



# DEBATES

OF THE  
LEGISLATIVE ASSEMBLY

FOR THE  
AUSTRALIAN CAPITAL TERRITORY

SIXTH ASSEMBLY

WEEKLY HANSARD

24 NOVEMBER

2005

**Thursday, 24 November 2005**

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**Thursday, 24 November 2005**

**MR SPEAKER** (Mr Berry) took the chair at 10.30 am and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

### **Civil Law (Property) Bill 2005**

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

Title read by Clerk.

**MR STANHOPE** (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs) (10.32): I move:

That this bill be agreed to in principle.

The government has been committed for some time to simplifying ACT property law. The Civil Law (Property) Bill 2005 is the culmination of a 10-year program to consolidate the law of property in the ACT.

Members of the Assembly will recall that the government tabled this bill as an exposure draft bill on 23 June 2005, inviting the community and interested parties to comment on the proposal to create a single law that consolidates the provisions of the existing law of property. As no formal submissions were received, I now present the Civil Law (Property) Bill to the Assembly.

Members of the Assembly will also remember that in the first session of parliament the government introduced legislation that consolidated that part of the civil law that dealt with wrongs and in doing so rewrote almost the entirety of ACT law in that area. Calls to undertake a similar reform program in property law first were initiated in 1976, when the Blackburn commission reported to the commonwealth Attorney-General about the need to reform ACT conveyancing law. The commission stressed the need for a fundamental review of the law relating to real and personal property in the ACT. It saw the theoretical structure of property law as it stands, that is, based on the view that land is primarily the economic basis of the hereditary family group, as being irrelevant to the needs of the Australian community, who view land primarily as a commodity.

The commission was also of the view that fundamental review was necessitated by a radical change in patterns of land use, caused particularly by the growth of urbanisation. According to the commission, this change led to an increase in conflicts between different land uses; it considers that more careful planning of use and protection of land resources needs to be considered as part of the law dealing with property. Of considerable importance, the commission pointed out that the law relating to property in the ACT cannot be found in a complete conveyancing act or property act. In the ACT the law relating to conveyancing can be found in the common law; in imperial acts; the Conveyancing and Law Property Act 1898 of New South Wales and a variety of other New South Wales acts which apply in the ACT; some sections of the New South Wales

Conveyancing Act, as applied and modified in the ACT by the Conveyancing Act 1951; the Law of Property (Miscellaneous Provisions) Act 1958 and the Trustee Act 1957.

This situation, according to the commission, urgently needed modification and simplification. The commission felt, however, that it was not in a position to be able to undertake the complete revision of the law relating to property in the ACT, undertaking instead a more limited review designed to remove anomalies, clarify sections and limit, as far as possible, the number of steps required to be taken to effect the conveyance of land in the ACT.

The program examined the old ACT law relating to the law of property. While for many centuries this law covered the acquisition of interests in land and goods, it has been largely overtaken by modern legislation. The sale of land is now regulated under the Land Titles Act of 1925 and the sale of goods is regulated by sale of goods and fair trading laws. The review only tangentially examines the modern legislation. It is a housekeeping exercise aimed at discovering and making more accessible old rules that might continue to have relevance to legal transactions in the ACT.

It is unwise to attach too great an importance to the old law, but neither should it be underrated. It is a confusing maze of legislation. Much of it is archaic, unintelligible language. For example, until very recently it was still the law that;

The due registration in the office of the Registrar-General of any deed of feoffment shall operate as and be for the purposes equivalent to livery of seisin as to the lands and hereditaments comprised in and intended to be conveyed by such a deed of feoffment, the same in all respects as if there had been livery of seisin actually made and given of the same lands and hereditaments in the most valid and effectual form and manner.

In plain English, this simply means, perhaps surprisingly, that a modern transfer of property has the same effect as handing over the ring of the door of the building or, if there is no building, a clod of earth. The underlying basis of many old conveyancing laws is completely alien to modern conceptions and needs. In a period of great personal mobility, geographically, socially and economically, land is fundamentally a place of shelter and, if owned, an investment.

Older conceptions based on archaic feudal and medieval dogma and expressed in quasi-magical law-French phraseology are now irrelevant to modern conveyancing transactions. The laws reflect the overriding concern of English society from early medieval society to the 19th century for the ownership or control of land, upon which political power, wealth and social position then depended. The laws are fragmented and, in some cases, duplicated. There are significant gaps in the laws in certain areas. In short, access to the conveyancing laws for the public and the legal profession is poor. The laws do not serve the interests of the modern ACT community.

