Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

EIGHTH ASSEMBLY

26 MARCH 2015

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Thursday, 26 March 2015

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The Assembly met at 10 am.

(Quorum formed.)

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

Education, Training and Youth Affairs—Standing Committee
Report 3

MS PORTER (Ginninderra) (10.02): Pursuant to the order of the Assembly of 25 September 2014, I present the following report:

> Education, Training and Youth Affairs—Standing Committee—Report 3—*Report on Annual and Financial Reports 2013-2014*, dated 26 March 2015, together with a copy of the extracts of the relevant minutes of proceedings

I move:

> That the report be noted.

In tabling the report today I thank my fellow committee members: Mr Doszpot, the deputy chair; Mrs Jones, who has stepped down from the committee, as we know; and Ms Fitzharris. Mr Coe has now joined the committee, but he did not participate in the annual report hearings, as members would realise. I also thank Andrew Snedden, the secretary, for his work on this report and all in the committee office who have assisted in its preparation and supported him in that. There are 20 recommendations, and I will briefly talk to some of them.

In relation to recommendations 2 and 3, the committee heard from officials about how the CIT is progressing in implementing changes in its workplace culture and management. It is very pleasing to see how these changes are having an ongoing positive effect; they are to be commended. These recs are mainly to emphasise how important the committee believes these changes have been and to encourage the CIT management to continue their work in this area.

Recs 4 and 5 deal with the matter of Auslan certificates II and III delivery. The minister has spoken about this in the house of late, in response to a question from Mr Doszpot, I believe, so members of the committee are aware that this is a complex issue, as most issues are. However, there is a concern by the committee that there appears to be the possibility that the way the course is currently delivered by the CIT may not allow for the transition from one level to another smoothly. I am aware from what the minister said the other day that there may be other RTOs offering this course as well. The committee believes that, as it appears the affected individuals believe that interpreters may be thin on the ground. However, it also appears that enrolments are quite low. Therefore the recommendations go to discussion between those who are concerned in the disability sector and those who are offering training.

I note and commend the work being done through the school satisfaction surveys. The committee notes these would be very valuable in examining different perceptions by parents and students in certain cases to inform any necessary response. I note the excellent work taking place in relation to parental engagement. The committee is also interested in learning about the progress in the five development domains, and made a recommendation in relation to the domain relating to the physical health and wellbeing of children.

In the arts area, the committee asked questions during the hearings in relation to the arts policy framework. We were advised about four areas of its implementation through a question that was put on notice. However, we are still seeking to clarify the framework, its criteria and the review timing. The committee made two recommendations. Since that date the minister has announced a public consultation on the review of the arts policy framework and has appointed a reference group, so that work seems to be underway now. The other area in arts that the committee was interested in exploring and on which it has made some recommendations is the future funding arrangements for the CAT awards and being able to see in future reports what ongoing programs may result from the very good artist in schools programs that are run through our education system.

I again thank members of the committee and the secretary. I also thank all those that appeared before us and the minister and all her officials. I thank them very much for appearing before us and for their time. I commend the report to members.

Question resolved in the affirmative.

Public Accounts—Standing Committee
Report 11

MR SMYTH (Brindabella) (10.07): Pursuant to the order of the Assembly of 25 September 2014, I present the following report:

> Public Accounts—Standing Committee—Report 11—*Report on Annual and Financial Reports 2013-14*, dated 12 March 2015, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

> That the report be noted.

Madam Speaker, this is the 11th report of the Standing Committee on Public Accounts, entitled *Report on annual and financial reports 2013-14*. Annual reports are the principal and most authoritative way in which directors-general and chairpersons account to the Legislative Assembly and other stakeholders, including the public, for the way in which they have discharged their statutory responsibilities and utilised public funding over the preceding 12 months. They also provide an opportunity for agencies to advise all the major stakeholders of their major plans and the themes for the immediate future.

The provision of meaningful operational and financial information by government to parliament and to the public is a fundamental component of the accountability process. On 25 September 2014 the Assembly resolved to refer the annual and financial reports of all the government agencies for the calendar year 2014 and the financial year 2013-14 to the relevant standing committees.

The annual and financial reports for 2013-14 or part thereof considered by the Standing Committee on Public Accounts as part of this inquiry were those of the ACT Auditor-General's Office; the ACT Gambling and Racing Commission; the ACT Insurance Authority, with the office of the Nominal Defendant as an annexed report; the Office of the Legislative Assembly; the ACT Ombudsman; ACTEW Corporation, which is now Icon Water; ACTTAB Ltd; the chief minister and treasury directorate, including the ACT executive as an annexed report; the Commerce and Works Directorate, which includes the ACT Government Procurement Board as an annexed report and the director of territory records as an annexed report; the Commissioner for Public Administration; the Economic Development Directorate; the Exhibition Park Corporation; and the Independent Competition and Regulatory Commission. They also included the *State of the service report*.

The committee held public hearings on 6, 10, 11 and 12 November last year. At these public hearings the committee heard from ministers, accompanying directorate and agency officers, and members of governing boards. The committee thanks the directorate and agencies for providing responses to the questions taken on notice following its public hearings. This information assisted the committee in its understanding of the many issues it considered during the inquiry.

The committee examined the annual and financial reports in relation to their compliance, where relevant, with the following legislation: the Annual Reports (Government Agencies) Act 2004, annual report directions for 2013-14, the Financial Management Act 1996, the Territory-owned Corporations Act 1990 and other requirements as raised in individual agency reports.

The annual report directions note that the annual reports, as key accountability documents, are one of the main ways for agencies to account for their performance through ministers to the Legislative Assembly and the wider community; a key part of the historical record of government and public administration decisions, actions and outcomes; a source of information and reference about the performance of agencies and service providers; and a key reference document for internal management.

In reporting, the committee considered the issues raised in the annual reports with regard to accountability, governance and effective reporting by public sector agencies. The committee's report includes discussion of significant issues raised during the inquiry and makes 16 recommendations. The recommendations come in two parts. Probably half of the recommendations are about making sure the directorates comply with the legislation and reporting requirements and good record keeping. The others cover a number of subjects, but recommendations 5, 6 and 7 particularly look at capital metro and its cost.

Recommendation 5 says the coming budget should contain details on costs or phasing of the costs for the capital metro project as far as possible. Recommendation 6 asks the government to determine the full impact that capital metro will have during and after construction on the supply and security of services Icon Water and ActewAGL have responsibility for. Recommendation 7 is that the government have a traffic management plan both during construction and operation, taking into account the effects of capital metro.

Recommendation 8 looks at the RED framework on how we discuss bullying, particularly, and asks the government to do a few things there; recommendation 9 says that quarterly reports on the Mr Fluffy statements should include, where possible, the impact of the scheme on the territory's budget; recommendation 10 looks at international flights; and recommendation 11 talks about how the government will address its unfunded superannuation liability—all of which, I am sure members will agree, are important issues.

I would like to conclude by thanking my committee colleagues, Mary Porter, Nicole Lawder and Meegan Fitzharris, and Yvette Berry, who was a member of the committee for a significant part of the inquiry. I thank the ministers, accompanying directorate and agency staff and members of governing boards for providing their time, cooperation and expertise during the inquiry process. I am sure members of the committee would like to thank the secretary, Dr Cullen, for all her efforts in assisting us in putting the report together. With that, I commend the report to the Assembly. My committee colleagues may also wish to make some comment.

Question resolved in the affirmative.

Justice—portfolio issues
Ministerial statement

MR RATTENBURY (Molonglo—Minister for Territory and Municipal Services, Minister for Justice, Minister for Sport and Recreation and Minister assisting the Chief Minister on Transport Reform) (10.13), by leave: I present the following paper:

> Justice portfolio issues—Ministerial statement, 26 March 2015.

I move:

> That the Assembly takes note of the paper.

Madam Speaker, it is now six months since the start of construction of additional facilities at the Alexander Maconochie Centre and timely that I provide an update to the Assembly on this and other important works in my portfolio that relate to Corrective Services. As I have previously explained, construction of the additional facilities is required because of an unprecedented increase in the detainee population, an issue that is affecting each and every state and territory in Australia.

It is no secret that the AMC has been experiencing acute accommodation pressures in recent years. It is a reality that some people in our community fail to uphold the standards of conduct and behaviour that we have collectively decided make a safe and lawful society. The ACT government has maintained a long-term commitment to seeking alternatives to custodial detention where appropriate and in the best interests of the community. We have sought out opportunities to divert offenders away from prison, the goal of which has been to rehabilitate offenders and restore the harm done by their behaviour. Unfortunately, the consequences of some offending may always require custodial detention.

It became clear to me last year that some intelligent and strategic expansion of our prison is necessary and, equally, that we can do more to promote a safer and more secure community through reforms to our justice system. We must provide a safe environment for detainees and staff and ensure community safety by maintaining a secure prison that also maintains a rehabilitative and therapeutic focus.

To that end the ACT government has committed in total just under $60 million to provide the required additional facilities, including $5.77 million for design and planning and $54 million for construction. Two new buildings are under construction, providing an additional 110 beds and capability for up to 142 beds. A 56-cell, 80-bed accommodation unit will house mainstream detainees. This building may be expanded by a further 32 beds in times of need.

A 30-bed special care centre will provide capability to house detainees requiring more intensive supervision. Construction work began in August 2014 and has been progressing well since that time. The special care centre is on track to receive detainees in the second half of 2015, with the accommodation unit expected to be ready by mid-2016.

During January this year I took the opportunity to visit the site and see firsthand the positive progress of work. The diligent oversight by officers in the ACT government and the managing contractor, along with careful, considered planning, is holding this important project within its budget and it is tracking well towards being ready for detainees when expected.

The flexible design of the buildings is beginning to take shape. As precast walls are tilted up it has become possible to identify features that will improve separation and segregation capabilities. The intelligent hub and spoke design that splits the cells in each building across a number of independent wings is becoming clear. As the buildings near completion, other intelligent, flexible features will emerge. On-site services have been included that will reduce the need to escort detainees to other parts of the AMC. This will assist in improving the efficiency of AMC operations, support safe custody of detainees and allow detainees to spend a greater proportion of their time productively.

While we are building capacity to hold more detainees at the AMC, we must maintain an ongoing focus on how we can return offenders as productive members of our society. The facilities under construction are also imbued with a rehabilitative focus.

Each building includes on-site program rooms, four in the accommodation unit and two in the special care unit, as well as a further two suitable spaces in the special care unit. These rooms and spaces are vital to enable detainees to spend time working through the causes of their offending behaviour, learning strategies to better control themselves and changing their patterns of thinking.

Also included in each building are interview rooms, four in the accommodation unit and three in the special care centre. In these rooms detainees will have on-site access to vital private counselling and support services as well as to legal counsel. Within both buildings is work space for program facilitators and case managers, psychological and support service officers, as well as health service providers. Each of these groups plays a vital role in stabilising detainees and setting them on the path to rehabilitation and reintegration into society. Close and ready access to detainees will support more immediate engagement between detainees and the rehabilitative team.

The design intent of the special care unit in particular recognises that some detainees will, for periods of their custody, have a need for intensive supervision and support due to their stage in the criminal justice process or due to programs they are undertaking. At a more basic level, the additional facilities have been designed with rehabilitation and human rights principles in mind. The built form seeks to avoid the institutionalisation that prison environments can cause. For example, high ceilings and skylight-like windows will provide open and naturally lit living spaces.

Over more than a decade, the ACT government has maintained a commitment to rehabilitate those sent to prison and reintegrate these people on their return to society. In building the AMC, we have maintained the principle that confinement to prison—the removal of liberty—is the punishment and the conditions of detention must respect the human rights of all members of our society. The additional facilities under construction at the AMC make a valuable contribution to furthering the ACT government's rehabilitative goals, which is of benefit to all in our community.

I now turn to the extended through-care program. The program was established in 2012-13 with funding across two years from the 2012-13 budget. It was a significant development because it took the concept of through-care, well known both in Australia and overseas, and extended it for 12 months beyond the end of a detainee's prison custody.

It was also significant because it was a model developed as a result of collaboration between key community agencies and government. Organisations including ACTCOSS, Northside Community Service, Directions ACT and Aboriginal and Torres Strait Islander service providers joined forces to lobby the government for change in the area of offender services delivery. This community forum then worked closely with government agencies to develop extended through-care, identifying that the immediate post-release period was a crucial time for former detainees in determining whether they succeeded in their rehabilitation or returned to their offending ways.

This joint community-government agency approach was considered best practice by the government and funding of $1.1million was approved for the 2012-13 and 2013-14 financial years. The first clients commenced with the extended through-care program in June 2013. It is open to sentenced male detainees and all women detainees, be it remand or sentenced, exiting the AMC.

Sentenced detainees who are not under a post-release supervision order are actively encouraged to access the program but are under no obligation to do so. Extended through-care clients receive support to reintegrate back into the community in core areas of accommodation, health, basic needs, income and community connections. Beyond extending the through-care model of service delivery, the key feature of extended through-care is that it provides a single point of service coordination for case management and engages services that are responsive to an offender's individual needs.

By the end of 2013 the program had been dealing directly with clients for just six months but there were good signs that it would deliver on expectations. The government agreed, as part of the 2014-15 budget, to provide $2.2 million in funding over two years to continue the program, building on a growing evidence base. This recognised that additional dollars were required to properly fund the program and that in order to provide effective detainee reintegration, an appropriately resourced evaluation was required.

The evaluation will be important to informing the future of extended through-care. But after more than 18 months of service delivery, it is a good time to update the Assembly on how extended through-care is going and, without pre-empting what the evaluation may find, what we have learned so far. For the calendar year 2014 there were 225 releases to the extended through-care initiative. This comprised 197 men and 28 women. Of the 225, 36 or 16 per cent identified as being Aboriginal or Torres Strait Islander.

What we have found is that the overwhelming majority of eligible detainees are accessing extended through-care, regardless of whether they are on formal supervision with ACT Corrective Services or not. This means that former detainees are seeing this as a program they want to be part of, not something they are forced into. It is a very positive sign when offenders seek help from Corrective Services.

Of these 225 releases, there have been 55 returns to custody; 24 for breach of parole or good behaviour orders and the remainder as the result of new offences. This means that there has been some initial success with keeping this cohort from returning to custody due to the intensive case management. We are reluctant, however, to start comparing this cohort with jurisdictional recidivism rates such as those reported each year in the report on government services. The counting rules mean we will need to wait for a longer period to pass before a true comparison can be made.

We found that assisting detainees upon release needed much more than just good service coordination. Many detainees needed a much greater level of intense assistance upon release than previously realised and this resulted in the addition of the basics package to the suite of extended through-care services. Other packages are health, housing, connections and jobs.

The basics package provides intensive support for two weeks prior to release and six weeks after release for those requiring it. This package is being delivered by St Vincent de Paul. St Vincent de Paul has been a terrific partner in the delivery of extended through-care, but one of the great strengths of this program has been the extent of community agency engagement. No fewer than 112 organisations have had some degree of active involvement in the delivery of extended through-care. For some agencies this has been in assisting just one client who had need of their services. For others, such as Directions ACT, it has meant quite significant engagement.

The agencies have ranged from commonwealth agencies such as the Department of Human Services to ACT government bodies such as the CIT and major charitable organisations and service deliverers such as the Salvation Army and to local community agencies such as Tuggeranong community services. The agencies I have mentioned are no more or less important than all the others that have been involved. The key message is that extended through-care was developed as a joint community-government initiative and it remains so in terms of its delivery.

Perhaps the best way to illustrate how extended through-care is going is to tell the stories of a number of clients who have benefited from the program. The following stories are those of real people, with their identity details changed to protect their privacy.

Des is an Aboriginal man in his early 40s. He has an extensive criminal history, had never been gainfully employed and was considered at high risk of re-offending. He did, however, actively engage in the extended through-care program, particularly for his health needs and in terms of job readiness. He enrolled and completed several pre-employment programs, including a number of certificate II and III courses. He was able to reconnect with family, particularly with his son, with the assistance of a community service provider. He completed his 12-month post-custody good behaviour order. This was the first time he had ever successfully completed a community supervision order. While he has now completed his engagement in extended through-care, he has remained working with the through-care partner services.

Marly is a woman in her 30s. She has an extensive criminal history and alcohol and drug issues dating back more than 10 years. Marly has engaged very regularly with Directions ACT and has managed to remain drug free since her release. She has attended all scheduled probation and parole appointments. Under extended through-care Marly was assigned to a women's support service as her lead agency, as she had confidence in them based on past experience. They have provided her with significant ongoing personal assistance through monthly appointments and regular follow-up phone calls. They have also managed to get her focused on future goals and shepherded her through a serious long-term health issue, which has also given her hope for a better future.

At this stage, we cannot guarantee that either Des or Marly will not offend again but we can see that since they entered extended through-care their prospects for rehabilitation have lifted and they have made considerable progress. We are seeing

some detainees who may have spent many years incarcerated now spending more time in the community, time spent outside of jail, and positively engaging with the appropriate support services. Just as we are optimistic about Des and Marly, we are optimistic about our extended through-care program. It is still too early to claim success, but things are promising.

I would like to turn to the justice reform and justice reinvestment strategies. The justice reform strategy is a two-year project examining how sentencing operates in the territory and how sentencing law and practice can be improved to deliver on the government's priority of delivering a fair and safe community. The strategy provides an exciting opportunity to address the challenges in the sentencing arena, such as reducing recidivism and promoting community safety.

The early work of the strategy is focusing on the move away from periodic detention as a way of serving a sentence of imprisonment and introducing a more effective and modern community-based sentencing alternative. As the strategy progresses, it will consider broader proposals for sentencing and related reforms. While the lead minister for the strategy is the Attorney-General, as the Minister for Justice I am closely involved in the work and Corrective Services is involved through a variety of mechanisms. *(Extension of time granted.)*

Corrective Services is represented on the advisory group for the justice reform strategy as a key stakeholder. The role of the advisory group is to provide guidance and assistance to the strategy. It consists of academics, legal professionals, representatives from key government directorates and representatives of groups with an interest or involvement in the justice system. The strategy is also being informed by a series of theme-based core design workshops. The workshops provide an opportunity for in-depth consideration of some of the key opportunities and challenges in sentencing.

Participants are invited based on their experience and expertise in relation to the particular theme, which allows the strategy to access ideas and know-how available in the territory. The first two workshops have focused on the themes of therapeutic jurisprudence and intensive corrections orders, and both have included one or more representatives from Corrective Services.

Officers from JACS, including Corrective Services, have visited corrections and policy officers in Victoria, New South Wales and Queensland to discuss their experience of community-based orders such as intensive corrections orders. These visits have provided not only the opportunity to learn from these states but also the occasion to promote communication between policy and operational areas within the Justice and Community Safety Directorate. Good communication is essential to support the transition away from periodic detention, with the development of good policy to underpin a new community-based sentencing option, and as Corrective Services develops the operational aspects of that new sentence.

There are areas of overlap between the work of the justice reform strategy and the justice reinvestment strategy. The justice reinvestment strategy is a four-year project which aims to develop a smarter, more cost-effective approach to improving criminal justice outcomes by reducing crime, improving public safety and strengthening

communities. It does this using data-driven evidence to guide stakeholders across the justice and human services systems on the allocation of resources to programs that reduce crime and recidivism. As resources are directed to reducing the causes of crime, rather than the consequences of crime, the costs of crime are reduced and the whole community benefits.

The key point of intersection between the justice reform strategy and the justice reinvestment strategy relates to the introduction of a new sentencing option and its impact on crime reduction and recidivism. Investing in effective community-based alternatives to imprisonment should reduce rates of incarceration and recidivism and lead to identifiable savings that are then reinvested in other areas of the criminal justice or human services systems.

ACT Corrective Services is also involved in the work of the justice reinvestment strategy through membership on its advisory group. This is important, vital and timely work. The recognition of the need for new ways of doing things presents the government, and the whole community, with a chance to explore the best possible ways to reduce offending, reduce reoffending, and keep our community safe and inclusive.

We cannot simply build more and bigger jails. We need to invest in programs that support victims, rehabilitate offenders and keep our city a safe place to live and work in.

Question resolved in the affirmative.

Transport—reform
Ministerial statement

MR RATTENBURY (Molonglo—Minister for Territory and Municipal Services, Minister for Justice, Minister for Sport and Recreation and Minister assisting the Chief Minister on Transport Reform) (10.22), by leave: Earlier this year the Chief Minister created a new ministerial portfolio focused on transport reform. As the Minister assisting the Chief Minister on Transport Reform, I would like to update the Assembly on the planned work for this portfolio as well as the rationale for its creation. Transport reform is needed in the ACT both to address challenges and to embrace opportunities that are on the horizon. The creation of a transport reform portfolio reflects the government's commitment to confront these challenges, and it recognises that transport is integral to how our city grows and develops into the future. At its heart, reform means change. Some people of course do not like change, but without change there is no progress, no improvement, and no flexibility to respond to circumstances that inevitably change, whether we like it or not.

That is the practice of a good and forward-thinking government; one with an agenda to ensure the long-term prosperity, livability and sustainability of Canberra; one that helps people get around our city—whether that be people in cars, people in buses, people walking or people cycling. The issue of traffic congestion provides an example. Canberrans are generally used to a free-flowing road network with limited traffic congestion. But inevitably, as our city grows, traffic congestion is also growing at key parts of the network. Commuters find congestion frustrating.

It is also costly to productivity and the environment. In 2007, the federal Bureau of Transport and Regional Economics estimated that the costs of congestion in the ACT were already about $110 million a year. This is predicted to worsen sharply. As an example, Northbourne Avenue is Canberra's most congested road. Its travel speed at the morning peak is 20 kilometres per hour. Travel speed will continue to deteriorate and become more unreliable as the city to Gungahlin corridor's population grows. Even in a business as usual scenario, the population of the corridor is expected to grow by about 50 per cent over the next 20 years and employment by about a quarter.

Ignoring the issue is simply not an option. If we want to ensure people can travel around Canberra safely and effectively in the future and if we want to protect the productivity of our economy and the health of our population and environment, now is the time to take action. This is, of course, what the government is doing with its pioneering light rail project. It will provide a fast and reliable transport alternative in this corridor and, over the next decades, right across Canberra. It will also encourage the development of more compact, walkable neighbourhoods and embed a transport system that can run on renewable energy.

An important part of the transport reform portfolio will involve transport integration. Light rail must be integrated with other forms of transport to ensure its maximum benefit, just as different transport modes must be integrated with each other. Bicycles, pedestrians, buses, taxis, trucks and cars all play an important role as a transport network in moving people and their goods around our city. The government has invested in integrated new facilities such as bike and ride, park and ride, the Civic cycle loop and the shared zone in Bunda Street. These are all good examples of how transport modes can be integrated to the benefit of all people. The introduction of capital metro will provide an excellent opportunity to build further on these initiatives and make Canberra's transport system one of the best.

Effective integration needs effective cooperation across various parts of government. Both transport integration and transport reform involve different parts of government, such as planning, road safety, infrastructure and a variety of agencies, from ACTION to the LDA. To ensure effective integration and cooperation, the transport reform portfolio will cut across agencies, with select areas of those agencies working on transport reform and reporting to me, as the minister. I will also lead an interagency committee to ensure good coordination, reporting and progress on transport reform. At the ministerial level, the Chief Minister now convenes a cabinet subcommittee on transport reform. Lastly, in recognition that reform must involve the community and that the community is also a well of good ideas, government will engage community groups in a series of transport reform discussions.

Active transport—or walking and cycling—must be a major part of Canberra's transport future if we are to be a healthy and vibrant city. It is one of the keys to ensuring Canberra is a city that values and prioritises people and helps them get around. It is a priority for me and for this government. I am pleased to announce that the ACT government will establish an active transport coordination office, which will ensure better integration of the policy and implementation aspects of active transport across government. The office will operate as a single point of contact for walking

and cycling issues, something key stakeholders have requested. It will include the creation of an active transport coordinator who will be a high profile public contact on these issues.

This will ensure a continued focus on walking and cycling, and ensure there is a clear active transport infrastructure and planning decision-making framework for the territory. Some of Europe's most successful cycling cities have used a similar strategy, creating a cycling office or a cycling coordinator to unify the various strains of government that have a role in outcomes for people who cycle. The results have been good, with improved public engagement and more efficient outcomes for government and the community.

There are opportunities for collaboration with other Australian cities in order to share information on active travel and progressive street design standards. This project would be based on the National Association of City Transportation Officials—NACTO—and that project has been successful in North America. The government will also be implementing recommendations from the Standing Committee on Planning, Environment and Territory and Municipal Services' report on vulnerable road users. The recommendations relate to several government agencies but will be coordinated by the Justice and Community Safety Directorate and me.

