Capital Metro Agency entered into which are currently ongoing.
- (4) In relation to the contracts referred to in part (3) what is the (a) name of the party who has entered into the contract with the Capital Metro Agency, (b) date the contract was signed, (c) date the contract is due to end, (d) amount of money already paid to the contractor as per the contract; and (e) amount of money currently outstanding which is to be paid to the contractor.

- (5) What is the total amount of expenses incurred by the Capital Metro Agency from 1 July 2014.
- (6) What is the current balance of the Capital Metro Agency's cash or cash equivalents.
- (7) For the value referred to in part (6), how is this figure broken down between (a) cash and (b) cash equivalents.

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

- (1) As at payroll for the fortnight ended 13 August 2014 the staffing profile is as follows:
  - (a) 17
  - (b) 0
  - (c) 1
  - (d) 0
  - (e) 0
- (2) \$56,000
- (3) All current contracts are shown on the Shared Services procurement web site.
- (4) The name of each contractor, the date the contract was signed and the date the contract is due to end is shown on the Shared Services procurement web site. In relation to (d) and (e) all invoices from contractors are paid in accordance with contractual arrangements.
- (5) The total of payments made from 1 July 2014 to 8 August 2014 was \$1,718,980.21.
- (6) The closing cash at bank balance on 8 August 2014 was \$1,297,434.22.
- (7) It is all cash at bank.

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## Questions without notice taken on notice

### Transport—light rail

**Mr Corbell** (*in reply to a question by Mr Coe on Tuesday, 5 August 2014*): Of the estimated 3,500 passengers boarding the City to Gungahlin light service between 7am and 9am, in 2021, it is currently estimated that:

- About 2,900 will be travelling south towards City.
- About 600 will be travelling north towards Gungahlin.