The program was undertaken as a step in the process of simplifying and bringing up to date ACT conveyancing laws. It was conducted under the ACT legislation review program. As a first stage, in 1996 a detailed review and restatement of the law was published and widely distributed. Subsequently, many of the recommendations in the report to remove archaic provisions have been actioned through a series of review laws. A partial codification has occurred around some of the provisions.

The bill takes the program to its final logical conclusion of stage one of the reform process—a single law that consolidates the provisions of the existing law. This meets the government's objective of reducing fragmentation of the laws and reducing unnecessary complexity in the laws. It reduces confusion and uncertainty as to which laws apply in the territory and as to what the law is. It eliminates redundant, irrelevant and inappropriate legislation adopted or made on a piecemeal and often uncritical basis. Finally, it reduces archaic language and rationalises drafting styles and techniques. Stage two will involve reform of some of the law of property after wide consultation with the law society and the community, particularly the commercial and retail interests that might be affected by any reforms. I present the Civil Law (Property) Bill 2005 to the Assembly.

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

### **Crimes (Offences Against Pregnant Women) Amendment Bill 2005**

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

Title read by Clerk.

**MR STANHOPE** (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs) (10.39): I move:

That this bill be agreed to in principle.

This bill will amend the Crimes Act 1900 to make a number of aggravated offences directed to achieve greater protection for pregnant women and their pregnancies. The bill recognises that some acts of violence are worse than others and that violence to a pregnant woman that results in serious harm to her pregnancy or to a child subsequently born alive deserves separate and severe treatment. The bill also reflects a community desire for appropriate sanctions for malicious acts against pregnant women.

During debate on the Crimes Amendment Bill introduced by the opposition, I informed members of the Assembly that I would be introducing the provisions contained in this bill into the Criminal Code. The government is currently in the process of developing chapter 5 of the Criminal Code, which deals with fatal and non-fatal offences against the person.

The subject matter and issues raised in chapter 5 are numerous and complex. They include the construction of offences such as: murder, manslaughter, causing serious harm, the defence of lawful child correction and offences relating to drink spiking, to name just a few. Chapter 5 is a very important component of the Criminal Code and the laws of the territory generally. The government is committed to progressing reform of the criminal law in a comprehensive and appropriate manner. The government is also committed to undertaking an appropriate consultation process in relation to chapter 5. For these reasons it was not possible to introduce chapter 5 this year.

I am aware of the Assembly's concern that the current law in the ACT does not adequately deal with offences against pregnant women that result in the loss of, or serious harm to, the mother's pregnancy. The government shares these concerns. I am also aware of the community's desire that malicious acts towards pregnant women be dealt with appropriately. This desire is not unique to the territory. In recent years there have been some tragic cases in several Australian jurisdictions where acts of violence or the commission of offences have resulted in the loss of a mother's pregnancy. This has seen several jurisdictions legislate on this matter using a variety of approaches.

In recognition of the importance of the matter to this government, the Assembly and the community, the government has developed aggravated offences for offences committed against pregnant women for immediate inclusion in the Crimes Act. The provisions, however, will be reproduced in chapter 5 when that is developed for introduction next year.

The bill incorporates provisions into the Crimes Act to create aggravated offences for the following offences: manslaughter, intentionally inflicting grievous bodily harm, recklessly inflicting grievous bodily harm, wounding, inflicting actual bodily harm, assault occasioning actual bodily harm, culpable driving of a motor vehicle causing death and culpable driving of a motor vehicle causing grievous bodily harm. The effect of the proposed aggravated offence will be to increase the maximum available penalty for the general offence where there is loss of, or relevant harm to, a woman's pregnancy. In recognition of the seriousness of the aggravated offence, the penalties have been set approximately 30 per cent higher than the penalties for the general offence.

I ask members of the Assembly to consider and support the bill. I have listened to members' views and concerns in relation to the issue. Mr Pratt has acknowledged in this Assembly that in cases of violence against pregnant women the court may take into account any injury to the unborn child in determining the sentence to impose. He and the opposition maintain, however, that this is inadequate because the court can only impose a sentence up to the maximum applicable for the offence against the woman. In some cases this may be appropriate. However, in other cases where, for example, the act is particularly malicious or the assault is so severe that it would attract the maximum penalty under normal circumstances, the discretion to apply a more severe penalty is removed and the penalty that is imposed may not accurately reflect the culpability of the offender's actions. This bill addresses that concern. Where the factor of aggravation is proven, the court is able to consider the imposition of an increased maximum penalty for the offender.