This is an area where we intend to move swiftly. Already we have implemented a motorcycle lane filtering trial. This year I expect we will implement other major recommendations, including commencing a trial of a one-metre minimum overtaking distance for vehicles passing people on bicycles, reviewing driver competencies required to pass the driver licence test, and publishing new awareness and education material. The government launched its road safety campaign "Same rights, same rules" in January this year, which promotes the safe sharing of the road by people on bicycles and people driving.

Peak oil and climate change are two challenges that will change the way Canberrans live and which I am committed to addressing, including in the transport reform agenda. Peak oil refers to the point where the production of global oil peaks and then slides into irreversible decline. Canberra, being built on cheap oil like so many other cities, is vulnerable to the impacts of peak oil—expensive petrol, increasing costs to the government and households, and, potentially, a sudden shortage of oil that threatens the delivery of goods and services. That is why, as part of the transport reform portfolio, the government will produce a local peak oil action plan.

The transport reform agenda will include ACTION buses. It must include ACTION buses. ACTION is a significant part of government and of Canberra's transport system. It has 417 buses, carries around 18.5 million passengers a year and receives an annual government payment of almost $100 million. Benchmarking shows that ACTION is relatively expensive compared to many other states' bus networks, but it is also an essential service that makes a critical and positive contribution to our city. If we are to guarantee the best public transport for Canberra into the future, we need to look at ACTION's performance and ensure it can both meet the needs of the community and be financially sustainable.

An example of an area in need of targeted reform is ACTION's relatively high workers compensation costs. Arresting these costs by creating a safer and healthier workplace is a win for government, workers and the community. ACTION is already under a government-commissioned review which will deliver expert advice on ways to improve the service. The results of that review will be the subject of further work in the transport reform portfolio this year.

Transport reform also means re-examining our approach to road safety. In the five years from 2009 to 2013 an average of 11 people were killed and 163 seriously injured on ACT roads. It is unsatisfactory to accept that road deaths are an inevitable part of our transport system. The ACT government has adopted the vision zero philosophy. Consistent with this, our policies must prioritise human life and health. This philosophy guides outcomes in some areas that are very visible to the public. Slow speed environments such as the 40-kilometre-an-hour zones introduced to our town centres and recently expanded to group centres irritate some Canberrans who want to drive faster. Traffic calming measures in residential neighbourhoods can evoke the same reaction, but these measures bring clear safety benefits for people and have the effect of improving the amenity of the streets and attracting more people.

This year I intend to release a revised government road safety strategy. I will also be releasing a government road safety camera strategy. The focus of this strategy will clearly be on safety and on using the best information, data and strategies to ensure that road safety cameras are performing their key task of preventing road deaths and road trauma in the ACT. I will also release a new road safety education strategy focused on achieving a lifetime learning approach to road safety in the territory. This project will look at the spectrum of road safety learning across a person's life from school to old age.

Transport reform means finding ways to embrace new technologies and innovation. The government is working with National ICT Australia—NICTA—to develop a trial of a new way of delivering public transport during periods of light patronage, such as on Sundays. The scheme essentially uses the ACTION fleet to run services between our city centres and then proposes the use of taxis to collect passengers and drop them at their final destination. Discussions with the Canberra taxi council and NICTA are now in progress and I look forward to providing progress updates later in the year on this innovative way of providing transport services.

Another new method of delivering transport services is underway with the government's flexibus initiative. Introduced in conjunction with network 14, this service uses spare capacity in the government's special needs education minibus fleet to provide a bookable, door-to-door service for Canberrans at a transport disadvantage, such as the elderly and people with a disability. The service was introduced as a trial covering Canberra's inner suburbs, and it has already been expanded to also cover Tuggeranong. The uptake has been excellent, making sure that people who are at risk of isolation can stay connected with their local communities. The service has transported over 4,000 passengers in its first six months of operation, with numbers steadily increasing.

The transport reform agenda will look at initiatives to lessen the reliance on building new and expanded roads, an approach which is costly to the territory's capital budget and ultimately the city's environmental footprint. Smart traffic technologies include improvements such as CCTV and real-time electronic signage that allow commuters and authorities to respond to traffic incidents quickly and effectively. We are already moving ahead in this area, ensuring that smart traffic cameras are in use to manage traffic for the construction of the Majura parkway and Constitution Avenue.

In addition, this year I hope to start the first of several corridor efficiency studies which will focus on a particular busy transport corridor, assess its travel patterns in detail and work with all the available factors to ensure travel is as efficient as can be. An example might be the programming of traffic lights to a high level of detail so that they respond to specific traffic patterns at peak, off-peak and night times in that corridor. Smart traffic projects like these can help us use our existing road network to its maximum potential.

This year the ACT government is undertaking a review of taxi and hire car industry innovation to look at the emergence of new digital technologies, their potential impact on the territory marketplace and related regulatory settings. We will explore how new technologies can drive innovation and synergies with other modes of public transport. Among a range of matters, the review will consider the potential entry of digital alternative booking and payment regimes and the associated issue of level of surcharges on electronic taxi fare payments; community safety, including passengers, drivers and vehicles; and efficient and sustainable supply to the marketplace. The taxi review is underway, starting with industry and community consultation.

As the transport reform minister I will look to engage Uber, the innovative new car booking service that is popular with consumers but challenging to the taxi industry. As I have said before, the reality is that Canberrans will access these new services if they are available, and governments need to consider how to appropriately facilitate and regulate entrepreneurial operators entering the market so that they can operate safely and equitably.

On a similar note, I am pleased to announce that the ACT government is actively pursuing the introduction of a car sharing scheme for Canberra. Car sharing—which, it should be noted, is different from car pooling—facilitates the short-term hire of vehicles for residents or businesses for a variety of uses. Importantly, it can alleviate the need for people to own a car themselves. Arrangements for car sharing spaces in the ACT are underway, and I hope to be able to confirm further details of the scheme, including a start date, shortly. This is in fulfilment of one of the initiatives in the Labor-Greens parliamentary agreement.

Our growing city is at a crossroads. I see there are two futures on offer. One future fails to address the transport challenges that face us or to embrace the transport opportunities before us. That is a future characterised by short-term thinking as well as by sprawl, congestion, pollution and all the related economic and social pressures. The second future prioritises clean, efficient, modern and flexible transport. It focuses

on the long term and has the needs of people at its heart. To get there requires reform. My approach will be to pursue change in an inclusive and equitable way, always accounting for the varying needs of the community.

I look forward to providing further updates to the Assembly in the future about the progress in the transport reform portfolio. I present a copy of the statement:

> Transport reform—Ministerial statement, 26 March 2015.

I move:

> That the Assembly takes note of the paper.

Question resolved in the affirmative.

Justice and Community Safety Legislation Amendment Bill 2015

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—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (10.48): I move:

> That this bill be agreed to in principle.

I am pleased to present the Justice and Community Safety Legislation Amendment Bill 2015. This bill is part of a series of legislation that makes amendments to laws in the Justice and Community Safety portfolio. While the amendments that this bill will make are minor and uncontroversial, they will improve the statute book and promote justice and community safety for the people of the territory.

This bill amends the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995, the Commercial Arbitration Act 1986, the Coroners Act 1997, the Court Procedures Act 2004, the Electoral Act 1992, the Guardianship and Management of Property Act 1991, the Legal Profession Act 2006, the Public Trustee Act 1985 and the Utilities Act 2000.

The amendments to the Classification (Publications, Films and Computer Games) (Enforcement) Act are consequential to amendments which were made to the commonwealth Classification (Publications, Films and Computer Games) Enforcement Act 1995 in 2014. The commonwealth amendments will commence in stages during this calendar year.

The amendments to the commonwealth's classification act implemented a set of first tranche reforms based on the recommendations of the Australian Law Reform Commission in its report *Classification—content regulation and convergent media*.

These amendments include broadening existing exemptions and streamlining exemption arrangements for festivals and cultural institutions. The amendments to the commonwealth classification act also allow certain content to be classified under classification tools such as online questionnaires to provide automated decisions.

The amendments to the commonwealth classification act also include expanding the exceptions to the modifications rule so that films and computer games which are subject to certain types of modifications, such as where they are simply changing from 2D to 3D format, do not require reclassification.

The national classification scheme is a cooperative scheme under which the commonwealth act provides for the classification of publications, films and computer games while state and territory acts are responsible for the enforcement of classification decisions by the commonwealth Classification Board. Each state and territory has enforcement legislation that complements the commonwealth act.

These amendments are designed to maintain consistency between the commonwealth act and the ACT classification enforcement act. The amendments made by this bill to the ACT act have a staggered commencement so that they can, where possible, take effect at the same time that amendments to the commonwealth act take effect.

This bill also amends section 53 of the Commercial Arbitration Act 1986. Section 53 provides that where a party to an arbitration agreement starts proceedings in a court against another party to an arbitration agreement in relation to a matter under that agreement, the other party may apply to that court to stay the proceedings. This section does not currently cover the ACT Civil and Administrative Tribunal.

The proposed amendment therefore alters the definition of "court" for this purpose to include a tribunal. This amendment will give full effect to the intention of the section, which is to compel parties to an arbitration agreement to arbitrate their disputes in the first instance rather than proceed directly to litigation in either the ACT law courts or a tribunal.

This bill also inserts a provision relating to self-incrimination into the Coroners Act 1997. As section 47 of the Coroners Act provides that the rules of evidence do not apply to a proceeding before the Coroners Court, the privilege in relation to self-incrimination may not apply to a witness for an inquest or inquiry.

For this reason this bill sets out the process to be undertaken by the Coroners Court where a witness objects to giving particular evidence, or evidence on a particular matter, on the grounds that the evidence may tend to prove he or she has committed an offence or is liable to a civil penalty. The section is intended to have the same operation as section 128 of the Evidence Act 2011 for privilege in relation to self-incrimination for witnesses in other court matters.

This bill also makes a minor amendment to the Court Procedures Act 2004 about security searches on court or tribunal premises. Section 45 of the Court Procedures Act provides that a security officer may require a person entering or on court premises—defined to include ACAT premises—to undergo a screening search, to

allow anything in the person's possession to be subjected to a screening search, to open and empty the person's pockets and to open or empty a bag, suitcase or container the person is carrying or otherwise in the person's possession.

A requirement by a security officer may be made only if the officer believes on reasonable grounds that it is prudent for court security; that it may be of general application; and that it must comply with any written policy made in relation to searches under section 45 by the Chief Justice or the Chief Magistrate.

Given that the section relates to security searches in ACAT premises as well as ACT law courts premises, it makes sense that a requirement by a security officer must also comply with any written policy made by the General President of the ACAT made in relation to section 45 searches as well as any written policy by the Chief Justice or Chief Magistrate. This bill therefore substitutes section 45(2)(c) to include reference to any written policy by the General President of the ACAT.

This bill makes a minor amendment to the Electoral Act 1992. The amendment is of an administrative nature and is consequential on amendments made by the Electoral Amendment Act 2015. The Electoral Amendment Act moved the deadline for the submission of annual returns to the Electoral Commissioner from 31 July to 31 August. The date that copies of annual returns must be made available for public inspection by the Electoral Commissioner under section 243 is still the beginning of September, which is impracticable. This bill changes the date in section 243 to 7 September to allow time for the commissioner to make annual returns available for public inspection while still providing sufficient time for inspection prior to an election.

This bill also introduces an amendment into the Guardianship and Management of Property Act 1991 to require that where the Public Trustee is appointed as the manager of a person's property by the ACAT under part 2 of that act, the Public Trustee must provide annual statements of account to the protected person or his or her guardian. This amendment is designed to ensure increased transparency in circumstances where the Public Trustee is appointed as manager and mitigate against potential misuse of funds held on trust.

This bill makes two technical amendments to the Legal Profession Act 2006. The first relocates section 281A relating to cost disclosure to a more relevant division within the act. It also removes a note from section 278 which is rendered unnecessary by the relocating of section 281A.

Further, the bill makes an amendment to the Public Trustee Act 1985 which is intended to remove all doubt that the authority of the Supreme Court to appoint the Public Trustee to invest superannuation funds for a person under a disability under section 25(2)(c) includes allowing the Public Trustee to manage the superannuation fund on behalf of that person once it has been invested into that fund.

The bill also makes amendments to the Utilities Act 2000 which clarify the legislative responsibilities of utilities service providers in their treatment of personal information. In addition to obligations under the Australian privacy principles under the Privacy

Act 1988, utility service providers must also comply with credit reporting protections in part IIIA of the Privacy Act and the Credit Code registered under section 26M(1) of the Privacy Act when providing credit to customers in the ACT. As ACAT has dispute resolution jurisdiction for ACT utility services, ACAT will have authority to consider these credit reporting provisions when resolving a complaint about the handling of personal credit information by a utility service provider.

Although these amendments are overall minor and uncontroversial, they continue to improve the operation of the territory's laws and improve transparency and access to justice. I commend the bill to the Assembly.

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

Human Rights Amendment Bill 2015

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—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (10.58): I move:

> That this bill be agreed to in principle.

I am pleased to be able to introduce the Human Rights Amendment Bill today. This bill marks another significant step in the protection and promotion of human rights in the ACT. The changes made by this bill to the Human Rights Act follow the 2014 review of the Human Rights Act 2004 and consultation with the human rights commissioner and the Aboriginal and Torres Strait Islander Elected Body.

The 2014 review was conducted internally by the Justice and Community Safety Directorate and concluded that many economic, social and cultural rights are already substantially provided for by ACT law and government policy. The review process also highlighted that because of the current economic climate the government needs to be smarter in the way it manages the services and oversight functions that support rights protection in the ACT in order to consolidate and strengthen the Human Rights Act rather than expand it. This bill marks the first time in Australia that an economic, social or cultural right is given the same status as the civil and political rights with which we are so familiar.

This bill extends the binding obligations on public authorities in part 5A of the Human Rights Act to the right to education so that the ACT government has to act and make decisions consistent with the right to education. The government considers that there has been sufficient time since the right to education was first introduced into our Human Rights Act to provide a clear picture of its implications. The government believes that it already meets the immediately realisable obligations under the right to education as set out in section 27A. This amendment therefore strengthens the right to education by requiring public authorities to act consistently with this right and to give proper consideration to the right when making decisions.

In addition to extending the operation of part 5A to the right to education, the bill clarifies the operation of section 11 of the Human Rights Act by including a note that indicates that children have all rights in the Human Rights Act, not just the protections afforded under section 11. This reinforces that children are to be treated as individuals in their own right and enjoy the full range of rights in the Human Rights Act. When assessing and justifying potential limits on rights resulting from legislative amendment or policy changes careful attention must be paid to the nature and extent of the impact on children.

This amendment will serve to provide an important reminder, in the context of the government's new 2015-20 out of home care strategy, that children and young people are capable and must be respected as equal holders of all the rights that adults have, plus additional rights that take into account their special developmental needs. At the same time, a key reason for requiring the protection of family is that family is the natural environment for the growth and wellbeing of its members, particularly children.

The focus of the out of home care strategy on keeping children and young people with their birth families and assisting children to grow up in secure, loving and permanent homes is supported by this reaffirmation that children enjoy all human rights. Service providers looking to provide out of home care services must be mindful of their obligations as public authorities under the Human Rights Act to act and make decisions compatible with all the rights of children and young people.

The out of home care strategy notes a particular concern with the growth in Aboriginal and Torres Strait Islander children and young people in care. Around one-quarter of children and young people in care in the ACT identify as Aboriginal and Torres Strait Islander. In 2012-13 this equated to 140 children and young people in care. Aboriginal and Torres Strait Islander children are significantly overrepresented in the ACT's child protection system, as they are in other Australian jurisdictions. Disruption in the homes of children and young people is likely to lead to the health and wellbeing problems that are also prevalent among Aboriginal and Torres Strait Islander communities.

Last week, on Close the Gap Day, we were reminded once more of the overrepresentation of Aboriginal and Torres Strait Islander peoples in morbidity and mortality indicators. It is a disturbing, and remains a deeply disappointing, fact that Aboriginal and Torres Strait Islander people can expect to live 10 to 17 years less on average than non-Indigenous Australians. One of the factors that influence the poorer outcomes for Aboriginal and Torres Strait Islander people, including in terms of health and overrepresentation in the justice system, is the impact of disconnection from country and cultural heritage. The government is therefore taking action with this bill to provide for recognition of Aboriginal and Torres Strait Islander peoples and their cultural rights, including the importance of relationship to country, in the Human Rights Act.

In developing these new amendments, the government has benefited from the expertise and considered input of the Aboriginal and Torres Strait Islander Elected

Body and the human rights commissioner. I would like to acknowledge and thank the members of the elected body and the commissioner for their support of this important reform.

The bill therefore inserts a new section 27(2) into the Human Rights Act to provide that Aboriginal and Torres Strait Islander peoples hold distinct cultural rights and must not be denied the right to maintain, control, protect and develop their cultural heritage and distinctive spiritual practices, observances, beliefs and teachings, their languages and knowledge, and their kinship ties. This includes the right of Aboriginal and Torres Strait Islander peoples to have their material and economic relationships with the land and waters and other resources with which they have a connection under traditional laws and customs recognised and valued. Culture is not defined, and it takes its ordinary broad meaning, which would encompass the language, spirituality, membership, arts, literature, traditional knowledge, customs, rituals, ceremonies, methods of production, among many other aspects of the life of Aboriginal and Torres Strait Islander peoples.

These amendments are supported by a further amendment to the preamble of the Human Rights Act to change a reference to Indigenous people to Aboriginal and Torres Strait Islander peoples, acknowledging that Aboriginal and Torres Strait Islander peoples are not a homogeneous group with a uniform cultural heritage and identity but rather a diverse group with differing histories and aspirations. At present the text of the Human Rights Act makes no reference to Aboriginal and Torres Strait Islander peoples, nor does it acknowledge their distinct culture, heritage and relationships which form the basis for their continuing contribution to the Canberra region.

At a time when the movement for the recognition of Aboriginal and Torres Strait Islander peoples in the Australian Constitution is gathering support right across Australia, it is important that the government here in the ACT take action so that its own key legal documents acknowledge the unique and distinct culture of the first owners and traditional custodians of the ACT region. The ACT human rights commissioner commented that this proposal would represent only a minor amendment to the Human Rights Act but would be consistent with the recommendations of the *You me unity* report that the Australian Constitution recognise the continuing culture, language and heritage of Aboriginal and Torres Strait Islander people.

Including the cultural rights of Aboriginal and Torres Strait Islander peoples in the ACT's Human Rights Act acknowledges the importance of the United Nations Declaration on the Rights of Indigenous Peoples as a template for relationships between the government of the ACT and Aboriginal and Torres Strait Islander peoples in the broader community. That UN declaration was the culmination of decades of work of indigenous peoples and rights institutions from around the world, and the Australian government pledged its support to the declaration in April 2009. In September last year, at a high level plenary meeting of the UN General Assembly known as the World Conference on Indigenous Peoples, representatives from nations around the world reaffirmed their commitment to respect, promote and advance and in no way diminish the rights of indigenous peoples.

A basic acknowledgement that the cultural rights of Aboriginal and Torres Strait Islander peoples are and will continue to be observed, respected and upheld is an essential gesture that will facilitate Aboriginal and Torres Strait Islander peoples taking a greater leadership role in building stronger communities and improving relationships with the broader community and the government. An acknowledgement of the ancient and enduring Aboriginal and Torres Strait Islander cultural connections and relationships will help to generate engagement and investment in initiatives aimed at realising and giving effect to the equal inclusion of Aboriginal and Torres Strait Islander peoples in the ACT.

The amendments are not intended to confer or create real or intellectual property rights over the expressions or manifestations of that cultural heritage, as regulation of those property rights is a matter for the commonwealth. If such rights are claimed, they must be claimed and exercised in accordance with the processes set out under the relevant commonwealth law. But these amendments acknowledge that the cultures of Aboriginal and Torres Strait Islander peoples are a defining part of their identity.

Other rights in the Human Rights Act, including the right to recognition and equality before the law and the rights to freedom of thought, conscience, religion and belief as well as freedom of expression, already support the right to hold and develop these distinct cultural identities. So the amendments properly provide formal recognition of the existence and continuing contribution of the cultural heritage of these first peoples to the Canberra region.

Making this amendment to our own Human Rights Act, one of the foundational documents of the ACT legal and justice system, will therefore greatly support the ACT government's reconciliation action plans and the Aboriginal and Torres Strait Islander justice partnership. It is also consistent with the recommendations of the commonwealth Aboriginal and Torres Strait Islander Social Justice Commissioner's *Social Justice and Native Title Report 2014*, which recommended that the Australian government engage with the national implementation strategy to give effect to the UN declaration.

The bill represents another positive progression in the ACT rights dialogue, and I remain hopeful that it will continue to lay the foundation for meaningful, respectful and inclusive engagement with educators, children and young people and Aboriginal and Torres Strait Islander peoples. I commend the bill to the Assembly.

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

Planning, Building and Environment Legislation Amendment Bill 2015

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 Roads and Parking, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing) (11.13): I move:

> That this bill be agreed to in principle.

This is the eighth bill to be created under the government's omnibus planning, building and environment legislation amendment bill process. This process manages all minor policy, technical and editorial amendments for legislation administered by the Environment and Planning Directorate.

The omnibus bill process provides an efficient avenue for consideration of minor amendments to a single bill. The single bill process also helps the wider community to access and understand changes being made to environment and planning legislation.

This bill makes a minor policy, technical and editorial amendment to the Building Act 2004 and Building (General) Regulation 2008, the Construction Occupations (Licensing) Act 2004 and Construction Occupations (Licensing) Regulation 2004, the Environment Protection Act 1997, the Planning and Development Regulation 2008, the Utilities Act 2000 and the Work Health and Safety Regulation 2011.

The principal amendments will strengthen building and construction laws and ensure practical and efficient asbestos safety management in the territory.

As members of the Assembly are well aware, asbestos is a most insidious legacy of past building practices. As a government, we must be proactive in our approach to the health and wellbeing of our entire community, and particularly for those who work within it. The government remains committed to continuing to have nation-leading asbestos management frameworks and practices.

At this point I would like to give a bit of history around the amendments made by the bill. In 2014 the territory's asbestos management framework was harmonised with that of other model jurisdictions, in accordance with the Intergovernmental Agreement for Regulatory and Operational Reform in Occupational Health and Safety. Asbestos licensing provisions were removed from the Construction Occupations (Licensing) Act 2004 by the Dangerous Substances (Asbestos Safety Reform) Legislation Amendment Act 2014, effective January this year. This means asbestos assessor and removalist licensing is now regulated in the territory by the Work Health and Safety Act and Dangerous Substances Act 2004. This means asbestos can only be removed by a licensed asbestos removalist. The Construction Occupations (Licensing) Act does not apply in this situation.

This approach works well in relation to asbestos found in discrete forms; for example, a piece of asbestos cement sheeting not involving structural parts of a building and, as such, material that can be removed without any specialist building knowledge. However, recent investigations in relation to Mr Fluffy houses have revealed that asbestos can be in the infrastructure of a building. In this case, removal of the asbestos also requires the removal of infrastructure that could be critical to the integrity of the building.

At present an asbestos removalist's licence does not require a licensee to have the specialist knowledge required to safely remove critical infrastructure of a building. A builder's licence does require this specialist knowledge, but under the construction occupation licensing laws a builder's licence does not allow the handling of asbestos.

What this means is that there is a regulatory gap with safety implications not just for the public but also for workers. For example, if a Mr Fluffy house is to be demolished, it ought to be done by or supervised by a licensed builder whose licence authorises demolition. However, the builder cannot do the work or supervise doing the work because the builder's licence does not apply to work when asbestos is present. Only an asbestos removalist can do the asbestos removal but the removalist does not have the specialist knowledge, nor does his licence qualify him, to safely demolish a building.

So it has become apparent that the construction and building laws need to continue to regulate structural and other critical building work even if it involves the handling of asbestos. For this reason the bill removes the restriction imposed by section 8 of the Construction Occupations (Licensing) Act on builders dealing with asbestos. This ensures that building work that warrants a licensed builder's expertise or supervision is within the scope of licensable work of a builder. This will not extend to removal of non-structural or otherwise non-critical asbestos cement sheeting, for example, from buildings where a builder is not warranted.

Non-critical work will only require a licensed asbestos removalist and will generally be exempted from construction and building laws, particularly by the schedules of exempt building work under schedule 1 of the Building (General) Regulation 2008. However, work critical to the structure or fire protection of buildings will, under this bill, be the responsibility of a licensed builder.

The bill also makes a number of amendments to remove references to "asbestos" in the Building Act and, in particular, asbestos codes. For example, clause 7 and clauses 13 to 18, as I said earlier, are asbestos-related laws that were moved to work health and safety and dangerous substances laws last year. These laws now deal with asbestos codes, and references to asbestos codes in the Building Act are no longer necessary.

I would now like to move on to the other amendments made by the bill. In making the amendments to the building legislation that I have just discussed, the opportunity was also taken to consolidate and clarify the Building Act exemption provisions, including where they are related to asbestos. The present structure of the Building Act in this regard was rather convoluted, so the proposed amendments are intended to clarify and simplify the exemption provisions in the act.