The aggravated offence would apply if one of the general offences was committed against a pregnant woman and the commission of the offence caused either the loss of, or serious harm to, the pregnancy or the death of, or serious harm to, a child born alive as a result of the pregnancy. The bill does not define "pregnancy". The term "pregnancy" would take on its ordinary meaning and apply at any stage of a pregnancy, beginning at conception and ceasing when a child is born alive.

Because the offence is referenced against the mother, it does not create a dichotomy between the pregnant mother and her foetus by defining an unborn child as distinct from

its mother. It is not an offence that divides mother and unborn child and it is not an offence that reopens the abortion debate.

The bill is also consistent with the Human Rights Act, which explicitly states that the right to life applies from the time of birth. Because a separate legal personality has not been created through this bill, there is no potential for a conflict of rights between a mother and her foetus. There is no potential for the mother's rights to privacy and freedom of thought, conscience and religion to be restricted against her will.

Most importantly, the aggravated offence provisions do not affect the current law with respect to medical procedures and terminations. The application of the aggravating factor would only be considered once the general offence is made out. Women seeking lawful terminations of pregnancies and the medical profession have nothing to fear from this bill. The bill does not change the current law in relation to women who terminate their own pregnancies. A woman could not be charged with an aggravated offence if she had performed a self-termination.

The aggravated offence would apply regardless of whether the offender knew the woman was pregnant or whether the offender intended to cause harm to the pregnancy or the child born as a result of the pregnancy. This enables persons who have committed an offence of dangerous driving causing death or grievous bodily harm to be convicted of the aggravated offence whether or not they knew the victim was a pregnant woman. In many of these offences the defendant would not know who their victim was at the time of the offence.

To balance this, the bill also amends the sentencing principles in the Crimes Act to ensure that the court takes into account the harm caused to the pregnancy or to the child born alive and whether the offender knew of the pregnancy and intended to cause harm or was reckless about causing harm to the pregnancy.

The bill also amends the Crimes Act definition of "grievous bodily harm" to ensure that a case for causing grievous bodily harm can be made out if, apart from the loss of or serious harm to the pregnancy, the woman suffers no other harm. This amendment would overcome a situation where a person's conduct results in loss of a pregnancy or serious harm to a pregnancy and which a court considers does not amount to grievous bodily harm to the mother herself. The bill also inserts a definition of "actual bodily harm" to ensure that a case for inflicting or occasioning actual bodily harm can be made out where there is harm to the pregnancy. Members may recall that a similar amendment was made in New South Wales earlier in the year and dubbed Byron's law in recognition of the loss of a woman's pregnancy in a road rage incident.

Another feature of this bill that is directed towards protecting pregnant women is the sentencing provisions that I mentioned earlier. The additional sentencing principles will apply to all offenders who commit offences against pregnant women. A sentencing court will be required to consider whether an offender knew of the pregnancy and intended to cause harm or was reckless about causing harm to the pregnancy in the context of the offence.

This bill is a solution that we can embrace. The bill does not cause unnecessary angst and division within the community. It does not create a new personality in the unborn or

create any potential for a conflict of rights between a mother and her foetus. The bill does not affect the current law with respect to abortions. The bill creates an appropriate regime for the sanction of offenders who commit acts of violence towards pregnant women. I commend the bill and the explanatory statement.

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

## **Casino Control Bill 2005**

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

Title read by Clerk.

**MR QUINLAN** (Molonglo—Treasurer, Minister for Economic Development and Business, Minister for Tourism, Minister for Sport and Recreation, and Minister for Racing and Gaming) (10.48): I move:

That this bill be agreed to in principle.

On 15 March 2005, the government tabled the ACT Gambling and Racing Commission's Review of the Casino Control Act 1988 and at the same time presented the government's response to the commission's review recommendations. Members may recall that the government agreed to all the commission's recommendations, except one that was noted.

The Casino Control Bill 2005 that I am presenting today replaces the Casino Control Act 1988 and incorporates the government's responses to the commission's recommendations. Additionally, the opportunity has been taken to fully rewrite the legislation to provide other drafting and technical amendments to ensure that the ACT's casino control legislation is up to date and relevant.

The commission's review of the act included a wide range of recommendations to enhance the regulation and operation of the casino in the ACT. Many of the changes will result in improvements in efficiencies for both the casino licensee and the commission while maintaining a properly regulated casino. The major reforms include improvements and efficiency gains in the administration of a number of operational matters.