The bill amends provisions related to the exemption of "building work" from the operation of the Building Act or parts of the act. Existing sections 15, 65 and 83 of the act relate to the exemption of "building work" from the relevant parts of the act. This is in contrast to the single exemption provision for "a building" in section 152 of the act that applies to all of the act or parts of the act.

These differing approaches to exemptions are unnecessary and can lead to confusion. The concept of "building work" is work related to "a building" under section 6 of the act and, as such, the concepts are closely interwoven and the exemption structure should be the same for both. The bill amends section 152 of the act so this exemption provision refers to both building work and building. Consistent with the approach to the exemptions in existing section 152, the new provision makes it clear that exemptions for building work can apply to an act as a whole or any specified element of the act.

I would now like to turn to the editorial amendments made by the bill. In 2012, a territory plan variation—technical amendment 2012-06—reconfigured how plantation forestry areas are identified in the territory plan. Unfortunately, at the time, two pieces of legislation that refer to plantation forestry areas were not updated to reflect the changes.

The bill also amends the Environment Protection Act schedule 1 and the Planning and Development Regulation section 1.92 and schedule 3 to ensure the references to plantation forestry areas are up to date and consistent with the territory plan.

A further amendment is being made to the Planning and Development Regulation. In 2011, schedule 3, part 3.4, of the regulation was amended to extend an exemption to third party appeals to the Kingston foreshore area. A map of the Kingston foreshore was included in part 3.4. However, the heading of the part was not amended to reflect this. The bill amends the heading.

The final editorial amendment is to the Utilities Act to correct a reference to the statutory office of "director-general" in section 45, which was mistakenly inserted by the Utilities Technical Regulation Act 2014 which commenced on 1 March 2015. The correct statutory office is "technical regulator".

The bill proposes a number of minor policy, technical and editorial amendments to acts and regulations, as an omnibus bill should. The amendments are non-controversial and make good practical sense.

The bill demonstrates this government's commitment to effective and responsible use of the omnibus bill process. I note that, in the past, members of the community have expressed appreciation at being able to access one bill to monitor the minor changes that are happening to legislation in the planning, building and environment sphere.

The bill also helps this Assembly to monitor the effective operation of territory laws. A single bill ensures that changes to those laws are easily accessible to all Canberrans. I commend the bill to the Assembly.

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

Children and Young People Amendment Bill 2015

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 Roads and Parking, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing) (11.24): I move:

> That this bill be agreed to in principle.

The purpose of this bill is to make changes that will reduce the amount of time and resources that the ACT Children and Young People Death Review Committee spends on administrative functions. The changes are minor. However, I can assure the Assembly that the proposed changes will have a positive impact on the ability of the committee to do its work. The committee has a number of important functions, including establishing a register of deaths of children and young people, identifying patterns and trends in relation to the deaths of children and young people, and determining further research that would be valuable in this area.

Each year the ACT Children and Young People Death Review Committee annual report provides the community with information on the deaths of children and young people that occur in the ACT as well as the deaths of ACT children and young people that occur outside the ACT.

As the proposed amendments relate to administrative matters, they will have little direct effect on the important work of the committee. The changes will, however, enhance the ability of the committee to do its work by making it possible to meet in the absence of the chair by providing for the appointment of a deputy chair to avoid sudden cancellation of meetings; reducing the administrative burden of notification of meetings; providing more flexibility for the minister when choosing new members, including consideration of the diversity of experience and expertise of the committee as a whole; and increasing the likelihood of meetings being quorate by reducing the quorum to half of the membership plus the chair.

I formally commend the Children and Young People Amendment Bill 2015 to the Assembly. I am confident that this bill will enable the more efficient operation of the Children and Young People Death Review Committee and allow the committee to focus on working towards preventing future child deaths in the ACT.

Debate (on motion by **Ms Lawder**) adjourned to the next sitting.

Public Accounts—Standing Committee
Reference

MR SMYTH (Brindabella) (11.26): I move:

> That this Assembly:
>
> (1) notes the:
>
> (a) significant contributions by the clubs sector to the ACT community and economy;

(b) following elements impacting on the future of the ACT clubs sector:

(i) government gaming reforms;

(ii) revenue and profitability;

(iii) legislation and regulations;

(iv) taxation and charges;

(v) land development and sales;

(vi) problem gambling;

(vii) diversification and mergers;

(viii) new business models;

(ix) poker machines and gambling technologies; and

(x) water and resource management; and

(2) resolves that:

(a) a Select Committee be established to inquire and report into the future of the clubs industry in the ACT;

(b) the committee will be comprised of one member of the Government, one member of the Opposition and a member of the cross bench with proposed members to be nominated to the Speaker by 4 pm this sitting day;

(c) the chair of the committee is a member of the Opposition; and

(d) the committee report by the last sitting day 2015 with a response from the Government by the first sitting day 2016.

This is a very important motion about a very important part of the ACT community. The ACT clubs sector contributes greatly to the wellbeing and amenity of the people of the ACT and has a huge impact on the economy of the ACT, whether it be through the employment it provides, the simple consumption from every local baker and butcher to stock its restaurants, its payments to the government through various forms of taxation, and the attractions it provides for the tourism industry, particularly the visiting friends and relatives sector. As such, the sector has suffered in the last decade or so, particularly with the downturn in electronic gaming—poker machines. As one of the treasurers of one of the biggest club groups in the ACT noted in an annual report some years ago, the golden age of pokies is over. I think that treasurer is correct.

Some clubs have started the process of diversifying their base so that they can continue to deliver the high quality of service and amenity to their members, but for others it has been difficult. In particular, the small clubs have found the last decade

very trying, with a number disappearing and others being taken over by larger clubs who then have to assess whether they carry that burden and run that club at a loss or they amalgamate that club or move the facility, as has happened in some cases.

We need a committee to look at the long-term future of the clubs sector in the ACT, and that is what the Canberra Liberals are proposing today. The clubs want certainty; what they have had over the last decade is nothing but uncertainty. Indeed, they have seen one plan quickly overturned by another plan, which has led in some cases to financial loss for the clubs and in other cases to further development not going ahead because the sector did not know what was going to happen. For instance, clubs were first told they had to ventilate better to allow smoking, and then smoking was banned. Many clubs made investments on plant they were never able to recoup, which, of course, hurt their bottom line. Other clubs were told to build dams and become self-sufficient on their golf courses, which they did. Then, of course, the government decided to tax them on the use of the water out of the dams it had told them to build. This cannot continue. The clubs sector need and deserve some certainty, and they are certainly not getting that from the government at this stage.

Members should look at the announcement by the Chief Minister on the first sitting day that he was going to have a bipartisan approach to this and set up a bipartisan select committee. Unfortunately, the bipartisan bit was never addressed—nobody was involved in the process and there was no correspondence or contact from the government on what they sought to achieve and how they sought to achieve it. I do not know whether the Chief Minister expected his gaming and racing minister to make that contact and have those discussions, but it never happened. Pronouncements by the Chief Minister do not make things bipartisan. If you want something to be bipartisan, the best way to do that is actually to have the discussion. There is a lack of coordination from those opposite, and the victim has been the clubs sector.

Ms Burch has had a motion on the notice paper for some time now that, for reasons unknown, she has chosen not to move. We have just now seen tabled an amendment to my motion. It is curious that when the government wanted to look at a very limited issue—aspects of poker machine regulation in the ACT—they wanted a select committee. I now see that this will all be referred to PAC. The inconsistency from those opposite continues, and it is not what the clubs sector needs. We have been talking to the clubs sector. Those on this side have been very supportive of the clubs sector for a long, long time and always will be, valuing what it brings. But what the clubs want now is to know what their future will be. They want to know what environment they will operate in. They want that environment to be certain for much longer periods of time, instead of the backflips that we have seen from those opposite, where one day the magic figure of 4,000 poker machines was announced and then the next minister got rid of it.

How do clubs operate with this lack of certainty? They do not operate as effectively as they could, and they actually deserve better. The boards are voluntary. In the early days when groups like the Vikings, the Southern Cross Club, the Hellenic Club, the Tradies and the Labor Club were all setting up, they were run by people who put a whole lot of effort into them as volunteers. They have built up substantial holdings in the community. People want those efforts to be rewarded with the continuance of the

clubs they have set up and love, but there is a lot of doubt out there as to the government's appreciation of how tough the clubs are doing it and the government's lack of appreciation on the issue of certainty.

My motion is very simple. First and foremost, it notes the significant contribution by the clubs sector to the ACT community and the economy. It is significant. It would be interesting to find out from ACTEW exactly how much electricity, water and services they provide to the clubs sector. It would be enormous. It would be interesting to find out from the local butchering community how many steaks and snags and lamb cutlets are purchased by the clubs in the course of the year. It would be a mound of meat. How much do local bakers reap from these clubs? It is not just about the clubs sector itself; it is the small businesses that support the clubs sector. The impact on our economy is enormous, particularly when you consider that we do not have the pub infrastructure other jurisdictions have, simply because of the nature of the ACT and the way the population exploded in the late 60s and early 70s. The clubs were put there to provide that amenity.

We should all be saying thank you to the clubs for the facilities they provide. Just about every club at one stage either had a bowling green or a squash court. Many of the clubs now have built, for instance, basketball stadiums or football ovals. Through their contributions to communities, whether it be through supporting affiliate sports clubs or charity days where they give out enormous amounts of money to various people—a literal A to Z of community groups in the ACT—the clubs contribute.

There is also the impact that they have on the construction industry. The clubs are constantly refurbishing. One club told me it costs them $90,000 a day just to open. That is money that is in our community. Canberrans' expectations of these clubs are always high. These clubs are constantly refurbishing, they are extending or changing their facilities, and that helps our construction industry. The jobs and knock-on impact that goes into our community is significant.

We also know that, for many people, it is a safe environment, particularly for older Canberrans who like to go to their local club for a cheaper lunch or a cheaper dinner. They can go and listen to a band from a previous era or previous generation or just meet their friends there. They know these places are regulated; they know these places are safe; they know these places have the lifts and the safety rails they need to get on with their lives. For young families, most of the clubs these days have playrooms, which means as an adult couple you can view your children enjoying the playroom and have adult time in an adult environment. Those of us with kids all know that can be an absolute lifesaver.

The things clubs provide to us is well beyond the money; it is well beyond the employment; it is well beyond the revenue, the taxation and the expenditure. Those things are important, but what clubs add to communities is important, and we need to ensure that, where clubs are viable, they continue to provide that. What we should not be doing is putting a noose around the neck of a club that has gone to rescue a smaller club. We have to discuss the issues on how they are allowed to make that significant contribution and have the certainty to do so.

Paragraph (1)(b) lists 10 things, but I can think of many more beyond those. What is the impact of government gaming reforms on the future of the sector—that is, their revenue and profitability? I have said in this place a number of times that if we added up the asset base of all of the clubs it would be $600 million, $700 million, $800 million. In previous years the total return on that investment in some cases has been at or below the $2 million mark. It is hard to get an accurate figure, as different clubs have different reporting periods. But on that level of investment, banks have trouble lending to clubs. Some clubs have said to me they find it difficult to get finance because of the lack of certainly. We have to look at their revenue and their profitability if we wish them all to survive and if we wish all regions to have a spread of clubs.

Legislation and regulation—everything we do in this place affects them, whether it be increasing the tax rate or putting another burden on them in regard to the most recently emerging issue. We need to legislate and regulate carefully. There is the issue of taxation and charges. How much tax should they pay? What is a fair level? Certainly the government has a right to levy taxes but, at the same time, are we undermining the things we value? A big issue is land development and sales. How do we help the clubs who have had a lot of changes in the last 10 to15 years—whether it be through health issues, problem gambling issues or local amenity issues—to continue, and what happens with the land? They are all sitting on very valuable leases. They are community sites. How do we smooth the process, if it is necessary, to allow redevelopment of some kind that is appropriate but always with a view to making the clubs viable long term? Problem gambling is always of concern and something this place should always have an interest in.

Diversification and mergers—how do we deal with small clubs being swallowed up by big clubs? Is it a case of little clubs being swallowed up or is it a case of the little clubs being saved? A number of the ethnic clubs, which were very profitable in the 60s and the 70s with the influx of migrants—particularly migrants coming from the Snowy scheme back to Canberra for long-terms jobs when the Snowy scheme finished and Canberra was in a building boom—are struggling. Often those communities have not grown. In fact, many of those communities have shrunk. I recall the Hungarian community had a club that was very viable for a number of years at Narrabundah, but that community did not grow and the younger generations were not as interested as those that founded the club. They were able to sell and redevelop. There is a cultural trust for the Hungarian community where the profits from that sale assist in keeping the Hungarian culture alive in the ACT, and we need to look at those issues as well.

New business models—how do they change? What are the technologies that are emerging and how do we address those issues? There is a lot of finger-pointing and claims of clubs being dens of inequity where people lose their money through problem gaming, but how do you regulate those that do that at home? The clubs and poker machines have come in for a fair whack, and the issues have to be addressed. I am not diminishing the issues and the impact on those affected by them. I am sure all members get emails, whether here or at home, from online gamers who offer you $50 if you sign up now—"get your first 100 spins free" but then it is on your credit card.

There are big issues in the way the changing world affects our club machine. Indeed, poker machines and gambling technologies are changing constantly. How do we use those for good and not for evil? How do we use them for enjoyment and not to hurt people?

Water and resource management—how do we make our clubs more environmentally friendly? At the same time, at a time of rising obesity, how do we keep people out on the greens when the cost of water becomes so prohibitive that clubs have to toss up whether they can afford to water their courses? Do they keep the putting greens going while the fairways suffer? These are big issues, all of which are important and all of which have to be looked at. Plus there are many more—individual clubs will have site-specific or club-specific issues.

The motion says the Assembly should resolve that a select committee be established. This is a big issue and worthy of a select committee. The government thought that the issue of poker machine regulation only was worthy of a select committee but all of these issues are not. That is okay; perhaps PAC is where it should have gone in the first place.

Mr Rattenbury has an interest in these matters. Initially, in discussions, I had said two Liberal, two Labor and perhaps a Green. He thought we might go down to one of each. If I have read the amendment right, we might have PAC with a twist, and we will see how that works. My motion says the committee should be chaired by a member of the opposition. The untenable position the Labor Party has in being the direct recipient of the bounty of the clubs, we believe, is a conflict of interest, one which, of course, they deny.

This will be a big issue. My motion suggests the last sitting day; the government has brought it forward slightly to November, and we will address that as the debate continues. *(Time expired.)*

MS BURCH (Brindabella—Minister for Education and Training, Minister for Police and Emergency Services, Minister for Disability, Minister for Racing and Gaming and Minister for the Arts) (11.42): I too recognise, as I have always said in this place, that the value community clubs provide to the wider Canberra community is significant and ought to be celebrated here and across the community. I have made a slight change to the original amendment that I circulated. I move the following amendment that has been circulated in my name:

> Omit all words after "That this Assembly", substitute:
>
> "(1) notes the ongoing value community clubs provide to the wider Canberra community; and
>
> (a) the need to secure the long-term financial viability of the community clubs sector to ensure this contribution to the economic and social wellbeing of Canberra continues;
>
> (b) the need for community clubs to diversify their business models away from reliance on gaming revenue;

(c) the need for harm minimisation measures to protect vulnerable problem gamblers; and

(d) the following elements impacting on the future of the ACT clubs sector:

(i) revenue and profitability;

(ii) legislation and regulations;

(iii) taxation and charges;

(iv) land development and sales;

(v) problem gambling;

(vi) diversification and mergers;

(vii) new business models;

(viii) poker machines and gambling technologies; and

(ix) water and resource management;

(2) notes the Government's continuing work in partnership with ClubsACT on:

(a) the comprehensive suite of red tape reduction measures passed by the Legislative Assembly in 2014 as part of the Gaming Machine Reform Package;

(b) legislation introducing the second tranche of the Gaming Machine Reform Package, including a trading scheme, will be introduced into the Assembly in May;

(c) the establishment of a Community Clubs Taskforce in November 2014 to explore further ways the Government can assist community clubs to diversify their business models; and

(d) the establishment of Access Canberra as a one-stop shop for businesses, including community clubs, to work with the ACT Government; and

(3) resolves that:

(a) the matters in 1(d) and related matters be referred to the Public Accounts Committee for further investigation and consultation with the wider community;

(b) a member of the cross bench be appointed to the committee for the purpose of this investigation; and

(c) the committee report by the last sitting day of September 2015 with a response from the Government by the last sitting day of November 2015.".

Our community clubs employ thousands, provide a safe and inexpensive social hub for many in our community and provide a financial lifeline to many community groups and organisations. In the last financial year alone, clubs donated more than $12 million—I think it was closer to $12.7 million—in community contributions.

However, we also recognise that our clubs are struggling, and we have acknowledged that we need to secure the long-term financial viability of the community clubs sector so that the contribution that clubs make to both the economic and social wellbeing of our community can continue.

A number of community clubs have shown interest in pursuing redevelopment of their existing sites to assist in diversifying their income streams away from gaming machine revenue. The government supports this diversification.

In November last year, following a roundtable involving clubs, I announced the establishment of a community clubs task force. This task force is exploring ways that the government can assist community clubs to diversify their business models to enable continuing viability of their future operations. Most of this work will assess the potential redevelopment of club land. However, the task force will also consider ongoing improvements to the regulatory environment.

ClubsACT represents the clubs on the task force and will continue to play an important role in providing support to community clubs to navigate their way through the redevelopment process. It is my understanding that the task force met last Friday, and four clubs put some proposals forward for diversification and redevelopment. This task force provides a way for clubs to come together and have these issues addressed, because often they are in multiple areas of different government agencies.

In 2012 I signed a memorandum of understanding with ClubsACT, and we are continuing to work through that. Last year we settled on a comprehensive set of reforms as part of the gaming machine reform package. The first set of those reforms, including a comprehensive suite of red tape reduction measures, was passed by the Assembly late last year. The majority of these measures have already been or are in the process of being implemented. They include removal of gaming machine access registers, the extension of licensing approvals and allowing small clubs to pay their problem gambling assistance fund contributions on an annual basis in arrears.

This government is committed to the ongoing reduction of red tape and improvements in regulatory arrangements to ensure that businesses just get on with the job. The second tranche of legislation is expected to be introduced in the Assembly in May, in the next sitting, to realise the remainder of reforms that are contained in the package. That will include the introduction of a trading scheme and changes to taxation arrangements for revenue generated from gaming machines.

Whilst community clubs and gaming machines are covered by this, the presence of interactive gambling and online activities continues to grow. The community club sector, I believe, has already felt the impact of this. Further declines in club revenue are expected as people move away from the more traditional forms of gambling.

While I am concerned about the long-term future of our clubs, I am equally concerned about the harm that occurs from the use of these new technologies, particularly for younger people.

I have drafted a letter to go to my state and territory counterparts asking for their support for effective regulation of interactive gambling and for the enforcement of harm minimisation and consumer protection. The date for that ministers meeting has been changed. Once that has been confirmed, that letter will go out and I will be asking my counterparts to look at that online gambling space. I hope that will be supported when we meet.

With respect to my amendment, the government has a proven track record in working with the community clubs sector. As the minister responsible, my priority has always been to maintain the right balance between securing the industry's long-term viability so that it can continue to provide the full range of benefits to the Canberra community and ensuring that the impact of harm from problem gambling is minimised.

That is why, if you look at my amendment, Madam Deputy Speaker—and I hope it is supported by Mr Smyth—you will see that it takes out the element relating to gaming reform, because I do not want to have any hesitation or delay regarding the next tranche of gaming reforms which, as I said, will be introduced in this place in the May sittings. It captures the essence of what Mr Smyth was putting forward, in recognising that taxation, land development, problem gambling and diversification are all current matters of importance and interest to clubs, and they are matters that are being worked through with the task force. That is why I added, in paragraph (2) of the amendment, recognition of the work that is already being undertaken through the community clubs task force established in November.

The other change in the amendment is that it suggests that this be referred to the public accounts committee, to ensure crossbench participation in that committee. The amendment suggests that a member of the crossbench be appointed to PAC for the purpose of this investigation. We believe the committee could report to the Assembly in September this year. I will give a commitment to respond to that PAC report by the last sitting day in November this year.

Community clubs in the ACT are a unique model. The fact that electronic gaming machines are only in community clubs here means they are unique across the country. They form an important part of their revenues, but clubs, small and large alike, recognise and concede that a change in trends is occurring and that their revenue options need a new business model. Since I was appointed as the Minister for Racing and Gaming I have been working to support clubs to make sure that they remain a viable industry and business here.

I will watch with interest because this is, as Mr Smyth has indicated, an important piece of work. The government, through this amendment, shows its commitment to having a fair, reasonable and honest conversation about this. But I would be very disappointed—and there was a hint of this from Mr Smyth at the very end of his speech—if this was just an excuse for political bashing. It is well known that the Labor Club is owned by the Labor Party, but I have stood in this place, hand on heart,

with absolute honesty to say there is no conflict of interest for me. I can apply legislation and regulation for the benefit of all clubs. As Mr Smyth said, all of our community clubs bring value to this community. I hope that this inquiry does not set one club apart, because they all have an important role to play. Their membership is strong. The Labor Club is owned by its members, not by me. It has an independent board.

Again, I will watch with interest. This work is too important for it to be sidelined by that political agenda. I have faith in achieving a good result, after a fair and reasonable discussion not only with ClubsACT but also, I am sure, with the community sector. Relationships Australia and Care Financial have the contract to support harm minimisation; they should be brought in and asked to put forward their views as well. I commend my amendment to the Assembly.

MR RATTENBURY (Molonglo) (11.51): I think it is valuable that we look at the future of the clubs industry in the ACT. Mr Smyth certainly outlined his views on the value of clubs to the community. There is no doubt that clubs have historically played a very significant role in our community, whether it is some of the ethnic-based clubs—and Mr Smyth spoke of that—or clubs that have been established for a range of purposes but essentially through groups of people coming together in order to establish a place to perhaps share their passion for a particular culture or sport, and a place to provide resources on an ongoing basis for that interest.

There are real questions about what the clubs industry will look like in the future. It is well known in this place that the clubs have faced a range of challenges. Some of the clubs have closed; some of the clubs have gone from strength to strength and are now quite large operations. It is an interesting question: what is the ultimate purpose of clubs? How large should they aim to be? What is the right operating model there? Those are questions to which I do not profess to know the answer, but I think an Assembly inquiry looking at a range of those questions would be very valuable.

Of course, the primary focus on clubs has been on issues around poker machines and harm to problem gamblers. I certainly welcome that element of Mr Smyth's motion. I think it is valuable that we look much more broadly at the future of the clubs industry in the ACT and what that should look like. I think this would be a welcome discussion and I certainly welcome the opportunity to participate in this committee. Obviously I have an interest in a range of these issues and I have flagged that interest with my colleagues. I appreciate the opportunity to join the committee for the purposes of this inquiry.

With respect to the technical details of the committee, we could have had a select committee. There were some suggestions that it go to PAC. I do not have a particularly strong view. Minister Burch has suggested it should be referred to PAC. I think that is an agreeable approach. In that case, of course, Mr Smyth will chair the inquiry. Given his comments today, there is no doubt that Mr Smyth has a significant interest in the issue and I think he will be a suitable chair for that inquiry. I think that referral to the public accounts committee is a perfectly appropriate way to go forward. It is also appropriate given that these issues sit within PAC's stated remit.

There has been discussion with respect to the reporting dates. I think this set of dates allows sufficient time to get the job done, particularly with the winter recess occurring. While being mindful of the fact that the estimates committee will be working during that time and there is some crossover, this leaves a significant window after that. It is also a matter of getting on with it this year, so that we can get some answers to these questions in a timely manner. That is important as well.

Minister Burch has put forward an amendment. I am happy to support the amendment, in that she has sought to add some additional background information. But I am quite comfortable with the fact that Mr Smyth's original motion called for an examination of the future of clubs and listed a series of elements. Minister Burch's paragraph (1)(d) lists all of those elements, bar the ones she spoke to, and is framed in the context of the future of the clubs industry. There is plenty of scope for the committee to have a broad-ranging look at this and for submitters and witnesses to the committee to discuss the full remit of issues.

I believe we have a pathway forward here, and I look forward to this committee getting underway, and particularly to the opportunity for a range of community stakeholders to put their views on these matters.

MR SMYTH (Brindabella) (11.56): Speaking to the amendment and closing the debate, I thank members for their support for the intent to establish an inquiry into the future of the clubs sector in the ACT. It is a timely and very important inquiry.

In regard to some of the things that have been said, it is interesting that the government seek to delete subparagraph (1)(b)(i), relating to government gaming reforms. We have had a number of instances where, with respect to items referred to committees, the government have just gone ahead and done whatever they have wanted, anyway. So there is a real question about this government's respect for committees and the committee process.

Clearly, the governance of the territory must continue, but what is the point of having a select committee to look at something if the government already have an established position and are going to continue with their gaming reforms? How the committee will deal with that will be interesting, but I just make that point.

Paragraph (3)(b) of the amendment states that "a member of the crossbench be appointed to the committee for the purpose of this investigation". For clarity, I note that that is Mr Rattenbury, given that he is the only member of the crossbench. Perhaps it should have said, "Mr Rattenbury be appointed". Normally we seek nominations et cetera, but it is quite clear that Mr Rattenbury will have the pleasure of joining those of us on PAC for the next few months. I am sure we will enjoy the experience.

Mr Rattenbury raised the issue of timing. The shorter time frame is of some concern to me, simply because you, Madam Assistant Speaker Lawder, Ms Fitzharris and I, apart from being on PAC, are also on estimates, and we know that in June, July and August we tend to get knocked around a bit, not just from the public hearings but from the private hearings and deliberations. PAC, as always, will endeavour to meet the guidelines and the time frames set by this Assembly.

The other compounding factor which I am not sure members are aware of is that it is my understanding that the next prevalence study on problem gaming in the ACT is due some time in July, if not August. It would be strange if that were delayed for any reason or if the committee got it, for instance, in late August or early September. I am not saying it will happen, but I foreshadow that if you suddenly get a significant document that has additional information that may or may not impact on the outcome of the inquiry, committees have sometimes come back to the Assembly and sought an extension. Given the timing, nature and content of the next prevalence study, September may prove to be a very short time frame, particularly as, one would assume, we would get the commission and the authors to have a chat with the committee.

In that regard, again, as chair, not pre-empting any of the decisions that the augmented PAC might take, I note there is the provision that committees can always present interim reports, and that may be something that happens, depending on whatever is contained in the prevalence study or the need to get other decisions made and out into the community as quickly as we can.

With that, I thank members for their support. I am sure the Chief Minister, who has just joined us, will be pleased that somebody has been able to bring a bipartisan approach to this. I note Ms Burch still has not, and now will not need to, move her motion that sits on the notice paper, so it will eventually lapse. I look forward to the outcomes of this inquiry on what is a very valuable part of the ACT community in terms of both social and economic impact.

Amendment agreed to.

Motion, as amended, agreed to.

Education, Training and Youth Affairs—Standing Committee
Statement by chair

MS PORTER (Ginninderra): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Education, Training and Youth Affairs for the Eighth Assembly relating to statutory appointments in accordance with continuing resolution 5A.

Continuing resolution 5A was agreed to by the Legislative Assembly on 23 August 2012. The requirements of the resolution set out a transparency mechanism to promote accountability in the consideration of statutory appointments. The resolution requires relevant standing committees which consider statutory appointments to report on a six-monthly basis and present a schedule listing appointments considered during the applicable period.

The schedule is required to include the statutory appointments considered and, for each appointment, the date the request from the responsible minister for consultation was received and the date the committee's feedback was provided.

For the applicable reporting period—1 July 2014 to 31 December 2014—the committee considered a total of 14 proposed appointments to six bodies. In accordance with continuing resolution 5A, I present the following paper:

> Education, Training and Youth Affairs—Standing Committee—Schedule of Statutory Appointments—8th Assembly—Period 1 July to 31 December 2014.

The standing committee notes that, whilst it had no specific comment to make on any proposed appointments during this period, the committee makes the observation relating to the establishment and publication of a consolidated list of agencies and bodies to whom statutory appointments are made by the ACT government and which are referred to the Assembly committee pursuant to the Legislation Act.

The committee's understanding is that there is no centrally maintained list of bodies and that there is no centrally maintained list of appointees which would, for instance, show the number of bodies particular individuals may be appointed to and their terms of appointment.

The committee considers this information would assist committees, the public and good government generally. The committee thanks the ministers with which it deals on statutory appointments for their cooperation and assistance, and looks forward to reporting further under this order of the Assembly in the second part of the year.

Executive business—precedence

Ordered that executive business be called on.

Annual Reports (Government Agencies) Amendment Bill 2014

Debate resumed from 27 November 2014, on motion by **Ms Gallagher**:

> That this bill be agreed to in principle.

MR HANSON (Molonglo—Leader of the Opposition) (12.03): I can indicate that the opposition will be supporting the bill in principle, but we do have concerns with an aspect of this legislation, that being the delay in annual reporting from three to four months that is an aspect of this legislation. We will be opposing those clauses in the detail stage.

Annual reports are an important aspect of government scrutiny and accountability. But, as is noted in the explanatory documents provided with the bill, there is no doubt that information reporting requirements are evolving and changing over time. What we have seen is that some of the information that is provided in the annual reports is duplicated across the range of reports provided by various agencies and is now available in other forums and in other places—online or in other agency reports.

We now live in an environment where a lot of information is provided to us. It is important that it be timely. On occasion, waiting for an annual report simply to provide duplicated information is of little use other than creating a bunch of administrative work that may be unnecessary.

Certainly in a number of portfolios that I deal with—for example, in the Health portfolio area—a lot of information is reported in a range of different forums not just by the ACT government. Now that we have the Independent Hospital Pricing Authority we see a lot of information available in their documents, in the AMA public hospital report card, in information provided by the Australian Institute of Health and Welfare and also on the MyHospitals website.

The bill addresses a range of information in a range of annual reports that would essentially reduce the amount of information that is being provided in those reports. There is a significant list. They are available in the document. I will not read them all now. There are a couple of dozen of them. We have been through them and had a look at the information. Certainly on the surface it would appear that that information would be available in other forums.

But what I would say is that we would expect that the information no longer provided in annual reports, if it were not available in other sources, should be made available from the government by request—be it by written correspondence, be it by freedom of information or be it by question on notice or question without notice. We would expect that to be the case. Certainly we would monitor the information that would no longer be provided. If it is the view that there are aspects that we feel had been removed and perhaps should not have been, we would certainly seek the right to come back to this place to make that amendment.

So the principal concern that we have is the aspect of this bill that means that annual reports will no longer be provided at the three-month mark. It is now a four-month mark. There are a couple of aspects to this that are of concern. One of them is that in an election year we will not get that information until after the election. I do not know whether that was the deliberate intent of the government, but that would certainly be the consequence.

We do not want to have a situation where important annual information provided by agencies is only coming after an election. We want to see it prior. The three-month mark does that and I think that is a necessary and important aspect of scrutiny of government and accountability of government.

The other point I would make is that on the one hand the government are saying, "We want to reduce the amount of information that is reported. We want less duplication. We do not want to have unnecessary, onerous requirements on directorates." We support that. As a general principle, as Liberals we support that. But then the government are saying to us, "But we need more time." You cannot really successfully run those two arguments in parallel. If the government say to us that they want less to report on, I would have thought that they would say, "We will get it to you quicker. There is less to report on. We are going to remove a whole bunch of reporting requirements so we will be able to get these reports to you in a more timely fashion."

But no; this is the ACT Labor government and they are special. They are pretty special. What they are saying is, "No, what we want to do is cut out a whole bunch of

information and then with less to do we want to have longer to do it." I think that only ACT Labor could actually come up with such a convoluted nonsense argument—on the one hand, to remove aspects of accountability, to remove work for the agencies to do, to provide less information and then to say that they need more time to do that.

I understand that this has caused a bit of a kerfuffle. I think that the government and the Greens have latched on to this. They have realised that this is a bit of an odd argument that has been mounted by the government. My understanding is that this debate will be adjourned by Mr Rattenbury and that it will be referred to PAC to look at. We would support that.

We have a clear position on this bill but certainly we are happy for an extra look at this. We are happy to allow the Greens, who seem to be coming late to this party, to have a look at the detail of what is going to be removed from annual reports. Perhaps the Greens can try and digest why it is that Labor wants to remove a whole bunch of information, remove a whole bunch of work, but wants longer to do it. I am happy for that to occur.

I can outline that we will be supporting this legislation in principle. We will be opposing those sections which relate to the extension of reporting time from three months to four months. But we are quite happy if there is going to be a closer look at those aspects being removed to make sure that we are all comfortable that what is being removed will not impinge on important accountability measures which we should have access to.

Regardless of that, I still make the point that this government should remain open to the fact that when the opposition or anyone else say that they want to know what this information is that is currently in the annual reports but that is going to be removed—be it through FOI, be it through questions on notice, questions without notice or simply by writing to the minister—that information should be made available.

My understanding now is that this will be adjourned. As I said, we will support that. I look forward to engaging in this debate once this bill is brought back before the Assembly at a future date.

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

Public Accounts—Standing Committee
Reference

MR RATTENBURY (Molonglo) (12.12), by leave: I move:

That:

(1) the Annual Reports (Government Agencies) Amendment Bill 2014 be referred to the Standing Committee on Public Accounts for inquiry and report;

(2) the Committee is to consider the bill in conjunction with online reporting requirements; and

> (3) the Standing Committee on Public Accounts is to report to the Assembly by 1 May 2015. If the Assembly is not sitting when the Committee has completed its report the Speaker, or in the absence of the Speaker, the Deputy Speaker is authorised to make directions for its printing, publication and distribution.

Obviously annual reports are an important part of government accountability. The bill that has been before us today seeks to attempt to streamline the requirements that are contained in the preparation of annual reports so that government staff do not need to replicate their reporting work by meeting reporting requirements in two places and also sometimes report information in further places. This is an attempt to make the process simpler.

That said, it is a complex bill. I think it is valuable. I know that there has been some discussion with the public accounts committee. But in work that has gone on in recent times it has become clear there are still discussions about some of the important details. I think there is a commitment across the chamber to actually make sure that we get this right. Again, I think there is an acknowledgement across the chamber that there is room to improve the efficiency of these things whilst at the same time make sure that the information is made available.

My motion simply proposes to refer the bill to the public accounts committee for inquiry and report. It proposes that the committee consider the bill in conjunction with online reporting requirements. I think this is an important consideration because with an increasing amount of government information being put online, this again raises questions about whether it should go in the annual report or, in fact, whether it can be done in a more timely manner so that one does not have to wait until the end of year online. Those are the sorts of questions that I think are coming before us as well.

Finally, the committee is asked to report to the Assembly by 1 May and, if the Assembly is not sitting, to report through the Speaker. This is to enable the work to be done in a timely manner, for members to receive the report, and then if amendments are warranted, for those to be done in time for the next sitting period.

That is the purpose of the motion. I note that Mr Hanson just could not help himself today. Everything you need to know about Mr Hanson's character was laid bare in the Assembly today in those remarks that he made about the decision to refer this to the committee. I commend my motion to the Assembly. I look forward to the work of the public accounts committee on this bill.

MR HANSON (Molonglo—Leader of the Opposition) (12.15): We will support the motion. I think the problem that Mr Rattenbury faces is that he must have been asleep in cabinet when this went through. Now this is lumped on his desk today and everyone is flurrying around in the Greens trying to work out what is going on.

If he wants to have a crack at me to cover up his own embarrassment, that is fine. But I do not know how this is some slight on my character or anything like that. This is a government bill. Mr Rattenbury is a member of the government. It has then come before this chamber. The opposition is ready to go. The Labor Party is ready to go, as I understood it. Mr Rattenbury is all in a tizzy, and that is somehow my fault.

What I would suggest to Mr Rattenbury is that if he does not like things that are coming through cabinet or if he is not across them, pay attention. Certainly we are ready to go. I am assuming that the Labor Party are ready to go, given that it is their bill. Maybe they did not know what was going on, either. Anyway, I can assure the Assembly that we were ready to address this bill and have done the necessary work. I am just a little bamboozled by Mr Rattenbury, who seems to seek to blame others for his own gaps in performance.

MADAM SPEAKER: I present members with a procedural problem that I foresee with this, which is not to cast any aspersions on the motion. I know that I will be absent from the Assembly on 1 May. I have a sneaking suspicion that Ms Porter, the Deputy Speaker, will also be absent. I am going to a CPA executive committee meeting, and she is going to a CWP event. I think we are absent at the same time.

Mr Rattenbury: That is most unusual.

MADAM SPEAKER: It is pretty unusual and I am sorry for the slightly unusual intervention. But I just read the motion and saw that we might be making ourselves a problem. Can I put that out there? Somebody might like to deal with it.

Mr Barr: Would 2 May address the issue?

MADAM SPEAKER: 2 May is a Saturday. I will not be back until 4 May and I think Ms Porter is not back until the same day.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (12.17): Madam Speaker, can I assist by foreshadowing an amendment to Minister Rattenbury's motion to make that 4 May?

MADAM SPEAKER: If you did it on 5 May, you would not have to worry about the—

MR BARR: Okay.

MADAM SPEAKER: Because the 5th is a sitting day.

MR BARR: Okay. We will make it the 5th. I move an amendment to Mr Rattenbury's amendment:

> Omit "1 May 2015", substitute "5 May 2015".

Amendment agreed to.

MADAM SPEAKER: I am sorry about that. Mr Barr.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (12.19): No, that is all right. I am pleased to have been able to assist. On the

substantive issue, the government will support the motion. I do not think I will offer any commentary on the personalities of either of the previous contributors. I will just leave it be.

Motion, as amended, agreed to.

Sitting suspended from 12.19 to 2.30 pm.

Questions without notice

ACT Health—performance

MR HANSON: My question is to the Minister for Health. Minister, staff doctors at Canberra Hospital are threatening industrial action and they have warned that experienced doctors could leave the ACT. Minister, with the worst emergency department waiting times in the country, data being investigated and doctors threatening to strike or take industrial action, with bed occupancy levels at dangerous rates, according to the AMA and the director of the emergency department, with unacceptably long waiting times for elective surgery, with the maternity unit at risk of losing accreditation, with the lowest levels of patient satisfaction in Australia and the lowest bulk-billing rates in the country, with the lowest number of GPs per capita in Australia, and on and on, will you now admit that there is a serious problem with the management of our health system?

MR CORBELL: I thank Mr Hanson for his question, but I do not agree with his characterisation. The reason for that is that of course he cites those issues that he asserts are of concern, and some of them are. Others are exaggerated. Of course he fails to acknowledge the enormously good work and positive outcomes that are being achieved across our health system.

He fails to acknowledge the over $800 million investment by the government in health infrastructure upgrades. He fails to acknowledge that we have, for example, great performance in areas like the lowest levels in the country of unplanned readmission following treatment. He fails to acknowledge the very significant and very positive response by the Canberra community to new services like our walk-in centres across the community. So he fails to acknowledge those things.

In relation to the matters reported in the media today to which Mr Hanson refers in part of his question, which relate to the proposal by some senior medical officers to undertake some protected action in the coming week, I deeply regret that those doctors feel they need to indicate their intention to do that. I restate my commitment and the commitment of my directorate to work with them to resolve outstanding concerns. I note that a number of the matters of concern are listed for a hearing in the Fair Work Commission on Monday. I look forward to the outcome of that, and I trust that, following the hearing in the Fair Work Commission, we will have a clear pathway forward to resolve these outstanding issues.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Minister, what are you doing, as the most senior person in our health system, to address these doctors' concerns and fix this impasse?

MR CORBELL: These are matters that are appropriately dealt with through the industrial relations arrangements between my directorate and the staff involved, but I have, of course, ensured that I am appropriately advised and aware of all developments in relation to this matter.

What this matter relates to is a disagreement about one clause that deals with special employment arrangements. Special employment arrangements are put in place when the rates of pay available in an enterprise agreement do not match the market rate for recruiting and retaining certain specialised staff. The doctors who have indicated that they feel the need to take this action are concerned about what that clause may mean for them in terms of review of those special employment arrangements, in particular the concern that it may see them lose those payments under special enterprise arrangements without any review.

I can state very clearly that that is not the case, and it has been made clear by our negotiating team that it is not the case. We have made clear that, as is the case across the ACT government, special employment arrangements are subject to review based on market pressures. If it is the case that those market pressures no longer exist and rates of pay are in line with enterprise bargaining arrangements, special employment arrangements are reviewed, but they are done in negotiation and consultation with the relevant staff involved. That remains our commitment, and I trust that we will be able to work through these concerns, restating those commitments to our valued senior medical officers as we move forward in the next couple of days.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, what are you, as the most senior person in our health system, doing to ensure that we do not have an exodus of the most experienced doctors from Canberra's largest hospital?

MR CORBELL: There is nothing before me that would suggest that we will. Special employment arrangements will remain in place and they will continue to be paid where it is deemed necessary to retain the specialised personnel involved. That is why they are there.

The government is not going to remove special employment arrangements if it means we lose the specialised staff that we need. That is why they exist and that is why the government is adopting the sensible approach that it is in relation to this matter.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, what are you doing to ensure that the doctors' threatened strike action does not affect Canberra Hospital's accreditation?

MR CORBELL: There is no suggestion that it will affect the Canberra Hospital's accreditation. The bans that the doctors have indicated they may implement on Monday are bans in relation to administrative tasks that they have. In no way is patient care compromised. There is no change to their duties and their responsibilities

in the tasks I know they take very seriously to ensure patient care. I can certainly reassure the Assembly and members of the community that there is no suggestion that patient care in any way will be comprised. The doctors have given ACT Health that assurance.

ACT Health—performance

MR SMYTH: My question is to the Minister for Health. Canberra Hospital staff doctors are threatening industrial action from Monday, 30 March. Minister since 11 March 2015, when the Fair Work Commission approved protected industrial action by doctors, what directions have you given to ACT Health concerning this matter?

MR CORBELL: I have indicated to my officials they should continue to engage in good faith negotiations with this small but important number of senior medical officers to seek to resolve their concerns. Our negotiating approach remains open, engaged, trying to talk through the issues and trying to reach satisfactory resolution of these outstanding matters. That will continue to be the approach I adopt.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, since ACT Health advised you this week that industrial action by the doctors was proposed from Monday, what new or additional directions have you given to ACT Health?

MR CORBELL: My approach has been consistent throughout, and that is to stay engaged and informed, and to ensure that our negotiating team continue to adopt a proactive, collaborative and good faith approach. That has been exactly what we have been doing.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Minister, are you negotiating with staff doctors to prevent the proposed industrial action?

MR CORBELL: Of course we continue to negotiate with the staff and their representatives, as we should, and we remain committed to negotiating to reach a satisfactory conclusion of these small number of outstanding matters.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Minister, do you have confidence in the ability of ACT Health to find a solution to the current dispute and stop industrial action from occurring on Monday?

MR CORBELL: I have confidence that both sides will be able to reach a satisfactory conclusion. I trust that that is able to be achieved quite promptly. Whether or not that is the case we will have to see, but I am confident that both sides wish to see this matter resolved. It is with that good faith that ACT Health and the government will approach these discussions.

Tourism—events

MS FITZHARRIS: My question is to the Chief Minister. Chief Minister, how is Access Canberra supporting organisers with planning and approvals for events?

MR BARR: I thank Ms Fitzharris for the question. The government certainly recognises that public events make a substantial contribution to our economy and to the lives of our community. So I am very pleased that the changes the ACT government has implemented in relation to Access Canberra have delivered significant benefits already and will continue to do so in the future.

The summer of major events we have just experienced gives us an opportunity to create a series of lasting legacies for our city: an improved public image, enhanced reputation in the marketplace, community pride, and of course long-term economic development. Our events strategy is working. It is guiding investment into event infrastructure and investment in supporting, hosting and delivering major events for the city. Major events are not just a priority within the Tourism and Events portfolio; they are a priority for the government as a whole.

One of the reasons I created Access Canberra was to make it easier to hold events of all levels and scale across the city. Access Canberra takes the lead to make it easier for event organisers to organise their events and present a seamless experience when working with the territory government. Event organisers have a single point of contact with government, coordinated approvals and simplified application processes.

Regulations are important things. This place often calls—in fact, regularly calls—for more regulation. Regulation is important because it keeps us safe in our homes, in our workplaces, on the roads and in our public spaces. But that does not mean that we should require people who want to do something positive for the city to run all across town, seeking approval from multiple regulators. It does not mean we should force businesses to balance worthy but at times disconnected and sometimes contradictory rules that get in the way of getting events off the ground.

Access Canberra is a solution to these problems. It brings all of the regulatory functions together in the same place. It makes sure that our regulators are working together with business to get the best outcome for the community. It gives our regulatory agencies the opportunity to work together, to think through the various issues and challenges that are presented to them and to come up with workable solutions that can make events in our city a great success. Event organisers and businesses in the city can now spend much more time doing what they do best, which is showcasing their events and making our city a more vibrant and exciting place.

MADAM SPEAKER: A supplementary question, Ms Fitzharris.

MS FITZHARRIS: Chief Minister, are there examples of events Access Canberra has helped Canberra's business and community sector to organise?

MR BARR: Having all of the regulatory approval processes in one place gives the government a clear picture of exactly what regulations apply to particular events and sectors and helps us to quickly identify and change inefficient regulations. Over the coming months, learning from the experiences that Access Canberra has had already, we will see joined-up government services and application processes, removing multiple application forms and bringing all the information about event management into one place. This will offer a coordinated and integrated regulator that serves the city well.

Examples of this in recent times include, just a couple of weekends ago, the Art, Not Apart festival, where Access Canberra worked hand in hand with the organisers to help them grow what has been a small arts and cultural festival into a significant event enjoyed by more than 18,000 Canberrans. We have supported community events such as the fundraising walk for Tara Costigan last weekend. And there have been a number of high profile examples of businesses in Braddon, for example, who have been supported by Access Canberra to achieve a variety of outcomes, including getting better food safety and gaming regulation outcomes that allow innovation to occur in Braddon.

Access Canberra has already seen an increase in the number of requests for assistance by event organisers and will continue to improve its services to ensure that those who want to put on great events in our city are supported to do so.

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Chief Minister, why is it important for government to support events and event organisers?

MR BARR: This industry—tourism and events and hospitality—is worth $1.8 billion to the territory economy currently and is one of our largest private sector employers. Seventeen thousand of the 215,000-odd jobs in our economy are in this sector. So it is an important one for the city. It is certainly one of the pillars of economic growth for Canberra in the future. The government wishes to work effectively with local businesses and the community sector to support and promote the wide range of events our city is able to host.

In the debate yesterday we had the opportunity to outline alternative visions for the events sector in this city. We recognise the importance of improving the regulatory environment and ensuring that there is appropriate funding and support for new events, for ongoing events and also to attract new blockbuster events to the city.

The return on investment from our events fund has been significant. Not only has it been important to deliver on a range of social and cultural outcomes for Canberrans and for our city but it has contributed significantly to growing our economy at a time when we face significant challenges from the federal Liberal government.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Chief Minister, how will Access Canberra's approach to regulation encourage business and community groups to organise new events?

MR BARR: As a single point of contact for entrepreneurs and promoters, Access Canberra provides an ideal place to bring ideas for events to government. No longer will people who wish to contribute to the economy and enhance the vibrancy and culture of our city need to run around to meet the needs of the bureaucracy. It works the other way now. Access Canberra is a single point of contact so that everyone in our community can spend less time negotiating with different arms of government and spend more time bringing their ideas to life in this city.

With the regulators all being located together now, event organisers can be reassured they will not be sent to every corner of ACT government in order to get approvals. Regulators are working together to achieve positive outcomes for event organisers, for community groups and for businesses. This change in culture is significant and one that my government is very pleased to deliver.

ACT Health—performance

MR WALL: My question is to the Minister for Health. Minister, today the *Canberra Times* reported that staff doctors at the Canberra Hospital are threatening industrial action, starting on Monday, 30 March. Minister, when did you become aware that the Canberra Hospital staff doctors were threatening industrial action?

MR CORBELL: I thank Mr Wall for the question. I do not have a precise date. I would have to take that on notice, but certainly it was only in the last couple of days.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Minister, have Canberra Hospital staff doctors requested to meet with you to discuss their concerns? If so, when will you be meeting with them?

MR CORBELL: Yes, this group of doctors has requested to meet with me through their bargaining agent. I have indicated to their bargaining agent that at this point in time, whilst I leave open the prospect of meeting, it is not appropriate for me to meet them and that discussions should continue through the enterprise bargaining team that the government has empowered to deal with negotiations in relation to the agreement.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Minister, how many salaried doctors are there involved in this, and how many salaried doctors do we have?

MR CORBELL: I thank Ms Porter for her supplementary. There are about 30 senior medical officers involved in this group who are seeking to take protected action, and we have, overall, over 700 salaried staff under the medical officer agreement. So it is a relatively small number, but it is, obviously, a group of more senior doctors. The government treats that matter very seriously; I treat that matter very seriously. As I said previously, I remain committed to trying to resolve these outstanding issues, this small number of outstanding issues, as quickly as we possibly can.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Minister, will you take responsibility if industrial action occurs or will you be blaming the directorate or perhaps the doctors themselves?