The bill will streamline the approval process for gaming equipment and the clarification of approval requirements and also streamline the approval of the layout of the casino while making the parameters to be considered explicit and clearer. Approval of the casino's operating procedures and systems control will be more flexible and simpler, while maintaining appropriate regulatory oversight. The casino's operating hours will be more flexibly controlled by the casino licensee within certain restrictions specified in the legislation. Casino tax rates will be simplified by eliminating the cumbersome GST credit scheme. This means that ACT casino tax rates will be levied on the same basis as in other states and as recently introduced for gaming machine licensees—that is, the clubs—where the GST credit is no longer provided. These new tax rates will be revenue neutral to the ACT—and therefore to the casino.

The reforms to the casino employee licensing system will overcome significant deficiencies that are being experienced with the existing scheme, such as unnecessary restrictions on persons gaining employment at the casino. The changes will also make the scheme consistent with the recently introduced Gaming Machine Act 2004, where similar principles of licensing gaming staff are in operation. The new casino employee licensing scheme will be more flexible, while maintaining proper probity controls over the employment of casino personnel in critical or sensitive areas of the casino. The scheme will be simpler for casino employees to understand and comply with. Efficiencies will be achieved by both the casino licensee and the commission in operating the new scheme.

Importantly, there is currently unnecessary and confusing duplication of a number of provisions within the Casino Control Act 1988 and the Gambling and Racing Control Act 1999—the act which establishes the commission's functions, powers and responsibilities. The Casino Control Bill 2005 will eliminate this duplication in such areas as the appointment of commission inspectors, the powers of such persons and the seizure of illegal gaming equipment.

Young persons, that is, persons under 18 years of age, will no longer be permitted to enter the casino under any circumstance. This tightens the current provision that permits young persons to enter the casino as long as they cannot see gambling. This current scheme is impractical and inconsistent with current policies on gambling harm minimisation. This change reflects current casino practice not to allow underage persons to enter the casino premises at any time and is fully supported by the casino licensee, as well as by gambling counselling services.

The government has a well-documented policy on minimising the potential harm that may be caused to some people that have difficulty in managing their gambling activity. The current harm minimisation provisions relating to the exclusion of patrons that have a problem with their gambling at the casino have been revised to make them consistent with other gambling licensees, particularly gaming machine operators, that is, the clubs. Responsibility for the administration of the casino's self-exclusion program will now be properly placed with the casino licensee, rather than the current scheme administered by the commission. The proposed new scheme is the same regulatory model covering gaming machine licensees and is consistent with the government policy of having gambling harm minimisation provisions consolidated within the code of practice regulation.

In conclusion, this Casino Control Bill brings the operational and regulatory requirements up to date and provides for a clearer, fairer and more responsible way of controlling the casino. This bill reflects on the very good work undertaken by the ACT Gambling and Racing Commission in conducting their comprehensive review of the previous act, including undertaking extensive community and industry consultation. This bill provides for the future. It will ensure that proper legislative controls will be in place to protect the community, as well as providing clarity and certainty for the industry. I commend the Casino Control Bill 2005 to the Assembly.

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

## **Workers Compensation Amendment Bill 2005 (No 2)**

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

Title read by Clerk.

**MS GALLAGHER** (Molonglo—Minister for Education and Training, Minister for Children, Youth and Family Support, Minister for Women and Minister for Industrial Relations) (10.54): I move:

That this bill be agreed to in principle.

The Workers Compensation Amendment Bill 2005 (No 2) builds on the reforms to the ACT's private sector workers compensation scheme that commenced operation in 2002 and introduced a focus on injury management, sustainable return to work for injured workers and reducing the administrative costs under the scheme. Further amendments to improve the effectiveness of the workers compensation scheme are now proposed.

The bill has been developed in consultation with the ACT Occupational Health and Safety Council's workers compensation advisory committee and other key stakeholders. The committee has worked in cooperation with the government since 2002, and has continually supported the government in identifying further improvements and refinements. The bill that I table today is the result of the continuing interest and commitment shown by members of the committee, and I thank them for their ongoing support and assistance.

In August this year, I released the bill as an exposure draft to provide all stakeholders with the opportunity to make submissions on the proposals contained in the bill. I extend appreciation to the Insurance Council of Australia and to the ACT and Region Chamber of Industry and Commerce for their interest and the contributions they have made to improve the operational effectiveness of this bill. The subsequent refinements and improvements to this bill demonstrate the value of working collaboratively with stakeholders.

The workers compensation scheme has two safety net arrangements to ensure that all injured workers have access to benefits on injury. These are: the Nominal Insurer, for injured workers who are employed by an uninsured employer; and the workers compensation supplementation fund, for situations where an insurer collapses or is otherwise unable to meet the costs of claims against the workers compensation policies issued by the insurer. Neither safety net arrangement provides injury management and return to work for injured workers, and this is inconsistent with the intent of the scheme.