MR CORBELL: It is the right of staff to take protected action, but it is not my decision to take protected action. The position that the government has adopted in the negotiations I think is a reasonable one. We will continue to engage constructively to try and solve these outstanding issues between the government and the small number of senior and important staff who have indicated their concerns.

Housing—public

MR DOSZPOT: My question is to the Minister for Housing. Minister, does the role of Spotless include being a superintendent for contractors or subcontractors for Housing properties? Further to this, what are the benefits of having a total facilities management contract for the delivery of maintenance of Housing ACT properties?

MS BERRY: Madam Speaker, could I ask the member to repeat the question?

MADAM SPEAKER: Mr Doszpot, would you like to repeat the question?

MR DOSZPOT: I stood up to do so.

MADAM SPEAKER: Yes, I am giving you the call, Mr Doszpot.

MR DOSZPOT: Does the role of Spotless include being a superintendent for contractors or subcontractors for Housing properties? Further to this, what are the benefits of having a total facilities management contract for the delivery of maintenance of Housing ACT properties?

MS BERRY: I am still not clear on that. I think there was more than one question. Sorry, Madam Speaker.

MADAM SPEAKER: Yes, the question was something about Spotless being a superintendent to contractors.

Mr Doszpot: Yes.

MADAM SPEAKER: And what is the purpose of a total facilities management contract? Would you like to clarify for Ms Berry again?

MR DOSZPOT: Thank you. Does the role of Spotless include being a superintendent for contractors or subcontractors for Housing properties? Further to this, what are the benefits of having a total facilities management contract for the delivery of maintenance of Housing ACT properties?

MS BERRY: I might have to come back with a bit more information for Mr Doszpot on that question. But I can say that the Spotless contract with Housing is initially for a five-year term. It does have a possible performance extension for a further five years. It comes under the public housing maintenance budget, which is $41.25 million. In addition, the expected Spotless management fee is $6.92 million for 2014-15—

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

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

Mr Hanson: Clearly, that is not the substance of the question that Mr Doszpot asked. If the minister cannot answer it, perhaps she should take it on notice or be directly relevant to the question that Mr Doszpot asked three times.

MADAM SPEAKER: We do note that standing order 118(a) asks members to be concise and directly relevant. But the minister was talking about Spotless's contract in general terms and I presume she will be getting to the point of Mr Doszpot's question.

MS BERRY: The contract allows for Spotless to undertake work to a maximum value of $4 million in the first year of the contract and to increase the value of direct delivery works in subsequent years. The self-delivery program is approved in advance by Housing and Community Services. I might have to come back with some more detail to Mr Doszpot on his question about whether or not they are a superintendent for subcontracting, and I will do that as soon as I can.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, how do Spotless allocate work to subcontractors as part of their $242 million total facilities management service contract?

MS BERRY: The bulk of works is allocated to Asset Services, and it is currently being undertaken at older people's accommodation units, under the older people's safety and security program. This includes the installation of screen doors, peep holes, night latches, patio bolts and window locks. It is a self-delivery program, and that commenced in July 2014. Asset Services, which is a subsidiary of Spotless, has been allocated a total of approximately $313,000 in carpentry and electric—

Mr Coe: Point of order, Madam Speaker, Ms Berry might be reading from the wrong dot points. The question was about how Spotless allocates work to subcontractors as part of the total facilities management contract.

Mr Corbell: On the point of order, the minister was clearly outlining that it was allocated to a subsidiary of Spotless, and she was outlining what the subsidiary of Spotless was doing with that allocation. I think she is entirely specific to the question asked.

MADAM SPEAKER: I heard Ms Berry referring to a subsidiary. She also referred to aged persons accommodation, which I presume is where most of the work is being

done. She clearly referred to a subsidiary. I ask Ms Berry, in her time remaining, to come to the point of the question, which was about how Spotless allocates to subcontractors.

MS BERRY: The asset service team which is engaged to employ the subcontractor uses the same induction criteria as the other 83 subcontracting firms currently servicing the Spotless contract. It is subject to all the same policies and schedules of rates pricing.

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Minister, why are these maintenance programs so important for our public housing stock?

MS BERRY: I thank Dr Bourke for his question. Maintenance of ACT public housing stock is very important for the ACT government. The ACT has the highest amount of ageing stock. That is why the ACT government is going through a significant renewal program which will replace over 1,200 Housing ACT dwellings. The government's priority is to ensure that people in need of housing in the ACT receive the best quality housing that specifically meets their needs. So whilst maintenance of our existing properties is a high priority for the ACT government, so is the renewal of our ageing housing stock, to make sure that those most in need in our community get the best housing that meets their needs.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, why did Spotless not perform any work at individual public housing properties from 2009 to 2013?

MS BERRY: I will take that question on notice.

Seniors—employment

MS PORTER: Madam Speaker, my question is to the Minister for Ageing. Minister, could you please inform the Assembly about the topics discussed and the stakeholders involved in the recent ministerial roundtable on mature age workers?

MR GENTLEMAN: I thank Ms Porter for her question. It is quite important for members to understand the work that has been done at the roundtable. We are working towards identifying some innovative solutions and programs to address the issues of employment for older Canberrans.

It was timely that the ACT ministerial mature age workers roundtable was held on Friday, 20 March, amidst ACT Seniors Week, a time when we recognise seniors for their important contribution to the continuing social and economic prosperity of our city. The primary focus of the roundtable was the emerging issue of mature age employment, an issue which will increasingly affect many older Australians. Our intent was to collectively focus upon the barriers that affect and impact upon mature age employment opportunities in the ACT and region. Key players from the ACT

business, government and community sectors ensured a constructive environment that allowed each participant to contribute their knowledge, experience and ideas under one roof. I do acknowledge Mr Doszpot's attendance at the roundtable.

Representation at the roundtable included the Council on the Ageing ACT, the ACT Ministerial Advisory Council on Ageing, the ACT Ministerial Advisory Council on Women, the ACT Lesbian, Gay, Bisexual, Transgender, Intersex and Queer Ministerial Advisory Council, the ACT Human Rights Commission, ACT government directorates, the National Council on Women, the Canberra Business Chamber, National Seniors, Canberra Age-friendly City Network, Rotary ACT, ACT seniors clubs, ACT aged-care facilities, the local Aboriginal community, local recruitment agencies and representatives from the ACT business fraternity, including the Hellenic Club of Canberra and IGA supermarkets.

This government is committed to ensuring that all older Canberrans have the opportunity to participate fully in the social and economic life of this city. This includes achieving employment aspirations regardless of age. Importantly, and in the context of discussions, the ACT government business and community sectors must prepare now and into the immediate future for a significant increase in the number of older Canberrans who strive to remain in the workforce after they attain the current traditional retirement age.

The first segment of the roundtable provided an opportunity to listen to the wisdom of two well-qualified people. Ms Chris Faulks, chief executive officer of the Canberra Business Chamber, provided an overview of the current workforce climate in the ACT, along with details of the Australian Chamber of Commerce and Industry's *Employ Outside the Box* mature age workers guide. Mr Ewan Brown, acting executive officer of the Council on the Ageing ACT, provided roundtable participants with a broad spectrum of information in relation to current programs and services available for mature age workers.

In the second segment the facilitators explored three selected topics which included: what are the barriers for mature age workers with minimal or specialised skills participating in the workforce and other productive work such as volunteering in Canberra? What are the barriers for mature age workers across the equity areas, including but not limited to those with a disability, Aboriginal and Torres Strait Islanders, refugee and migrant workers? And what are the essential skills to ensure the continued supply of skilled employees in the ACT?

The key themes across discussions included the need for support for more mature age workers transitioning from full to part-time work or retirement, the importance of dispelling stereotypes about mature age workers held by employers, the necessity for mature age workers to embrace training and re-skilling and, of course, the importance of adapting to a changing workforce with a positive attitude.

While Canberra is a welcoming and diverse city— *(Time expired.)*

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Minister, what feedback can you give the Assembly regarding some of the outcomes from the roundtable?

MR GENTLEMAN: I can advise members that, through the course of deliberations at the roundtable, discussions focused on how we can collectively harness our knowledge, expertise, ideas and concepts towards the development of policies, programs and new services that will address current barriers to effective mature age employment in the ACT.

We know that the whole process of recruitment has changed dramatically in recent years. Gone is the dominance of recruitment pages in the newspaper; in its place is an environment laden with job websites and social media. Getting used to this way of recruiting and locating jobs is clearly an issue.

Other recurring themes related to the myths and preconceptions about mature age workers held by some employers. This includes potential employers thinking that seniors lack contemporary knowledge, abilities with social media, commitment to a job or the ability to change. What is evident is a feeling among mature age workers that doors are being closed on them on the basis of ill-founded beliefs.

Other key discussions were the need to challenge our mature age workers to also change and adapt. Mature age workers are going to need to show courage and be prepared, on some occasions, to reinvent themselves.

One very clear message from the roundtable was that we need to continue to address the barriers for our mature age workforce and uncover what our next steps should be collaboratively—as an individual employee, as a business owner or for government and for the community and support services. We need to acknowledge best practice programs, new thinking and new approaches, and to develop a better understanding of career and training development opportunities for both business and mature age workers.

I look forward to providing my ministerial colleagues with further updates on the progress of outcomes from the roundtable.

MADAM SPEAKER: A supplementary question, Ms Fitzharris.

MS FITZHARRIS: Minister, why is it important that mature age workers have an opportunity to participate in employment opportunities?

MR GENTLEMAN: As Minister for Ageing, I am focused on providing seniors with avenues to remain in the workforce. In Australia our ageing population will mean that in the future there will be fewer workers to support retirees. At the same time the ageing population will also result in fiscal pressures arising from increased demands for government services and rising health costs.

As recently highlighted in the commonwealth *2015 Intergenerational Report*, in 40 years from now the aged workforce participation—those 65-plus—will rise to 17.3

per cent from 12.9 per cent today. These statistics are a clear reminder that government must proactively develop age-friendly solutions for our community's mature age workers.

The government recognises the importance of engaging and retaining mature age workers in the workforce and that this represents a partial solution to labour and skill shortages. We need to embrace and nurture our mature age workers and provide them with more opportunities and access to retrain, reskill or even, as I said, reinvent their skills set.

At the roundtable I was particularly interested in the presentation by Ms Chris Faulks on the Australian Chamber of Commerce and Industry's *Employ Outside the Box* and its relevance for the ACT government and for employers across the territory. The practical guide details the rewards of a diverse workforce and what that can bring and is helpful in examining the potential of the Australian mature age working population to better meet the skills and labour needs of business. Ms Faulks also gave some very interesting anecdotes of the advantages of employing mature age people over younger people.

Increasing the participation of mature age workers in our city's workforce can provide tremendous benefits and also solutions to address some of the economic impacts of an ageing population.

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Minister, what examples of best practice currently exist regarding mature age workers programs?

MR GENTLEMAN: I thank Dr Bourke for his supplementary. The ACT government recognises that best practice programs must include appropriate retention and recruitment strategies for mature age workers. The mature age workforce is diverse, and strategies must include individuals who may have previously left the workforce and offer flexible workplace conditions for those mature aged workers who may otherwise consider retirement.

As discussed extensively at the roundtable, flexibility of workplace conditions and providing opportunities for reskilling, retraining or for mature age workers to reinvent themselves is essential. One such practical example for reskilling services available to mature age workers was that outlined at the roundtable by Mr Ewan Brown. Mr Brown's presentation included an update on his peer support program in partnership with the Nexus Human Services group. This mentoring program provides practical mentoring to mature age workers in order to assist them get back into the workforce. The program provides training and advice on how to write a CV and formal applications.

Currently there are several programs that exist at the national level regarding mature age workers. The corporate champions program supports large employers who commit to moving towards best practice in the recruitment and retention of mature age staff—those over 45 years and over. Eligible employers receive tailored support

and assistance valued at up to $20,000, provided by an industry expert. Through the restart program eligible employers can receive up to $10,000 if they hire an eligible job seeker aged 50 or older.

There was quite a bit of conversation about whether you are a mature age worker at 50 or older or 60 or older or beyond, but I look forward to providing the Assembly with more detailed information on the outcomes of the roundtable.

Housing—public

MS LAWDER: My question is to the Minister for Housing. Minister, in your *Canberra Times* opinion piece of 23 March, you wrote:

> I have been along to barbecues where residents of Bega Court, Allawah Court and Owen Flats get together with Northside Community Services to share their thoughts and keep up-to-date on developments.

In contrast, residents of Owen flats have advised us that they have not seen you at one of their community barbecues. Minister, when did you go to a barbecue hosted by Northside Community Services at Owen flats?

MS BERRY: I can get back to Ms Lawder with the exact date, but I think it was in the second or third week that I was appointed Minister for Housing. When I was first appointed as Minister for Housing I expressed my concern that people were continuing to talk about tenants along Northbourne Avenue rather than talking to them. So I made that commitment that I would personally go and talk to them, and I did.

I have also had a phone call from at least one tenant who I have spoken to in person and I will continue to go and speak to tenants along Northbourne—at Bega and any other housing estates—where the LINCT group has been set up to support those tenants through this renewal process.

I happy to have had it reported to me that Ms Lawder has also attended a barbecue at Bega flats, I think. I welcome members of the opposition's support for tenants in these flats. We will ensure that they get as much support as they can through what will probably be, for some of these people, quite a difficult time.

I am determined, as Minister for Housing, to ensure that they get all the support that they need through this process. I encourage members of the opposition to go along and meet with these people as well.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, what have residents of Owen flats told you are their key concerns at the moment?

MS BERRY: The key concern for people who are living on Northbourne Avenue at the moment that I have had reported back to me is that they are receiving information

through the *Canberra Times*. That information is frightening them, I think—telling them information that simply is not true. They have also received information from other groups outside of the government or outside of this Assembly that has also led to some concerns—information that they are receiving from third parties about their homes on Northbourne Avenue.

That is something that I have spoken about with Northside Community Services and Housing ACT, to ensure that information that is provided to people who live in these homes is provided in a way that is not bureaucratic and is consistent with the work that the ACT government is doing to provide better homes for people who live on Northbourne Avenue and all of the public housing properties that are up for renewal.

It is important that people get the opportunity to talk about their concerns and also get a chance to talk about the sort of housing that best suits their needs. As housing minister, I am determined to ensure that those conversations will occur and will continue to occur.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, what have you told the residents of Owen flats will be their relocation date into other Housing ACT dwellings?

MS BERRY: There have been no dates because there are some issues with heritage along the Northbourne Avenue corridor. So there are some complications around the renewal of public housing and when the demolition of those homes on Northbourne Avenue will occur. In the meantime we will be talking to residents who live along the Northbourne Avenue corridor about their housing needs. It is about making sure that when opportunities for new homes become available for those people who live along Northbourne Avenue, they will have an opportunity to talk to Housing ACT, through Northside Community Services if that is appropriate, about what their needs are and how the ACT government can best meet their needs. In previous—

Mr Coe: They could move out before demolition, preferably.

MS BERRY: They will not be evicted from the site.

Dr Bourke: A point of order.

MADAM SPEAKER: A point of order. Stop the clock.

Dr Bourke: Mr Coe has been interrupting the speaker while she has been giving her answer, which is disorderly.

MADAM SPEAKER: The level of interjection has been almost non-existent during this question time. When there has been some, I have called Mr Hanson to order.

MS BERRY: I want to make it clear that it is very unhelpful to have members of the opposition make assertions that people's homes will be demolished before they are put into new homes. It is an outrageous thing to say, and it outrageously and

needlessly frightens people who are living along Northbourne Avenue or in any of the homes where new homes are being made for these people. The new homes will be homes that best meet people's needs.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, what is the ACT government doing to ensure that the residents of Owen flats will be relocated to Housing ACT dwellings that will meet their individual needs—for example, those elderly residents who cannot climb stairs?

MS BERRY: We will ask them.

ACTION bus service—performance

MR COE: My question is to the Minister for Territory and Municipal Services. I refer to comments made on 25 March by the Chief Minister, when he said:

> We cannot guarantee a workforce on weekends, public holidays and indeed service holidays … It makes it very difficult to improve public transport in the city given those constraints.

Will these constraints be considered as part of the next enterprise bargaining round for ACTION buses?

MR RATTENBURY: Yes, those are issues the government is concerned about. The example of the Anzac Day substitute holiday on 27 April—which is what elicited those comments—highlights the fact that ACTION does not have a seven-day roster where it can require drivers to drive on those days. That has produced the situation we have on 27 April.

The government is looking to work with the staff of ACTION in order to get improved efficiencies and improved flexibility when it comes to work practices on some of these matters so that we can improve the performance of ACTION for the benefit of the community.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, will the move to a seven-day roster be non-negotiable in the next round of enterprise bargaining?

MR RATTENBURY: The government has not formulated its detailed strategy for the next round of enterprise agreement bargaining as that is not until 2017.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, will the government release the study reportedly undertaken by Cagney and, if so, when?

MR RATTENBURY: A decision has not been taken on that at this point in time.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, why has the ACT government repeatedly failed to get a seven-day roster in ACTION's EBA?

MR RATTENBURY: As the experts across the other side of the chamber would undoubtedly know, these processes are processes of negotiation, and that matter has been negotiated out in the way that members are aware of.

Aboriginals and Torres Strait Islanders—agreement

DR BOURKE: My question is to the Minister for Aboriginal and Torres Strait Islander Affairs. Minister, could you please explain the significance of the ACT Aboriginal and Torres Strait Islander agreement which has been recently finalised.

MS BERRY: I thank Dr Bourke for his question. On Tuesday I had the opportunity to announce, together with the Chief Minister and the Chair of the Aboriginal and Torres Strait Islander Elected Body, Mr Rod Little, the finalisation of the ACT Aboriginal and Torres Strait Islander agreement for 2015-18.

Completion of this agreement marks a significant milestone in the way we work in partnership with representatives of the ACT Aboriginal and Torres Strait Islander community. It was more than 18 months ago that a meeting between the cabinet and the Aboriginal and Torres Strait Islander Elected Body agreed that together we would develop this agreement. As a thorough consultation process has occurred and the agreement has come together, it was underpinned by the strong advocacy and hard work of both the government and the elected body. I take the chance to acknowledge the elected body chair, Mr Rod Little, the former minister, Mr Rattenbury, and the office of Aboriginal and Torres Strait Islander affairs for their contributions to reaching this milestone.

This whole-of-government agreement takes the government's relationship with the elected body an important step forward. While the elected body is already enshrined in legislation, the agreement sets out clearly agreed principles, focus areas and actions for our work over the next three years. It also renews the ACT government's commitment to reconciliation: to key principles around the rights of Aboriginal and Torres Strait Islander people; to acknowledge the importance of cultural identity and cultural rights; and to work in practical ways to foster strong families, cultural identity, self-determination and further progress on key social and economic indicators.

The government has a deep commitment to the principles of equality and inclusion across our community. This agreement represents an important step towards those goals. It will support effective communication and partnership across government. It will also work to complement and showcase existing government initiatives which have shown their effectiveness under the close the gap strategy and in other key areas. With the government and the elected body having reached agreement, we will now prepare the final document for formal signing and tabling in the Assembly.

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Minister, what input has the local Aboriginal and Torres Strait Islander community had into the development of the agreement?

MS BERRY: The Aboriginal and Torres Strait Islander community has been a driving force in the development of this agreement. Last year the Aboriginal and Torres Strait Islander Elected Body facilitated two forums on behalf of the government, bringing together key community members to identify key focus areas and discuss issues such as reconciliation, self-determination and the ways to pursue these together with government.

The government also hosted four workshops, and Minister Rattenbury held a roundtable which brought together community representatives, peak bodies and service partners, generating very positive input around the ability of all these stakeholders to work together under the agreement.

This interest and input has continued since I have been appointed as minister, and I thank all those who have contributed for their honest and insightful input. The final agreement has sought to reflect all of this and balance the different points of view which have been expressed. In particular, the key theme of strong families emerged from the consultation processes as central to achieving gains in many other areas, and it takes a central place in the final agreement.

Through the agreement, we also, importantly, acknowledge the Ngunnawal people as the traditional custodians of the land and the elders as the authority on local Aboriginal culture and heritage. Our acknowledgement of traditional custodians—something we observe daily at different events and functions across government—is a true acknowledgement of the history of this land, and we continue it through this agreement.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Minister, how will the agreement influence the work of the government?

MS BERRY: Once the agreement is formalised, it will interact with policies and programs of the government as they affect Aboriginal and Torres Strait Islander people. It captures the entirety of the government and the public service to help ensure government initiatives roll out in ways that are culturally sensitive and seek to empower Aboriginal and Torres Strait Islander people in our community.

While at the territory level we tend to perform well on key indicators, including those under the closing the gap strategy, we know inequality persists and we believe a truly whole-of-government agreement is key to responding to them in a permanent, structural way.

Specifically, the agreement provides for a number of actions and initiatives, including: further improvements to the delivery of culturally appropriate services; easier access and a clearer picture of the available services; building outcomes for Aboriginal and Torres Strait Islander people into service funding agreements; supporting the development of young Aboriginal and Torres Strait Islander leaders; and increasing ACT government involvement in events that celebrate Aboriginal and Torres Strait Islander cultures.

These measures respond to the consultation process I have spoken about and have the ability to lead to real gains in the education and employment pathways of young people, as well as support services for individuals or families dealing with the problems of disadvantage.

The Aboriginal and Torres Strait Islander agreement also builds on the already unique status of the Aboriginal and Torres Strait Islander Elected Body in the ACT. We are the only jurisdiction with an elected body of this nature to which the government and public service are accountable through formal public meetings and regular interactions.

MADAM SPEAKER: A supplementary question, Ms Fitzharris.

MS FITZHARRIS: Minister, how will you ensure the agreement remains current and accessible over time?

MS BERRY: The ACT Aboriginal and Torres Strait Islander agreement will initially span three years. We have set out to create a living document which is able to change and adapt to the needs of the day. We expect an ongoing dialogue to guide any changes along the way. As 2018 approaches, we can also properly review the effectiveness of the agreement and the shape that it takes into the future.

The elected body members, particularly through their portfolio areas, have good access to the government and, given that we have all signed up to this agreement in a spirit of goodwill, we have a shared commitment to make it work. Beyond the prescribed mechanisms I hope the local community input that I have spoken about will continue to flow.

When we look at some of our key goals under this agreement around strong families and cultural identities, the indicators of success will not always be easy to quantify, which is why it must be a living document where different perspectives and different experiences are welcomed. This input will be vital to evaluating the success of the initiatives that are to be rolled out under the agreement.

Where we see success and where we can extend these models into other areas, this agreement provides both the guidance and the impetus to do so.

Mr Barr: I ask that all further questions be placed on the notice paper.

Supplementary answer to question without notice
Childcare—centres

MR GENTLEMAN: During question time yesterday, Mr Wall and Ms Lawder asked me questions regarding a development application for a childcare centre in Harrington Circuit, Kambah. In relation to Ms Lawder's question about the number of submissions received during the public consultation period, I can confirm that 50 submissions were received. I can also confirm that no determination has so far been made. However, I do expect a decision to be made soon.

Financial Management Act—instrument
Paper and statement by minister

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

> Financial Management Act, pursuant to section 16—Instrument directing a transfer of appropriations from the Office of the Legislative Assembly to the ACT Executive, including a statement of reasons, dated 20 March 2015.

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

Leave granted.

MR BARR: Madam Speaker, as required by the FMA 1996, I table the instrument under section 16 of that act. Section 16(1) and 16(2) of the FMA allow for the Treasurer to authorise the transfer of an appropriation for a service or function to another entity following a change in responsibility for that service or function. Section 16(3) of the act requires that within three sitting days after the authorisation is given the Treasurer must present a copy of that direction and a statement of reasons to the Assembly.

Today, this instrument facilitates the transfer of $21,000 in government payments for outputs appropriation and $397,000 in payments for expenses on behalf of the territory appropriation from the Office of the Legislative Assembly to the ACT executive payments for expenses on behalf of the territory. This is to fund the position of the sixth minister. This transfer is budget neutral. I commend the instrument to the Assembly.

Paper

Ms Burch presented the following paper:

> **Petition—out of order**
> Greyhound racing in the ACT—Ms Burch—(243 signatures).

Canberra—urban renewal
Discussion of matter of public importance

MADAM SPEAKER: I have received letters from Dr Bourke, Mr Doszpot, Ms Fitzharris, Mr Hanson, Ms Lawder, Ms Porter and Mr Smyth proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, I have determined that the matter proposed by Ms Lawder be submitted to the Assembly, namely:

> The importance of genuine urban renewal in the ACT.

MS LAWDER (Brindabella) (3.29): I am pleased to speak on this today, because heaven forbid that a day would go past when we did not speak about urban renewal. It has been on the agenda all of this year, and I did not want the day to go past without us talking about it. Mentioning the term "urban renewal" at least 50 times is the challenge we have before us in this MPI today.

The challenge facing city, state and federal governments is about how to renew and revitalise existing urban areas, both to better make use of underproductive land and to create a city that truly reflects the needs and demands of city residents and businesses. Urban renewal is therefore about renewing and maintaining existing infrastructure such as local shops and streets, not just about building a light rail tram that only a minority of Canberrans will be able to use.

As a local member, I receive my fair share of complaints about development and things like densification, but in some ways this is the answer, not the problem, as people also want to be close to amenities, employment hubs, fitness facilities, restaurants and cafes and, indeed, transport. That is why our town centres are so deserving of renewal and so important to the everyday Canberran. I could, for example, make special mention of the Tuggeranong town centre, which, unlike some department heads, I think would make a fine place for the Department of Finance to relocate to.

One of the problems facing urban renewal projects in the ACT and people who want to do things to improve our infrastructure is that the territory plan is very long and complicated. It is 2,500 pages. The excessive charges levied by this government stifle development—for example, the lease variation charge and extension of time fees. Developers cite these unnecessarily large charges all the time when they talk about development. They do not take into account the changing financial environment in which people work all the time. Things like variation 306 about solar access and boundary setback provisions restrict what we can do. They often lead to absurd and unanticipated outcomes and make life more and more difficult for people down the line.

The government seems to have one rule for most developers and the average Canberran and another for itself. We see that happening at the University of Canberra, for example, where it is bypassing planning laws all the time, often to the detriment of other players in the market.

This government seems to ignore stakeholders when it makes changes to the planning system. Consultation is not just about having a meeting. It is about taking into account the views expressed and making, where possible, where relevant and where appropriate, the changes that come up at these consultations. Often the first that stakeholders hear about new legislation is when it is introduced. This can mean significant disadvantage to players in the market.

I would like to mention light rail. The government is spending a huge amount of money on light rail—money which could be used for other urban renewal projects. The project will only benefit a small proportion of our population and is something that is quite unpopular in many areas of the city.

The government seems to develop plans for local shop upgrades, but while it has many plans, it never seems to get around to actually completing those upgrades. In February of this year the Chief Minister talked about the ACT government's vision to deliver urban renewal in Canberra. Part of that urban renewal agenda is a major overhaul of public housing properties in the ACT, with the government selling off the following public housing properties as part of its urban renewal agenda: Bega Court in Reid; Currong apartments and Allawah Court in Braddon; the Dickson flats and connected vacant land on Northbourne Avenue; Dickson garden flats; Lyneham and De Burgh, north and south, Lyneham; Northbourne flats, Braddon; Northbourne flats, Turner; Owen flats, Lyneham; the Red Hill housing precinct; Strathgordon Court, Lyons; and the Stuart flats, Griffith.

In the Chief Minister's media release of 18 February 2015, he said:

> As with all changes in public housing arrangements, residents are being consulted …

I have attended a few barbecues at Owen flats, not just one, and I have listened to residents' concerns about their upcoming relocation. Their main concern seems to be the lack of consultation and the lack of clarity about their relocation. They do not know when they will be expected to move and they would like to have some certainty. They would like to know a process and a timetable for when they can start packing up their belongings.

It is not something that they want to have thrust upon them with little notice and little consultation. Some of them may have other plans. They may be going to have a holiday or going to visit family away from their current location. It is very stressful for them to be wondering if they are going to come back and be expected to move the next day, for example, or come back and find that they should have moved while they were away. All they are asking for is a bit of certainty in the government's timetable.

Balancing the residential product mix between current and future demand will require a greater focus on mixed products, including units, houses and affordable housing. First, the government is reworking the housing along Northbourne Avenue. It is important to have a good mix of tenure amongst those—whether that includes older people, younger people, students, people on lower incomes or people on higher incomes—so that you are continuing the salt and pepper approach throughout the city, not just putting in high-end expensive housing along that corridor.

As a local member for Brindabella, I am contacted by many people about their local shopping areas. One of the ones I get the most complaints about is the Kambah shops. The ACT government used Kambah shops as an election promise, for upgrading it. I believe it is scheduled for next year. But it has been in quite a disgraceful state for many years. In fact, ''a disgrace'' is a description that nearly every resident who writes to me uses. Other quotes include ''dirty'' and ''unsafe''.

The rear car park has been described to me as ''really revolting''. And I receive complaints from both tenants and shoppers of broken tiles, leaks in roofs, blocked drains, menacing birds and bird droppings. Last year was successful in having TAMS remove the worst of the problem trees, trees that dropped a lot of leaf litter and made a lot of mess around the shopping precinct, which shoppers considered was unsafe as well as unsightly. It also meant that it had cost the shop tenants thousands of dollars before that to remove roots, leaves and twigs that were blocking drains and sumps.

I visit Kambah village regularly—I am not sure whether many other of our members can say that—and to say that it is uninviting is an understatement. As I already mentioned, at the last election the government announced that it would spend—wait for this; it is a really exciting amount—$32,782 on these shops, and not until the 2015-16 financial year. An election sweetener of $458,945 was planned to be spent on other Kambah shops, but Kambah village cannot wait that long. If serious maintenance is not undertaken soon, shoppers will continue to abandon this area and retailers will have no option but to follow.

Not only are residents in Kambah going to derive no benefit from the expensive light rail project, but funds that should be going to maintain their local shops and facilities are instead being spent on public transport that they will never get the benefit of.

Another area in desperate need of some attention is the Tuggeranong town centre, especially the area between the hyperdome and Lake Tuggeranong. To give credit where credit is due, I note that the member for Canberra, Gai Brodtmann, has often advocated for the improvement of that area in the Tuggeranong town centre. Much of Tuggeranong does feel neglected and is in a lot of need of a bit of renewal, but it appears to be ignored by this government.

To improve their competitiveness, productivity, livability and economic viability, cities often undertake urban renewal. But it is also important to remember that urban renewal is about renewing and maintaining local facilities such as shops, streets, et cetera, not just about building a light rail train that only the minority of Canberrans will be able to use.

MR GENTLEMAN (Brindabella—Minister for Planning, Minister for Roads and Parking, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing) (3.40): I would like to talk about some of the ways the ACT government is building communities in the ACT, communities that are people-centred places. Planning has a key role to play in building communities and this is a priority for the work of the government's planning portfolio. Planning for Canberra needs to ensure a future city that is exciting, prosperous and livable for the community. Planning also needs to provide benefits to support the way communities live, work, travel and connect.

The ACT government is progressing key initiatives that aim to build better communities and better people-centred places for all of us to be part of. The ACT planning strategy and transport for Canberra set out a planning and transport framework to guide this work. The ACT planning strategy and transport for Canberra prioritised development along major transport corridors that connect the town centres and priority group centres. These strategies envisage a connected city and one that is linked by pedestrian, cycling and public transport infrastructure.

The government's vision for a connected, livable and prosperous city with strong communities is being delivered through the ACT government's approach to integrating land use and transport planning. This approach will contribute to the development of Canberra as a compact and more efficient city.

Our planning is about people-centred places and connecting communities. A connected city will provide the community with a greater sense of identity and belonging and, as our city continues to grow towards an estimated population of around 500,000 people into the future, it is becoming increasingly important for us to address the challenges of creating livable, resilient and connected communities for all Canberrans.

The planning the ACT government is doing now is having a defining role in shaping our city as a connected city and one that is healthy and safe for our community to experience, to live in and to commute around. Through good urban planning we aim to shape our neighbourhoods to create high quality public spaces and encourage active travel options for people to walk, cycle and use public transport to provide us with the benefits for quality of life, including physical and mental health. In supporting active travel with more people walking and cycling, we can greatly reduce the demand for expensive road infrastructure and help manage future traffic congestion.

Walking and cycling and other forms of active transport are an easy way to increase daily physical activity and social exchange. This was highlighted yesterday morning, Dr Bourke, where I saw you, along with Mr Coe and Mr Smyth, at the breakfast for the Heart Foundation move more, sit less program. It was fantastic to see the evidence that they provided there about more active travel and how it can benefit us as we grow into an older generation. More efficient urban transport networks mean that we can spend more time connecting with friends and family, playing sport and pursuing leisure activities. There need to be more opportunities in our city for people to meet and interact in people-centred places.

I now turn to some of the current initiatives and projects that the government is working on to ensure our efforts in planning for the future are genuine examples of the people-centred places that we desire. The government master plan program is a key initiative of the planning portfolio in a widespread yet consistent approach to identifying genuine urban renewal opportunities in our town and group centres. The planning strategy calls for master plans to be prepared, responding to place-specific needs of the Canberra community, and this will ensure Canberra remains a city where everybody can take advantage of its network of centres, open spaces and modes of travel—a city where everyone enjoys a sense of wellbeing, a sense of identity through connections to the community and to the past through our heritage and can participate in a vibrant civic and cultural life.

As planning minister, I am proud to advise that master plans have been completed for the Dickson, Kingston, Kambah, Erindale and Weston group centres and Pialligo and Oaks Estate rural villages, as well as master plans for the Tuggeranong town centre that are aimed to revitalise and attract investments in the area. In regard to Tuggeranong, for example, we heard comments from Ms Lawder earlier. I can say there has been quite a bit of revitalisation of the town centre. We have the brand new Tuggeranong Arts Centre, we have the new nurse-led, walk-in centre, we have the new health centre there, the family and community centre of course, and there is more work coming now on Tuggeranong Park and its vista out onto the lake as well, of course, as the new South Quay development, which is selling well, for the future of Tuggeranong.

Current master plan studies are underway that include Woden and Belconnen town centres and Mawson group centre, with remaining master plans to be undertaken in the program that include Curtin, Calwell, Kippax and Tharwa Village. The development of master plans for a strategic priority area will contribute to best practice planning outcomes which seek to ensure new and renewed planning and development in our city that will result in stronger communities for our town and group centres, rural villages and transport corridors.

The city plan that was released last year sets out a vision for future developments in the city centre and a framework towards 2030 and beyond. The city plan is consistent with the ACT planning strategy and most certainly will contribute to urban consolidation, sustainability and strong, connected communities and people places.

Several projects are being developed as part of the city plan, including the city to the lake project, capital metro and planning for the Northbourne Avenue corridor and Constitution Avenue. The planning portfolio is currently progressing the city plan implementation through the city and Northbourne urban design framework study. This will ensure that planning and implementation in this key area is integral to the planning of Canberra as a connected and prosperous city. The project represents one of the most exciting opportunities this city has seen in its short history in terms of the scale and significance of the changes proposed and in providing real opportunities for genuine urban renewal of the inner north to occur.

I look forward to the release today of the Property Council's discussion paper on the future of the Canberra CBD and I am also looking forward to partnering with them to continue the momentum of the growth and renewal of the city centre.

Public transport and active travel are essential to building inclusive and connected communities. There is growing international recognition that public transport and active travel are key features of the world's best cities and great urban environments. More people walking, cycling and taking public transport will help to reduce the demand for road infrastructure and manage traffic congestion. Even a small shift away from the use of cars towards more people using public transport and active travel can have a significant impact in reducing traffic congestion, greenhouse gas emissions, air and noise pollution. Public transport use and active travel also increase daily physical activity and social exchange, which have the flow-on health and social benefits that we heard about yesterday from the Heart Foundation.

The ACT government recognises the benefits of encouraging public transport use and active travel and is doing a lot of work to increase public transport patronage and to encourage more active travel in Canberra. The government is investing in improved public transport, including capital metro stage 1 light rail from Gungahlin to the city. And it is also investing in improving walking and cycling infrastructure such as the Civic cycle loop and improving information on our walking and cycling networks.

I also am pleased that today the government has committed to establish an active transport coordination office and a coordinator who will provide a high profile public contact for walking and cycling issues. This will ensure there is a clear, active transport infrastructure and planning decision-making framework for the territory.

These projects, and further investment in future projects, are helping to shape Canberra as more accessible and connected place where it is easy for everyone to get around and interact. Improving Canberra's transport system is crucial to the city's development and to building connected communities.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (3.49): I must say that I was somewhat pleasantly surprised when I saw the notice paper this morning and/or the blue this morning and saw this MPI topic. I thought, "We have won again. The Labor Party's agenda is again being prosecuted in this place."

I must say, given it was only a month ago that any mention of the words "urban renewal" would attract a snigger and the usual interjections from those opposite, it is pleasing to see that at least one member, Ms Lawder—and it would be Ms Lawder—is on board with the government's agenda. And I do note, of all members of the opposition who have to suffer through these dark days of opposition, Ms Lawder is the one who rolls her eyes, as we all do, the moment her colleagues are making yet another ridiculous point about one thing or another. It is Ms Lawder who is the one who is perhaps the most progressive of voices within the opposition.

So it is no surprise then that today Ms Lawder is the first Liberal aboard the government's urban renewal agenda. And I do thank you, Ms Lawder. You are somewhat apart from your colleagues in your progressiveness on this issue.

MR ASSISTANT SPEAKER (Dr Bourke): Mr Barr, please address your remarks to the chair.

MR BARR: Sorry, Mr Assistant Speaker. On this issue I must say it was indeed a pleasant surprise to see Ms Lawder bringing this to the Assembly as a matter of public importance. So I am glad that at least one member opposite has recognised how important urban renewal is and is supporting the government's agenda. She is leaving the chamber now, not even staying for her whole MPI.

The Minister for Planning spoke earlier in the debate about the work the government is doing to make Canberra a more livable city. I am sure everyone here is glad that

under this government's stewardship Canberra is the world's most livable city. This did not happen by accident. It was not through indifference or complacency that this occurred. Our government's vision and commitment, our innovation and hard work, supported across this community by business, by community organisations, by individuals, has seen this city achieve that particular title, the most livable city in the world.

But of course our work is not complete, and just as we have worked hard as a city and a community to bring Canberra to this point, we will need to continue to work hard to ensure that we stay where we are and, in fact, advance in some of the areas that I think we all recognise we need to improve in. So as our city grows we need to continue to maintain vibrancy but also the livability of our city. We want Canberra to be a city that our citizens are proud of, one that embraces its future but also holds onto the best of our city's history.

We are a city now of over 100 suburbs, each with its own distinct character and its own community. And our government is investing in making our suburbs stronger and more sustainable so that Canberrans of our city's second century can enjoy these suburbs as much as the Canberrans of our first century have. So we are investing in our local shops right across the city, at Cook, Rivett, Kambah, Chapman, Griffith, Theodore, Charnwood and Banks. We are investing in our suburban parks and new community facilities in Latham, around Lake Ginninderra, Lake Tuggeranong and in Gungahlin.

We are a more diverse city today than we have been at any point in our history. And I think it is clear that Canberrans value that diversity in our communities, in our jobs, in our workplaces but, just as crucially, in how and where we live. This diversity means there is no one-size-fits-all approach to urban renewal. The government will work closely with our communities to make sure that their context is at the centre of future decision making. Making our communities sustainable through urban renewal requires close cooperation between government, business and local communities to make sure that there is a shared vision for the future of our city's suburbs.

The one thing we know Canberrans want more of is choice—choice about how they move around their city, choice about the kind of work they do, choice about the kind of home that they live in, choice about the sort of community that they live in. We are a big enough city to provide people with this choice. The range of urban renewal projects that are underway across the city and those that will come aim to improve housing affordability and give more housing choice to the diverse mix of household types and communities in our city now but also those who will join us in the future.

Urban renewal will cater to the diverse and growing needs of our city's population and at the same time will help ease some of the economic and environmental pressures that our city faces as it grows. We are, by any measure, a city spread over a very large geographic area, and that spread comes with considerable cost to the city's budget and to the city's environment. The structure of Canberra means we are well suited to grow around our defined town centres and our transport routes.

Our target of releasing a fifty-fifty mix of greenfield and urban renewal land will assist in making our city more compact and efficient in identified areas and also provide a wider range of houses, including more affordable housing. So renewing our town centres will bring new housing types to Canberra, create new public space and, crucially, new space for business to grow and flourish.

Ultimately, urban renewal will improve our livability by making the most of our community assets, creating high quality public spaces for communities to grow and diverse suburbs that promote health, happiness and wellbeing. It is no surprise that this is the happiest, healthiest and longest-living community in Australia. We are the best place in this country and indeed in the world to live and that is something we should all be proud of.

Urban renewal at the centre of my government's efforts to help this city go beyond even this outstanding achievement is something that I am pleased at least Ms Lawder can see is important for this city and for our future. So thank you, Ms Lawder, for getting on board with the government's agenda. We very much look forward to your support on crucial issues that this Assembly will need to make decisions on in the coming months that will certainly enhance a genuine urban renewal agenda for Canberra. And we will know just how genuine Ms Lawder is if she is prepared to cross the floor and vote with the government on some of the important measures that will be before this chamber in the coming months, the University of Canberra amendment bills and the opportunity to significantly grow higher education in this city being one example. But housing renewal is another.

Mr Hanson: The member for Brindabella can already see the benefit of light rail.

MR BARR: I am sure Ms Lawder's constituents would appreciate not having to compete with another 25,000 cars coming from Gungahlin, merging on to Parkes Way, and certainly as Gungahlin grows, with 50,000 new residents—

Members interjecting—

MR ASSISTANT SPEAKER: Sit down, Mr Barr. Stop the clock. Mr Coe, Mr Hanson, I am calling you to order. Continually interrupting a member while they are speaking is disorderly. Thank you, Mr Barr.

MR BARR: Thank you, Mr Assistant Speaker. As I was saying, as Gungahlin grows, with another 50,000 new residents over the coming decades, it is quite reasonable to assume that there will be at least 25,000 new cars on the road and they will be competing with people coming from Tuggeranong to get into the city, they will be competing for space on Parkes Way, they will be competing for car parking spots in the city. Surely it is to the benefit of everyone if there are fewer cars coming down from the north into the CBD. That will help residents south of the lake get easier access to the city, with the additional bus services that will be provided.

There is plenty in the government's urban renewal agenda for Tuggeranong residents and we look forward to that conversation and the delivery of these urban renewal

outcomes that include the South Quay development near the Tuggeranong town centre, an important renewal project for Tuggeranong. That is probably why Ms Lawder is on board with the government's urban renewal agenda and I thank her very much for raising this matter of public importance today.

MR COE (Ginninderra) (3.59): It is a pleasure to support Ms Lawder's wonderful matter of public importance which calls for genuine—genuine—urban renewal, as opposed to a ministerial title thrown together in January 2015 as part of the administrative orders that in fact demonstrate that this government has not been focused on urban renewal. If the ministerial title is what dictates whether this government is focused on priorities such as core local services, what does that say about the 14 years when it did not have a Minister for Urban Renewal, Mr Assistant Speaker?

This is a government that, in the most recent few weeks, have decided that the construction sector, land release and indeed the building sector are something that they should consider supporting. However, that is in stark contrast to what they have done over the last few years in office in particular, let alone since 2001. And of course if this government were really committed to urban renewal, the first place they would look would be the territory plan. The territory plan is a mess, Mr Assistant Speaker. It is 2,500 pages of incomprehensible regulations.

If this government were serious about Access Canberra, they would start by making the territory plan accessible, because to the vast majority of people I speak to it is inaccessible, Mr Assistant Speaker. It is incomprehensible to actually work out what you are and are not meant to do according to the territory plan. Those 2,500 pages are done in six or seven hundred pages by councils right across Australia. And of course the territory plan is separate to the Planning and Development Act and to the Building Code. So when you put all those on top of each other, you have a huge number of regulations which I believe are incomprehensible for the vast majority of Canberrans.

Only now it seems that the ACT government is coming to the realisation that variation 306 and the solar access laws that Minister Corbell brought in are in fact having a detrimental impact on the ACT. They were bad regulations, Mr Assistant Speaker. We heard from the Planning Institute, the Property Council, the Institute of Architects, the Institute of Landscape Architects, the MBA and the HIA, who all said, "Don't do it." The government, under Minister Corbell and the Treasurer, said, "We are going to do it anyway." Only now do you get the minister and ACTPLA officials saying, "There are some unintended consequences." Well, quite frankly, when you are told what the consequences will be and you go ahead with it anyway, they are not unintended consequences; they are intended consequences. So what we are seeing with variation 306 are intended consequences of variation 306.

This government must be held to account for the years of lost productivity as a result of that variation. That variation alone has cost the ACT millions of dollars, simply because of Mr Corbell's ideological crusade when it comes to solar access rules. What is more, they are not even having the intended consequence. They are actually shifting properties to the north, so you are actually getting south-facing courtyards right across new suburbs. Right across new suburbs there are south-facing courtyards—totally the thing which the minister said he was trying to avoid.

It is all very well for the government to have a Minister for Urban Renewal, but really that title should be changed to "minister for pet projects", because, as far as I can see, it is not actually urban renewal in the urban areas of Canberra, it is just pet projects of Minister Barr. Ms Lawder spoke about the shopping centres in her electorate. Of course there are shopping centres right across Canberra that have been promised upgrades. We have been promised upgrades time and again, yet this government cannot find any money for it, apparently—but they can find money for pet projects right across Canberra.

Of course the number one pet project for this government is the light rail project, a $783 million project. A public servant who might be listening to this debate via webstreaming should just have a think next time they put together a budget submission. Have a think next time they have a worthy program or a worthy cause in their portfolio area and they need some money for it but it is rejected. The reason it is rejected is that $783 million of capital is going into light rail.

Mr Corbell: Don't you not understand how a PPP works, Alistair? Clearly not. You have no idea.

MR COE: It is interesting. Mr Corbell says I do not know how a PPP works. What he is actually saying, therefore, is that it is not coming out of capital; it is coming out of recurrent. That is even worse.

Mr Corbell: You said "capital", Alistair. You said it.

MR COE: Are they going to have $783 million of capital or are we going to have a PPP model where it comes out of recurrent, which is even worse?

Mr Barr: You can have both.

MR COE: Now Minister Barr is saying that we are going to have a bit of both. So you could get a situation whereby the government puts up $400 million of capital as an up-front payment and the remaining $400 million is going to be out of recurrent, paid over 20 or 30 years.

There are three options. You are going to have $783 million out of capital; you are going to have it all, 100 per cent, in availability payments; or, as the Chief Minister just indicated, a bit of both, which means that you might have, say, $400 million as a capital payment and the remaining $400 million, in effect, spread over 20 years. That means that we are either going to have $400 million and about $50 million a year for 20 or 30 years or we are going to have $100 million a year for the availability payment, spread over 20 years, or we are going to have an up-front payment of $783 million. They are roughly the scenarios.

But, one way or another, to the public servants listening, the money is not going into core services for Canberra; it is going into light rail. Further to that, of course, if we actually look at the operational expense of light rail, it starts at $23 million and goes up to about $40 million. So it is $23 million to $40 million for one line—for a dozen trams.

Members interjecting—

MR ASSISTANT SPEAKER (Dr Bourke): Order!

MR COE: This is quite extraordinary. The Chief Minister—

Mr Barr: He's not this aggressive at the Gungahlin Community Council. He's quite timid there, apparently.

MR ASSISTANT SPEAKER: Mr Coe, sit down. Stop the clock.

Government members interjecting—

MR ASSISTANT SPEAKER: Mr Barr, Mr Corbell, come to order.

MR COE: I think you will find—

Members interjecting—

MR ASSISTANT SPEAKER: Order!

MR COE: The Chief Minister—

MR ASSISTANT SPEAKER: Order! Sit down. I had not given you the call.

MR COE: I do apologise.

MR ASSISTANT SPEAKER: Mr Coe.

MR COE: Thank you; I am up. Thank you very much, Mr Assistant Speaker. The Chief Minister says that perhaps I am not this strident at the Gungahlin Community Council. In fact, I hit it head-on at the meeting last month and said, "I know a lot of you are not going to like it, but of course, as you well know, I am opposed to the light rail project." And we stand by that—of course we stand by that.

We have one message for all of Canberra, and that is that we will invest in the entire city. We will invest in bus infrastructure across Canberra. We will invest in urban centres across Canberra. We will do grass mowing. We will do graffiti removal. We will do pothole repairs. We will do footpath repairs across Canberra. Unlike the government, which seems to pick winners and to pick isolated parts of Canberra, we back the entire city, Mr Assistant Speaker.

It is for that reason, when we have a Minister for Urban Renewal, that we actually have a minister for pet projects. It is a shame. It is a shame that this government is pitting parts of Canberra against other parts of Canberra by investing $783 million in one route when only three per cent of Canberra's population will live within walking distance of a tram stop. In fact, even in Gungahlin, you only have 16 per cent of the population within walking distance of a tram stop. So there are real concerns with this project.

Members interjecting—

MR ASSISTANT SPEAKER: Order, members!

MR COE: The opposition are excited about the opportunities we have to invest in infrastructure across Canberra, including Gungahlin.

Mr Hanson interjecting—

MR ASSISTANT SPEAKER: Mr Hanson, if you wish to raise a point of order, please stand, and note that it is a point of order. There is no point in interjecting from your chair that you have some issue. If you have a point of order, please stand.

MS BERRY (Ginninderra—Minister for Housing, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Community Services, Minister for Multicultural Affairs, Minister for Women and Minister assisting the Chief Minister on Social Inclusion and Equality) (4.10): As the Chief Minister has said, it is good to have the opposition belatedly engaging with our urban renewal agenda. We hold our breath for some genuine alternative policy—a genuine alternative policy like light rail that will create jobs for our community all across the ACT—but in the meantime we are always happy to have the conversation.

The fact is that the government's broad urban renewal agenda brings benefits across numerous portfolio areas. Look at public housing. Both the Chief Minister and I have been speaking again during this sitting about the major renewal program underway in the housing portfolio. The choice is between ageing stock with high maintenance, less amenity and less accessibility or new stock—built for purpose, modern, efficient, better for tenants and better for the urban environment. We have chosen the second option. We are committed to replacing 1,288 dwellings under our public housing renewal program, and we have chosen to include our public housing tenants in a broader vision for Northbourne Avenue because we believe everyone can benefit through the program of urban renewal when you take your opportunity and you get your policy right: new homes, new job opportunities, new transport connections, new levels of activity and atmosphere. When you look at success stories of urban renewal from around the world, that is what they have achieved.

Of course, the government's ambition spans across the territory. It carries through in numerous master planning processes, and the opportunities for town centres such as Belconnen are great. The Belconnen town centre provides a commercial hub for the residents of Belconnen—a centre for recreation, employment, health and retail. The centre's setting by Lake Ginninderra and its relationship with many institutions offers advantages unmatched by any other urban areas in Australia.

The new master plan for the town centre will create exciting opportunities for renewal in physical, economic and social terms: improving pedestrian and cycle connections into and across the town centre, creating distinct destination precincts, fostering opportunities for small business through planning and design, looking for new opportunities to connect with surrounding precincts like the University of Canberra and the Australian Institute of Sport, and planning long term for future development needs.

This work also goes hand in hand with the exciting developments of the University of Canberra public hospital, new scope for development on the UC campus, and residential growth in the new suburb of Lawson. It builds on major investments already made in the area, such as the arts centre and the medical centre. Through the creation of the new portfolio, this government have yet again put more impetus behind the urban renewal agenda for Canberra. The record already speaks for itself, and the future vision is one we are proud of and one we are proud to share with our community.

Discussion concluded.

Courts Legislation Amendment Bill 2015

Debate resumed from 19 February, on motion by **Mr Corbell**:

> That this bill be agreed to in principle.

MR HANSON (Molonglo—Leader of the Opposition) (4.13): The Canberra Liberals will be supporting this bill, but this decision was only reached after very careful consideration and wide consultation. I thank everybody who assisted with that process. Many aspects of this bill are non-controversial or technical in their nature, but there are some provisions with far-reaching ramifications and important philosophical and legal points to be addressed. Noted in the justice and community safety committee's scrutiny report are those concerning coronial investigation scene orders and orders binding trial judges. We have received the minister's response to those comments and accept the response.

The more problematic clause relates to an important fundamental principle of justice—those provisions associated with pre-trial disclosures. The bill inserts new division 8.3 into the Court Procedures Act to mandate the pre-trial disclosure of expert evidence. The scrutiny report notes:

> The question whether a defendant should be required to make any kind of pre-trial disclosure of her or his case-theory, or of evidence to be adduced, is far more complex and has provoked strong disagreement between and among judges and practitioners.

The scrutiny report outlines many of the salient points in the argument and offers some valuable insights. From a public defender's perspective, Mr John Nicholson QC is quoted as saying in 2000 when these changes were being made in New South Wales:

> … there has been a burden upon the prosecution when alleging criminal conduct against a person before a court, to prove its allegation without assistance from the person accused. This concept required the prosecution to advance its case even if ignorant of any answer the accused person might seek to make at trial …

This statement reflects on the position stated in 1972 by Justice Brennan:

> The Crown bears the onus of proving the guilt of an accused on every issue apart from insanity and statutory exceptions. The Crown must present the whole of its case foreseeing, so far as it reasonably can, any "defence" which an accused might raise, for the Crown will not be permitted, generally speaking, to adduce further evidence in rebuttal on any issue on which it bears the onus of proof.

From a prosecutor's perspective, the scrutiny committee also put forward criticisms of pre-trial disclosure provisions by a former New South Wales Director of Public Prosecutions:

> It can be seen that they impose new and extensive disclosure obligations on the defence.

From a judicial perspective, the committee reports the position of Justices Johnson and Latham of New South Wales, who were also critical of the New South Wales scheme. Our conversations with the Bar Association and the Law Society exposed similar concerns. Those concerns were taken very seriously by us, and I thank them for their input and the correspondence I have received. They are legitimate concerns on important principles that play a vital role in our justice system. However, in legal matters, as always, there were other points of view.

The Attorney-General offered a briefing from his directorate—I thank him for that—which put forward the government's position, and we received the attorney's response to the scrutiny committee report. We also spoke to a range of those involved in the front line of the criminal justice system, and we found their input very instructive. Prosecutors were in favour of these changes, as was the Victims of Crime Commissioner. Importantly, the Legal Aid Commission were also in favour of these changes, and I acknowledge their input in this debate.

If there is one group that represents those most directly affected by these changes, it is the Legal Aid Commission, a group that works for and represents those most vulnerable to a shift in the balance of justice. The Legal Aid Commission is in favour of these changes.

It is interesting and important to note that these changes were not just extolled in the interests of efficiency. I make the point that efficiency is neither the sole nor the most important consideration. The most important consideration is justice, and that is what was put to us compellingly by these groups. They spoke of the importance of the judicial system and juries in particular to have access to the full facts from both sides. These changes were put in that context—that justice is best served when all facts are available to be presented and to be meaningfully cross-examined.

There is more legal precedent to be considered in addition to those cases I have already mentioned which have added to or modified earlier statements. In 1989 the High Court specifically addressed the question of disclosure, where Chief Justice Mason summed up the position as follows:

> The privilege against self-incrimination would not ordinarily protect a person against disclosure of his defence to a criminal charge. The so-called right not to

> disclose a defence is the result merely of the absence in ordinary circumstances of any statutory requirement that defences be revealed … The possibility of disclosure of a defence is, accordingly, not a matter in respect of which a witness needs to be protected, except perhaps in the most exceptional circumstances.

In 1995 the West Australian Supreme Court considered whether a requirement that the defendant disclose its defence violated the privilege. The court held that it did not. In that case it ruled:

> … it should be borne in mind that a requirement that an accused be called upon to disclose his or her defence to a criminal charge prior to the hearing of it does not necessarily infringe the right to silence or the privilege against self-incrimination.

We can see from recent and historical judgements that many of the issues raised, either as a matter of law by legal societies or the rights expressed in the Human Rights Act, are not necessarily impinged by these provisions.

It is also worth noting that the proposed changes only affect expert advice, and that is a very important point. This is only affecting expert advice, not the entire defence, which is less than occurs in neighbouring jurisdictions in Australia, particularly New South Wales.

Internationally, defence disclosure requirements go much further than those in this bill. The Supreme Court of the United States, when faced with this issue said:

> We conclude, however, as has apparently every other court that has considered the issue, that the privilege against self-incrimination is not violated by a requirement that the defendant give notice of an alibi defence and disclose his alibi witnesses.

In the United Kingdom the accused is required to provide a written case statement to the court outlining the entire nature of the defence case. All around the country and all around the world these changes have been enacted and accepted. I repeat: I accept the positions put forward by the legal profession, but I also note that the amendment by Mr Corbell—which was circulated in accordance with the standing orders by, I think, about two minutes—addresses at least some of these concerns, particularly those raised by the Bar Association.

The question we faced on the opposition benches was balancing the pure principles and the needs of modern justice. We obviously weighed up the advice provided to us by the directorate, the prosecutors, the victims of crime and the Legal Aid Commission, who are all in favour. We also looked at the relevant law in other jurisdictions and how that applied and looked overseas at how the law was being applied, and we looked at recent case law when it came to these matters as well. On balance, we made the decision, principally and foremost in the interests of justice, that we would support these provisions. I note there are arguments about court efficiency, and I welcome that, but I make it very clear that that is not the principle upon which the opposition came to its conclusion.

I thank the members of the directorate and the Attorney-General's staff for their input and their advice. There has been a lot of engagement between my office and the minister's office. I thank the Bar Association, the Law Society, the Victims of Crime Commissioner and Legal Aid for their input. I also thank my chief of staff, Mr Ian Hagan. He is a qualified lawyer and he has worked very hard on this issue. As a lawyer he has put an immense amount of deep thought, study and research into it to make sure we came to the right conclusion. It is very useful to have such a good and professional lawyer in my office to provide me with advice on these important matters.

MR RATTENBURY (Molonglo) (4.24): When the Attorney-General tabled this bill in February this year he outlined in his introductory comments that the bill is about promoting efficiency in court processes, and there are a range of provisions in the bill that seek to do that. I state on behalf of the ACT Greens that we support this bill in principle. However, we have concerns about clause 25, which Mr Hanson has just spoken about. I intend to outline my comments on that clause when we get to the detail stage. I support the bill in principle and welcome the efforts by the attorney to improve the efficiency of the courts. I indicate that we will not be supporting clause 25, and I will outline my comments on that in the detail stage.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (4.25), in reply: I thank members for their comments on this bill. It reflects the government's ongoing commitment to improving access to justice. It makes amendments that result in practical improvements and greater efficiency in the ACT courts and coronial systems.

I note the shadow minister's comments in relation to the issues of efficiency and the interests of justice overall. They are very much interlinked. Justice delayed is justice denied, and timely access to and conduct of a trial are just as important as the other matters the shadow minister mentioned in his comments today.

This bill amends 16 pieces of legislation and repeals one act. One of the important changes in the bill is the amendment, as members have discussed, to make pre-trial interlocutory orders binding on the trial judge unless, in their opinion, it is not in the interests of justice. This change to the Court Procedures Act will reduce the opportunity for unnecessary re-litigation of process matters at trial. Currently, undoing interlocutory orders at trial can add unnecessary time to the trial and prevent the matter being heard within estimated time frames. It also increases costs for parties.

Another significant amendment which will prevent delays during the trial is the requirement for both the prosecution and the defence to disclose their expert evidence at the pre-trial stage. This change to the Court Procedures Act will ensure both parties are prepared to respond to each other's expert evidence in a fair and timely manner. This saves time by avoiding unnecessary adjournments once the trial has commenced. It also saves costs and allows trials to occur in a more timely manner.

The amendment will not prevent a defendant raising new evidence at the trial, and it only requires disclosure of expert evidence that will be relied upon, thereby preserving the privilege as well as the defendant's right to silence.

I highlighted in my response to the scrutiny of bills committee and to both Mr Hanson and Mr Rattenbury that these new requirements are broadly consistent with the approach adopted in other Australian jurisdictions, but they do not go as far, as Mr Hanson has noted, as the provisions that exist, for example, in New South Wales, which require extensive disclosure of much of the defence case prior to the trial. It is not the intention of the government to adopt such a broad-ranging provision here.

Another measure that will enhance the disclosure process is that the Director of Public Prosecutions has advised that he intends to publish a formal disclosure policy as part of his review of the DPP's prosecution guidelines. I am advised it is expected the DPP will make this formal disclosure policy and have it in place by mid-2015, and I believe that will also assist in addressing some of the concerns that have been raised by the defence bar in their representations on this matter.

Finally, as members have indicated and as I can foreshadow, I will be moving a further amendment during the detail stage that makes clear that any disclosure is not to be relied upon when it comes to any comments that may self-incriminate the accused. Whilst it would be fair to observe that such protections already exist, for example, in the Evidence Act, for the avoidance of any doubt it is desirable to also move this amendment today. I trust that also helps address the concerns raised by members of the criminal defence bar in Canberra, who have been very constructive in their discussions with the government, and clearly with other parties, over the last few weeks.

Let me turn to some other matters in the bill. The bill requires appeals against interlocutory orders of the master to be heard by the Court of Appeal, as is currently the case with orders of single judges of the Supreme Court. This amendment to the Supreme Court Act will also support the court procedure rules, which confer the same civil jurisdiction on the master as is exercisable by a Supreme Court judge. The bill will also change the title of "Master" to "Associate Judge". Whilst ensuring appropriate gender neutrality, it perhaps more properly recognises the expansive civil jurisdiction of the role and brings the ACT into line with other jurisdictions.

A further change being made to the Supreme Court Act is to abolish the role of President of the Court of Appeal. This position has been vacant since 2011, and no legal or logistical complications have arisen from its removal due to the existing overlap with the functions and responsibilities of the office of Chief Justice. The orderly and expeditious discharge of the business of the court will continue to remain the responsibility of the Chief Justice.

The bill addresses concerns about the interpretation of section 268 of the Magistrates Court Act, which deals with the transfer of proceedings from the Supreme Court to the Magistrates Court. This provision was introduced in April 2014 to facilitate the transfer of proceedings between the courts because of the increase to the civil jurisdiction of the Magistrates Court to $250,000. Difficulties have been identified in the interpretation of this new section in a 2014 decision of Master Mossop as to how to look back in time to determine whether the proceedings proposed to transfer could properly have been begun in the Magistrates Court. The amendment will accordingly remove any conclusion by allowing the Supreme Court to transfer relevant cases to the Magistrates Court if appropriate on the basis of the particular circumstances.

The bill also repeals the Mediation Act, including the outdated registration scheme it contains for mediators. References in other legislation to a registered mediator will be amended to refer to a person who is accredited under the national mediator accreditation standards and registered on the register of nationally accredited mediators. This will bring the ACT into line with the national accreditation process for mediation and will reduce red tape for mediators. The repeal of this act will not take effect for 12 months, allowing mediators who are not yet accredited to undertake the appropriate requirements.

A minor practical amendment is also being made in this bill to change the Oaths and Affirmations Act to remove the requirement that a religious text needs to be used to take an oath. That will bring that act into line with the Evidence Act and with modern and accepted principles in relation to oaths and affirmations.

The bill makes a number of valuable amendments to improve the ACT's coronial processes. These amendments result from holistic ongoing review of the way coronial services are provided in the territory. The first is an amendment to the Coroners Act to simplify the reporting and inquiry requirements for fires. The change requires the coroner to hold an inquiry into a fire only when requested by the Attorney-General. The coroner will continue to be able to investigate a fire if it is considered appropriate to do so or on request, and the amendment will not impact on their powers to investigate deaths and disasters. The change will significantly reduce the workload of coroners but still allow for inquiries to be held for the most serious of fires.

In addition, the bill introduces clear investigation powers for police at coronial scenes. Under an order issued by a coroner, a police officer will be able to manage a coronial investigation, including people or evidence at the scene. These new powers will apply in cases where there are no obvious criminal circumstances surrounding the death and it is inappropriate to use investigation powers under the Crimes Act. Clear police powers at death scenes are important. They avoid delay in the investigation process and loss of evidence, which can lead to further unnecessary distress for families of the deceased.

The bill also creates further efficiencies in coronial processes by clarifying certain definitions in the Coroners Act and clarifying and narrowing the types of deaths that must be referred to the coroner for investigation. For example, the amendments remove a number of requirements to hold an inquest into a person's death where that death is not of a type, such as suspicious, unknown or unnatural, that automatically requires an inquest to be held. These amendments arise from recommendations of the final report of the review of ACT coronial post mortem process and practice by Queensland's chief forensic pathologist, Dr Charles Naylor, in 2013.

The bill makes a range of important changes and it highlights the government's ongoing commitment to improve access to justice and efficiency in the conduct of court processes. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (4.36): Pursuant to standing order 182A(b), I seek leave to move an amendment to this bill that is minor and technical in nature.

Leave granted.

MR CORBELL: I move amendment No 1 circulated in my name and table a supplementary explanatory statement to the government's amendment *[see schedule 1 at page 1263]*.

This amendment proposes to insert new section 79F, "Miscellaneous". The section provides that a statement about any matter that is made by or on behalf of the accused for the purposes of complying with the requirements of division 8.3 does not constitute an admission of that matter by the accused.

This amendment responds to comments that have been raised in stakeholder discussions about the rights of an accused in relation to evidence that may contain admissions by the accused. It is broadly in line with the comments made in scrutiny committee report No 29. The amendment is in exactly the same form as the equivalent provision in the New South Wales pre-trial disclosure provisions, section 149F(1) of the Criminal Procedure Act 1986 of New South Wales. Protection afforded the accused person by section 79F relates to a statement about a matter made by or on behalf of the person for the purposes of complying with division 8.3, pre-trial disclosure requirements, and to this provision alone.

The new provision does not prevent a statement recorded, and expert evidence, such as in a psychological report, from constituting an admission where the report is disclosed by the accused person, for the purposes of division 8.3, as expert evidence the accused person proposes to adduce. In this situation, the statement in the report has not been made for the purposes of complying with pre-trial disclosure requirements.

MR HANSON (Molonglo—Leader of the Opposition) (4.38): As I indicated in the in-principle stage, the opposition will be supporting this amendment. It reflects concerns raised by the Bar Association. My understanding is that this clause was in the original draft but then at some stage was removed. It has been reinserted, and that gives some comfort, as I understand it, to the Bar Association and perhaps others. I do not think it would necessarily mean that they would then support the intent of this legislation, but it is an important addition, and I welcome the fact that the government has put this amendment before us. We will support it.

MR RATTENBURY (Molonglo) (4.39): On this amendment put forward by Mr Corbell, I would like to reflect on the impact that it has on the clause overall and state my views on the clause generally.

The Greens do not support clause 25 of the bill and have real reservations about the potential impact of it with regard to the right to a fair trial. It potentially undermines, arguably, the most fundamental principle of our criminal justice system—that it is for the prosecution to prove the case against the accused. On the face of it, there is an attraction to the idea that all the evidence is presented to both sides and then the merits argued before a court. However, that superficial attraction belies the potential disadvantage and prejudice that may be caused from the clause.

The effect of the clause is that it could require accused persons to assist the prosecution in the preparation of the case against them. The new section requires an accused person to give notice to the prosecution of the evidence that they intend to contest—meaning, of course, that the prosecution then know what they need to pay particular attention to in their case. It also requires the defence to give notice of the evidence they intend to lead, again putting the prosecution on notice in relation to the matters they need to focus on in the case they put against the accused. Currently, the defence are not required to give notice of these matters and are free to present their evidence as best they see fit at the trial, without having given the prosecution the opportunity to adjust their case accordingly. The reality is that these changes necessarily operate to the disadvantage of defendants and are at odds with the fundamental premise of our criminal justice system.

The Attorney-General has put the argument that the clause simply brings forward the disclosure evidence and that it will assist in delivering timely trials. I think that argument is worth closer examination. Firstly, depending on how trials proceed and the strength of the evidence that is presented by the prosecution, the defence case may adapt and ultimately choose not to lead evidence because the prosecution's case has not been as strong as they had anticipated. Under the new rules, where an accused is required to give notice of evidence the prosecution will be aware of potential weaknesses before the trial and given the opportunity to adjust their case accordingly.

Secondly, I have not seen evidence that the current system is, in fact, leading to unreasonable delays. If there were such evidence, it would provide an improved case for the necessity of this provision. If there is, indeed, a problem with the progression of trials with regard to this particular matter, the Greens are very open to looking at that issue, and at issues more generally, as we have done on a number of other occasions, in considering ways to address them. Changes which could be to the detriment of an accused person, some of whom will ultimately be found not guilty of the offence they have been charged with, and all of whom have the right to be presumed innocent, are of real concern.

As has been touched on today, the scrutiny of bills committee raised a number of concerns about the bill to which the attorney provided comments in response. Our analysis of the Victorian Court of Appeal case cited in the response is that it is about the content of cases stated for the Court of Appeal and not the issue of pre-trial disclosure, seemingly doing nothing to further the argument in favour of pre-trial disclosures.

The only material that supports the argument is found in the comments of Chief Justice Mason in Hamilton v Oades from 1989. At paragraph 24 of his judgement, his Honour said:

> The so-called right not to disclose a defence is the result merely of the absence in ordinary circumstances of any statutory requirement that defences be revealed.

Justice Toohey agreed with this position. However, Justices Deane and Gaudron, in the same case, at paragraph 9 of their joint judgement, refer to the unfairness of the disclosure of a defence and discovery of evidence from which "a person charged with a criminal offence is usually entitled to be protected". Justice Dawson, at paragraph 3, broadly agreed with this position and held that ordinarily a defendant should not be compelled to disclose their defence. His Honour also referred to the decision of Chief Justice Gibbs in Hammond and the commonwealth in 1982, at page 198, where his Honour the Chief Justice referred to the prejudice that arose for a defendant from disclosing a defence, and the real risk to the administration of justice that such a disclosure would create.

What the High Court cases, including more recent cases, such as Lee and New South Wales Crime Commission, illustrate is that, whilst there is no doubt that the legislature can impose limitations such as these, the implications from doing so are very serious and have real implications for the integrity of the justice system.

Specifically on the amendment moved by the attorney now, I acknowledge that it is an improvement and it makes the changes better than they otherwise would be, but I do not believe it addresses the underlying issues I have outlined. It offers a limited protection but it does not ameliorate the potential disadvantage that accused persons could be placed at as a result of the clause.

Chief Justice French, in the Lee case, emphasised the importance of the presumption of innocence, the privilege against self-incrimination and the right to silence, and made the apt observation, in paragraph 2 of his judgement that "executive governments have found aspects of the accusatorial system an inconvenience in the investigation of criminal conduct".

This is obviously a very complex matter. I have listened to the discussion closely today and I have discussed this with the attorney. I welcome those discussions and the advice that he has given back to me. I have also listened very carefully to the stakeholders in this discussion. I think we see the complexity of this matter because, as the attorney has indicated, the Director of Public Prosecutions and the Victims of Crime Commissioner have supported this change, as has the Legal Aid Commission. I am surprised by the position of the Legal Aid Commission, because I think this is disadvantageous to their clients and the people they represent in these matters. I have also discussed this matter with the bar, who have expressed their serious reservations to me about this clause.

On balance, given the weight of things and the potential consequences for an accused person, I have seen fit to fall on the side of having reservations about this matter. For the reasons that I have outlined today, I cannot support clause 25 as it is proposed in the bill.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (4.46): To address a number of those matters raised by Mr Rattenbury, let me say that this is a complex issue, but it does not mean that we should not look closely at the capacity for improvements in the way trials are conducted and the timely and expeditious discharge of the business of the court, and identify where there are hindrances to that being able to be facilitated.

This is not about assisting the prosecution. I do not accept that argument. It is about assisting the court. It is about recognising that the business of the court and its ability to narrow the issues in dispute as quickly as possible to allow more focus to be put on those matters in dispute in a criminal trial are of benefit to all parties. That is the rationale behind this proposed amendment and the amendment in the substantive bill itself.

The argument that compulsory pre-trial disclosure infringes the fundamental principle of the right to silence or the right against self-incrimination has been rejected by a number of learned authorities. It is worth highlighting that the United Kingdom Royal Commission on Criminal Justice did not accept that argument when it looked at these provisions, and two human rights compliant jurisdictions, jurisdictions with explicit charters of rights in the statute book—the United Kingdom and Victoria—have both adopted some level of pre-trial disclosure obligation on the accused.

The proposal here in the ACT is modest in comparison with pre-trial disclosure obligations in other jurisdictions, but I believe it has significant benefit for the conduct of criminal trials as a whole and the ability to have all relevant matters brought to them in an early and timely way.

The amendment before us today makes it explicitly clear that there are protections against self-incrimination and that those should be explicitly stated in this act as well as in the broader provisions of the Evidence Act that the court would otherwise rely upon.

It is also worth highlighting, as I have highlighted to the bar and to Mr Rattenbury, that the DPP is in the process of, first of all, updating his guidelines in relation to prosecution and republishing them. And he is proposing to make specific guidelines in relation to disclosure. That is a welcome step and I believe those two things in combination—that is, this amendment and the DPP's commitment to do that—will provide sufficient assurance that there are adequate and proper protections that still protect the absolute rights of the accused whilst facilitating the expeditious discharge of business in the court and for trials to proceed in a timely manner.

So I acknowledge Mr Rattenbury's comments, but I think that on balance we have an appropriate approach in relation to this amendment.

Amendment agreed to.

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

Bill, as amended, agreed to.

Adjournment

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

That the Assembly do now adjourn.

Aboriginal oral health scholarships program

DR BOURKE (Ginninderra) (4.51): The Poche centre Aboriginal oral health scholarships program is a partnership between the Rotary Club of Sydney, the University of Sydney Poche Centre for Indigenous Health and the Centre for Oral Health Strategy in the New South Wales government. Last year I was offered and accepted an ambassador role for the Aboriginal oral health scholarships program.

The Aboriginal oral health scholarships program aims to assist at least 24 Aboriginal people from across rural and remote New South Wales to undertake the certificate III in dental assisting or certificate IV in oral health promotion. Each scholarship is valued at about $15,000 and provides one-on-one mentoring, course fees, a laptop computer and prepaid internet access, face-to-face and online learning, career and education planning.

With the exception of the three face-to-face sessions over 10 days, the course enables Aboriginal students to remain in their community and maintain their employment and community obligations. By using a mixed method of teaching and mentoring for local people this initiative develops the capacity within rural and remote communities to address oral health issues locally.

Last week I travelled to Sydney to attend as guest speaker at the first cohort of dental assistants' graduation. I was proud and honoured to be there and meet the 14 bright-eyed graduates who will make such a big difference to the oral health and wellbeing of Indigenous people in rural and remote communities. I look forward to witnessing the continued progress of the Poche centre Aboriginal oral health scholarships program and its contribution to closing the gap in oral health.

Aboriginal and Torres Strait Islander people have markedly worse oral health than the rest of the Australian population. There is a higher level of decay, periodontal disease and tooth loss. These lead to substantial impacts on the overall health and wellbeing of children and families. Oral health has been identified as a priority for the national strategic framework for Aboriginal and Torres Strait Islander health because of its contribution to chronic diseases. With a healthy mouth you can eat properly, speak well and smile with confidence. Poor oral health is associated with chronic disease, especially cardiovascular disease and diabetes.

It is also important to recognise that barriers exist for Indigenous people accessing many dental services and that there are very few Indigenous people working in oral health services, which can lead to a lack of cultural safety. A priority in tackling these oral health barriers is to increase the number of Indigenous people working in these professions, including the provision of scholarships. A strategic objective of the

Poche centre is to provide professional development opportunities and scholarships for Aboriginal people. They also aim to encourage young Aboriginal people into the profession and create a pathway for more Indigenous dentists in the future.

Cricket ACT

MR DOSZPOT (Molonglo) (4.54): Last night I had the pleasure of attending the Cricket ACT DB Robin Medal and grade awards night. There were a series of presentations made which I will refer to in a few minutes, but I would like to start with a couple of recognitions made by Cricket ACT.

The first was the 50-year recognition award to Kevin Flaherty. Kevin was recognised for his 50 years of outstanding service to cricket in the ACT. A former grade player and ACT representative, he went on to serve for many seasons on club committees, followed by stints on the Cricket ACT board and as chairman of the Cricket ACT high performance department. Only last year he was still giving up his time as chairman of the local organising committee for the Australian country cricket championships. He has given his time to many other areas of the game since he made his home in Australia. The thank you award to Kevin Flaherty was signed by the Chairman of Cricket Australia, Wally Edwards.

The second recognition on the night was of Mark Vergano, who is stepping down from his role as CEO of Cricket ACT after 14 years of service. From speeches on the night by former chair John Turner and a colleague of Mark's, Andrew Dawson, we learned that Mark started at Cricket ACT in 2001 in the role of operations manager, moving his family from Melbourne, where he worked in finance and was the president of the Richmond Cricket Club.

He was then elevated to the role of CEO in 2002 and worked tirelessly to help Cricket ACT to recover from the shock omission of the ACT Comets from the then Mercantile Mutual Cup and from financial hardships as an organisation. When Mark took over as CEO he had six staff members. Today there are over 15 staff, covering not only the ACT but southern New South Wales via the recent signing of a new MOU with Cricket Australia and Cricket New South Wales.

During his time at the helm of Cricket ACT, Mark was instrumental in improving facilities, including the Manuka oval cricket net redevelopment, new lighting and surface, the Harrison oval complex development and footy park redevelopment, and the Kippax oval redevelopment. He also played a significant part in disabilities cricket—developing and piloting programs for Cricket Australia in the ACT and winning the Chief Minister's excellence for inclusion award in 2012, as well as for the inclusion of the ACT Meteors in the Women's National Cricket League in the 2009-10 season.

In talent development, Mark oversaw, with the high performance coaching staff, the development of both male and female players going on to higher honours, including Nathan Lyon, Jason Behrendorff, Ryan Carters and Kris Britt, just to name a few. In addition, he helped to bring international cricket to Manuka oval, including the Australian cricket team in 2013, for the first time in Canberra, the recent cricket

world cup matches and the Big Bash league. Participation at the grassroots was also significantly increased for boys and girls playing cricket in the ACT through a variety of school-based and club-based programs.

I understand that Mark could not have done this without the support of his wife, Michaela, and his six children and, of course, his enthusiastic Cricket ACT staff colleagues, Andrew Dawson, Ben Ryan, Dougal Reed, Cameron Walter, Mark Higgs, Kyle Piper, Anna Baker and Matthew Williams, president Ian McNamee, and the board of Cricket ACT.

Awards presented on the night included to the winners of the 2014-15 RSM Bird Cameron competition and the Douglas Cup-Weston Creek Molonglo. The winner of the Greg Irvine Medal for the Douglas Cup match performed magnificently in the match, capturing seven for 48 and three for 90, and making 81 off just 42 balls. That was Blake Dean.

With respect to the batting aggregate awards presentation on the night, with 567 runs in fifth grade the award went to Shane Boyle from North Canberra Gungahlin; with 511 runs in fourth grade the award went to Greg Badcock from the ANU; with 340 runs in third grade there was a tie for the award—Dan Smee from Eastlake and Phillip Moore from Queanbeyan; with 555 runs in second grade the award went to Nick Polhill from Western District-UC; and with 828 runs in first grade the award went to Michael Spaseski from Eastlake.

All in all it was a great night. Club volunteer award presentations were made to Murray Radcliffe and Brad Falkenberg from ANU; from Eastlake, Gary Molineux and Michael Anderson; from Ginninderra, John Prior and Ben Peel; from North Canberra Gungahlin, Gordon McGurck and Andrew Barnett; and from Queanbeyan, Adrian Brunker and Darren Southwell. *(Time expired.)*

National Playgroup Week

MS LAWDER (Brindabella) (4.59): I am pleased to talk about National Playgroup Week 2015, which is being held around the country this week. A playgroup is an informal session where parents, carers, babies and children from birth to school age come together in a relaxed and friendly environment. Playgroup gives children an opportunity to have fun, make new friends and develop new skills through informal play. Playgroup provides parents and carers with the opportunity to meet other parents and carers, make friends and share ideas and experiences. Playgroups are not for profit, run by and for the parents who attend. They are usually held once a week for a two-hour session in a variety of venues such as church halls, community and neighbourhood centres, council halls, Scout and Guide halls and sometimes people's homes.

Each year playgroups across Australia celebrate National Playgroup Week. This year the theme of this meaningful week is connecting communities through play. National Playgroup Week highlights the significance of playgroups in the lives of many children and their families. Every state and territory hosts a world's biggest playgroup during the annual National Playgroup Week.

Here in the ACT yesterday Canberra families with children under five got together at Cook Community Hub to enjoy the Canberra world's biggest playgroup, hosted by the ACT Playgroups Association. There were plenty of fun and free activities for the children, and lots of information and resources for the accompanying adults, with community and sporting organisations' stalls, activities and information. Parents, carers, grandparents, aunties, uncles and friends came along with their children.

I am sorry that I could not attend yesterday, as I was here in this place instead. Thank you to Vicki Brown from the ACT Playgroups Association for inviting me and thank you to the ACT Playgroups Association for hosting Canberra's world's biggest playgroup this year. I would like to take this opportunity to congratulate all those involved in playgroups across the ACT. You can find out more about ACT Playgroups on Facebook, on Pinterest or on their website, www.playgroupaustralia.com.au/act.

Women—achievements

MS FITZHARRIS (Molonglo) (5.01): Last week I spoke in the chamber during the adjournment debate about the launch of *Magazine* by HerCanberra. I mentioned a number of the women that were noted in the "15 women to watch" feature in that magazine and I would just like to inform the Assembly about the other women that made up that "15 women to watch".

Kaleid, "The triple threat", is made up of three talented women, Kirrah Amosa, Amy Jenkins and Jacqui Douglas. They sang beautifully at the launch of *Magazine* and this year, in addition to the re-imagined covers they have been singing for the last couple of years, they look forward to singing and recording their own original music.

Kylie Travers, "The survivor", is still in her 20s but has done much and experienced much, both the highs and the lows. She is a published author, international public speaker and blogger. She is a mum who was also an ACT finalist for the 2015 Young Australian of the Year. But she is also a survivor of domestic violence, rape, robbery and homelessness. This year, hers will be an important local voice as we come together as a community to find new ways to tackle domestic and family violence. She has a passion for helping others but, importantly, changing perceptions of homelessness and domestic violence and creating a better future not just for her own children but for all children.

It is hard to know how to describe Tara Cheyne, "The patriot". The words have to include "Canberra" and "community". She is the very effective chair of the Belconnen Community Council, is a member of the Belconnen Community Arts Centre Board, and runs one of the most successful blogs in the territory that sings Canberra's praises. Her passion for Belconnen in particular is clear. As *Magazine* notes:

> Whether it's with her blog, community work or her professional life, this is one young woman whose future is as bright as her signature hair.

Michelle Melbourne, "The innovator", is much more than just a self-described IT nerd. A bit over 20 years ago, she and her husband, Phillip Williamson, founded Intelledox,

a digitalisation software company. Intelledox now employs 35 people internationally, with offices in Singapore, Toronto, New York and London, and won the 2014 Telstra ACT business of the year awards. Michelle is also past president of the Canberra Business Council. Her natural curiosity and enthusiasm for the sector have won her many awards. As a Canberran she says her defining moment was donating $1 million worth of Infiniti software back to her alma mater, the Australian National University, to enable them to become a digital leader.

In relation to Dr Sudha Rao, "The game changer", *Magazine* notes:

> It's one thing to grow up with 'curing cancer' as a life goal … it's another thing entirely to actually do it. But that's what Dr Sudha Rao, Associate Professor (Molecular & Cellular Biology) at the University of Canberra, is on the verge of doing.

Sudha is working on a therapy to prevent cancer recurrence and will soon embark on clinical development which will bring her one step closer to transforming the lives of women with aggressive breast cancer.

Carla and Emma Papas are "The merrymakers". How many people dream of quitting their jobs and following their dreams? Carla and Emma Papas have done just that and spread their irrepressible energy and enthusiasm through their highly successful blog, the Merrymaker Sisters. They have blogged their way to New York City and shared the stage with paleo chef Pete Evans. For Carla and Emma Papas, merrymaking is a way of life. They spread their paleo message to others, their merrymaking rubbing off and inspiring people to live a life of health and happiness, and 2015 may well see a merrymaker app available.

Julie Oakley is "The entrepreneur". Julie Oakley's natural energy and passion have seen her own and run businesses from her late teens. She is a natural entrepreneur, with two hair salons, who recently launched Dilkara Essence of Australia, the first range of hair products in the country to use Indigenous Australian ingredients. This range brings together her own Aboriginal heritage and business knowledge. In 2015, in addition to all of this, she will seek to have Dilkara products distributed internationally, and she hopes to set up Dilkara hair academy, Australia's first Aboriginal and Torres Strait Islander hairdressing academy. As *Magazine* notes, Julie is a "businesswoman with heart".

It was my honour to meet all these women. I acknowledge again the work of Amanda Whitley, Jess Aberdeen, Belinda Neame, Ali Price, Javier Steel, Lori Cicchini, Emma Grey and everyone else involved with HerCanberra and the folks at Coordinate for launching this terrific new magazine.

Catholic Archdiocese of Canberra and Goulburn
ACT Brumbies
Citizenship

MRS DUNNE (Ginninderra) (5.06): Yesterday I spoke about one of the many things that I did on the weekend, in relation to the Charny Carny. Most of Saturday, however,

was devoted to a most inspiring event. It was called "Embrace". It was run by the Catholic Archdiocese of Canberra and Goulburn and it was subtitled "The Joy of the Gospel in Marriage and Family Life". It was one of the scheduled gatherings of the archdiocese.

On this occasion there were 700 attendees, not counting the children. There was a children's program, a young people's program and an adults' program. The program for the day was emceed by my great friend Mrs Catherine Cooney from Karinya House. The principal speakers on the day were His Grace the Archbishop of Canberra and Goulburn, Christopher Prowse, Professor Greg Craven, the Vice-Chancellor of the Australian Catholic University, and also great regional residents Tim and Lara Kirk from Clonakilla winery, who gave great testament to the importance of marriage in the community. The coordinator of the day was Sharon Brewer, under the close and expert administration of Shawn van der Linden from CatholicLIFE.

Archbishop Prowse said that "Embrace" was designed as a get-together to encourage people, whether they are part of the church or not, to talk and think about the difficult issues associated with family life. Marriage is under many threats and many pressures, and it was a very uplifting and inspiring day where people were prepared to talk about difficult issues like divorce and separation and the effect this has on children, the interaction between different generations, the new and different ways in which families are made and the impact and challenges that provides for the church in general and Catholic people.

As I said, it was an inspiring day, with 700 participants at St Clare's College. It was also webcast, I understand, to more than 100 other people around the country. Many people from the far-flung parts of the diocese—Lake Cargelligo is a long way from Canberra—were able to participate in the diocesan gathering through webcasting.

The day was sponsored by Catholic Church Insurance, Catholic Super and the Hindmarsh Group. I give particular thanks to Sharon Brewer for her fantastic coordination on the day.

The low point, in some ways, was on Sunday, when I travelled to Sydney to support the Brumbies in their game against the Waratahs. It was a disappointing outcome and I promise in future that I will not travel interstate to watch the Brumbies play, because every time I do they lose. So my contribution to the Brumbies' success in 2015 is that I will not travel to away games again.

I also note that the Brumbies were pleased to announce and support the citizenship of twins Ruan and Jean-Pierre Smith, who became Australian citizens last Friday. Like all new citizens in the ACT, the Brumbies' Smith twins will receive an invitation to the Speaker's new citizens night sometime in the future. On that note, there is a new citizens night next Tuesday night, and I encourage members to attend.

Burgmann Anglican School Twilight Fair
Charny Carny

MR COE (Ginninderra) (5.10): I rise tonight to congratulate Burgmann Anglican School on hosting their Twilight Fair. Last Friday, 20 March I had the pleasure of

attending the fair at their Forde campus. The fair was well attended by the school's community. It was a thoroughly enjoyable event. Some of the key attractions of the fair included a Lego art and craft competition, a petting zoo, reptile encounters, magic shows, baseball challenge and a scarecrow creation competition. Of course, the fair also featured tried and tested favourites such as cake stalls, lolly bag stalls, a white elephant and show bags. All in all, the fair made for a great afternoon out.

I would like to thank Sally Dowse, Lina Blair and Karen Freer, whom I liaised with prior to the event. The range of stalls, rides, raffles and games was a credit to everyone who was involved in organising the event. It takes a lot of energy to organise events such as this and the school deserves to be roundly congratulated. In particular, I would like to thank the committee of the Burgmann Parents and Friends Association for the hard work they did in organising the fair.

Their committee comprises president Lina Blair; vice-president Carmen McWatt; secretary Melanie Andrews; assistant treasurer Nindiya Gaind; fundraising coordinator Sally Dowse; and ordinary members Pamela Avell, Trish Brodie, Kerri Hannaford, Kathryn Raymond, Alex Shepherd and Naomi Wearne.

I would also like to note that, in contrast to the event a few years ago, the weather was absolutely perfect and a complement to all of the wonderful events and attractions they had taking place. Thank you also to the sponsors, who ensured the success of the fair. It was through their sponsorship that the fair was able to feature so many entertaining stalls and events which entertained people throughout the afternoon and evening. Again, I congratulate Burgmann Anglican School on hosting a fantastic fair last Friday. I encourage all members to visit the school's website, burgmann.act.edu.au, and to attend the event next year.

I would also like to join with Mrs Dunne and to put on the record my congratulations to all those involved in the Charny Carny. As usual, it was a roaring success. As I have said before, the event was established in 2003 and is perhaps a model that other combined community organisations may look to adopt going into the future. I think it is a great way to unite a broad community and also to establish economies of scale when it comes to some of the more extravagant rides that the Charny Carny is able to feature.

I would especially like to acknowledge Niki Bruno and Leni Cleaves for their work in coordinating this spectacular event. Through chatting with Leni at the event I was able to get a taste of just how much work went into organising it. It truly is an 11-month job in preparing the event each year. I thank her, Niki and their families for the amazing contribution that they make to our community in putting on such a wonderful event. I encourage all members to attend next year.

New citizens evening

MRS DUNNE (Ginninderra): I seek leave to speak again to correct the record.

Leave granted.

MR DUNNE: I thank the Assembly for the indulgence. In my comments before, the Clerk has pointed out to me, I made a mistake. The new citizens evening next week is on Thursday evening and, of course, members are invited. But what was troubling me was that there is an event on Tuesday evening which is the official welcoming of the Longstaff Villers-Bretonneux painting, to which members are also invited, in the Speaker's hospitality room. I just needed to set the record straight.

Question resolved in the affirmative.

The Assembly adjourned at 5.15 pm until Tuesday, 5 May 2015, at 10 am.

Schedules of amendments

Schedule 1

Courts Legislation Amendment Bill 2015

Amendment moved by the Attorney-General

1
Clause 25
Proposed new section 79F
Page 26, line 13—

insert

79F Miscellaneous provision

A statement about any matter that is made by or on behalf of the accused person for the purposes of complying with requirements for pre-trial disclosure imposed by or under this division does not constitute an admission of that matter by the accused person.

Answers to questions

Motor vehicles—inspections (Question No 371)

Mr Coe asked the Attorney-General, upon notice, on 19 February 2015 *(redirected to the Chief Minister)*:

(1) How many approved non-Government vehicle inspection stations are there in the ACT.

(2) For the inspection stations in part (1), for each year since the 2009-2010 financial year (a) how many inspections have been carried out, (b) what was the price of an inspection and (c) what are the costs associated with registration as an approved vehicle inspection station.

(3) How many inspections have been carried out at the Dickson Motor Registry for each year since the 2009-2010 financial year and what was the price of an inspection.

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

(1) At 4 March 2015 there were 73 non-Government vehicle inspection stations in the ACT.

(2) (a) the following number of inspections have been carried out each financial year:

2009-2010 = 39,474
2010-2011 = 41,078
2011-2012 = 41,302
2012-2013 = 40,816
2013-2014 = 40,391
2014 – end Feb = 26,984

(b) the price of an inspection was:

	1 July 2009	1 July 2010	1 July 2011	1 July 2012	1 July 2013	1 July 2014
Light Vehicle	$53.90	$55.70	$57.60	$59.60	$61.30	$63.70
Motorcycle	$41.40	$42.80	$44.20	$45.70	$47.00	$48.90
Trailer	$30.80	$31.80	$32.90	$34.00	$35.00	$36.60
Re-inspection	$12.80	$13.20	$13.60	$14.00	$14.40	$15.80

(c) the costs associated with an approved inspection station were:

	1 July 2009	1 July 2010	1 July 2011	1 July 2012	1 July 2013	1 July 2014
Annual station renewal	$1,353.00	$1,400.30	$1,449.30	$1,500.00	$1,545.00	$1,591.90
Annual Examiner renewal	$132.60	$137.20	$142.00	$146.90	$151.30	$156.40
AES Training Course	$280.50	$290.30	$300.00	$310.90	$320.00	$330.30
AES Refresher Course	$125.00	$129.30	$133.80	$138.40	$142.50	$147.30
Inspection Certificate Book	$106.00	$109.70	$113.50	$117.40	$120.90	125.00

(3) The following number or road worthy inspections were conducted at the Dickson Motor Registry:

Inspection	2009-10	2010-11	2011-12	2012-13	2013-14	2014 -
Roadworthy	9,448	9,542	8,901	8,156	8,259	4,741
Identification	4,664	4,610	4,709	4,529	3,913	2,188

The price of an inspection was:

	1 July 2009	1 July 2010	1 July 2011	1 July 2012	1 July 2013	1 July 2014
Heavy Vehicle	$122.90	$127.20	$131.60	$136.20	$140.20	$144.90
Heavy Trailer	$75.00	$77.60	$80.30	$83.10	$85.50	$88.60
Light Vehicle	$53.90	$55.70	$57.60	$59.60	$61.30	$63.70
Motorcycle	$41.40	$42.80	$44.20	$45.70	$47.00	$48.90
Trailer	$30.80	$31.80	$32.90	$34.00	$35.00	$36.60
Re-inspection	$13.20	$13.60	$14.00	$14.40	$14.80	$15.80
Identity Inspection	$41.40	$42.80	$44.20	$45.70	$47.00	$48.90
Complex Identity Inspection	$448.80	$464.50	$480.70	$497.50	$512.40	$528.30

Spotless—contracts (Question No 372)

Ms Lawder asked the Minister for Community Services, upon notice, on 19 February 2015 *(redirected to the Minister for Housing)*:

(1) How much has been spent each financial year since 2009-2010 by the Total Facilities Manager contract with Spotless on (a) asbestos removal, (b) carpentry, (c) electrical units, (d) locksmiths, (e) painting, (f) bricklaying, (g) pest control, (h) tiling, (i) fencing, (j) metal roof plumbing and (k) concreting.

(2) What is the value of work completed in part (1) by (a) a person or sub-contractor on the Total Facilities Manager Panel and (b) Spotless.

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

(1) See Attachment A

(2) See Attachment B

(Copies of the attachments are available at the Chamber Support Office).

Planning—project design briefs (Question No 373)

Ms Lawder asked the Minister for Community Services, upon notice, on 19 February 2015 *(redirected to the Minister for Urban Renewal)*:

(1) How many Project Design Briefs are currently being advertised.

(2) What is the construction value for each Project Design Brief identified in part (1).

(3) What is the location of the Project Design Briefs identified in part (1).

(4) For each location identified in part (3), (a) what is the number of dwellings planned to be constructed at each location, (b) what is the provisionally planned construction time and (c) what is the value of the land on which the projects are provisionally planned to be constructed.

Mr Barr: The answer to the member's question as it relates to the Public Housing Renewal Taskforce is as follows:

(1) No Project Design Briefs are currently being advertised. However, Project Design Briefs were issued for three sites in Chisholm, Monash and Nicholls. These were replacements for Owen Flats and included:

- Chisholm: A Development Application (DA) has been lodged for the construction of 20 two-bedroom Adaptable Class C properties. Pending approval, these dwellings are expected to be constructed over a period of approximately 13 months (including procurement processes).

- Nicholls: A DA has been lodged for the construction of 16 two-bedroom Adaptable Class C properties. Pending approval, these dwellings are expected to be constructed over a period of approximately 13 months (including procurement processes).
- Monash: A DA is being prepared for the construction of 25 two-bedroom Adaptable Class C properties. This is expected to be lodged by mid-April 2015. Pending approval, these dwellings are expected to be constructed over a period of approximately 14 months (including procurement processes).

The Taskforce will issue Project Design Briefs for future projects.

(2) See response to Q1

(3) See response to Q1

(4) See response to Q1

Mugga Lane Resource Management Centre—odours (Question No 385)

Mr Wall asked the Minister for Territory and Municipal Services, upon notice, on 18 March 2015:

How many complaints were received by the Territory and Municipal Services Directorate about unpleasant odour emanating from the Mugga Lane Resource Management Centre, by (a) suburb and (b) month, since 1 January, 2014.

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

Suburb	Jun 14	Dec 14	Jan 15	Feb 15	Mar 15
Chisholm	1		3		
Fadden		6	7	15	1
Farrer			2	1	
Gilmore		1		1	
Gowrie		2	4	2	
Isaacs				1	
Kambah				1	
Macarthur	3	2	15	9	
Torrens			1		
Wanniassa			1		
General Complaint				2	

As indicated in the table above, no complaints were received from January to May 2014, and July to November 2014.

Children—sport clubs (Question No 390)

Mr Hanson asked the Minister for Sport and Recreation, upon notice, on 24 March 2015:

How many school aged children are participating in registered sport clubs and organisations in the ACT between the ages of (a) 6 to 12 and (b) 13 to 17.

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

(l) The Australian Bureau of Statistics (ABS) survey, "Children's Participation in Cultural and Leisure Activities", collects data on children aged 5-14 years within three age groupings. ACT statistics for participation in organised sport, not including dance, are detailed in Table 1.

Table 1: Children's Participation in organised sports ACT (2012)

Gender	5-8 years (%/ number)	9-11 years (%/number)	12-14 years (%/number)
Male	77.6% (7,300)	77.1 % (4,800)	72.6% (4,700)
Female	63.6% (5,600)	75.8% (4,600)	75.0% (4,700)

Participation for children aged 15-17 is recorded by the ABS survey "Participation in Sport and Physical Recreation". In 2013-14 the ACT participation rate for males and females in the 15-17 years category was 86.6% (3,400) and 71.4% (5,900) respectively. This data does however note a relative standard error of 25% to 50%.