In 2004, concerns about governance, reporting and accountability requirements for the supplementation fund led to an investigation of the operation of the supplementation fund by the ACT Auditor-General. While concluding that the administration of the supplementation fund was consistent with the legislation, the Auditor-General noted scope for improvements in efficiently and effectively managing the relationship between the fund manager and the supervising insurer. The management of the supplementation

fund was restructured following the report. These changes will be supported by the arrangements proposed in this bill.

The bill proposed combining the arrangements for both safety net schemes in the Workers Compensation Act 1951 to allow injury management requirements for all workers compensation claims, to improve accountability and transparency for the safety net arrangements and to clarify the roles and responsibilities of the government, insurers, employers and injured workers.

The new safety net arrangement would be called the default insurance fund. The proposed fund would contain separate accounts for claims made against employers without compulsory insurance policies and for claims made against a compulsory insurance policy issued by an approved insurer that cannot provide the indemnity required under that policy. The proposed fund would provide similar injury management requirements to be applied to default insurance fund claims as apply to other injured territory workers.

The bill will support improved governance, reporting and accountability for the default insurance fund through the appointment of a tripartite advisory committee. The default insurance fund advisory committee will monitor the operations of the default insurance fund and will provide advice for the fund manager or the minister on its administration.

Following the collapse of the HIA Insurance Group in early 2001, the ACT government provided a \$30 million loan to the supplementation fund. While the legislation allows for a levy to be charged to recover all or part of this loan, the ACT government does not intend to impose such a levy to recover the loan amount. The territory may seek repayment of the \$30 million loan if a surplus remains in the account.

The bill proposes that future costs associated with the collapse of an insurer will be funded using a post-funding model. This means employers will only be required to contribute in the event of another insurer collapse. After the HIA Insurance Group collapse, the commonwealth government introduced changes to the national and regulatory regimes for insurers, including new requirements for increased prudential reserves. While another insurer collapse can never be ruled out, the new requirements for insurers should reduce the likelihood of such an occurrence.

The fund for employers without compulsory insurance will also be funded using a post-funding model to meet the liabilities of the fund each quarter. This would continue the funding arrangement that exists for the Nominal Insurer. The safety net will continue to be privately underwritten. This will ensure that liability for the safety net remains with the employer and is not transferred to the ACT taxpayer.

There is currently no requirement for insurers to disclose to their clients the amount of premium that is attributable to government levies unless required by statute, as is the case with the supplementation fund levy. The bill proposes that all costs should be clearly identifiable to employers. This should appear as an amount on the employer's insurance policy so that employers can readily identify costs to their business when other employers fail to take out insurance policies. The intention of this approach is to have a self and peer regulating effect.

In addition to improving the accountability and transparency of the safety net arrangements, this bill will provide a mechanism to assist in ensuring that employers' insurance policies are adequate. Under the provisions of the act, an employer, other than a self-insurer, must maintain a compulsory insurance policy with an approved insurer. Employers are required to provide prescribed information relating to the number of workers and an estimate of wages to be paid to those workers to their insurers when applying for or renewing their compulsory insurance. Employers are also required to submit wage and salary declarations every six months to their insurer, accompanied by a statutory declaration certifying its validity.

The bill will establish a scheme for certificates of currency that will provide information about the coverage of a compulsory insurance policy held by an employer. Employers will be able to ask insurers for an up-to-date certificate every six months. The certificate of currency will include details such as the number of employees and the wages and salary paid to territory workers who participate at a workplace. A certificate of currency would be valid for a period of six months. This period is consistent with the existing requirements in the act for employers to update their wage and salary declarations to insurers every six months.

The bill proposes that inspectors appointed under the act, union industrial officers and officials of employer representative associations and principal contractors who might be liable for workers compensation for employees of subcontractors who do not have sufficient insurance will be entitled to request that employers produce information about the number of employees and wage and salary information, either from their insurance policy or a certificate of currency. Allowing principals access to certificates of currency will provide greater certainty for them when entering subcontracting arrangements. Similar provisions are operating successfully in New South Wales.

This bill also proposes a number of minor policy amendments that will improve the operation of the scheme. The bill proposes allowing insurers and employers to discontinue making payments to an injured worker if no claim for compensation has been made within seven days of the alleged work-related injury. This provision would not apply in situations in which the injured worker is unable to make a claim for compensation due to incapacity.

In a small number of cases injured workers are either unable or refuse to attend a medical assessment within the first 28 days of a claim. The effect of this is that insurers must accept these claims and if subsequent medical evidence indicates that the injury was not of a compensable nature the insurer cannot recover benefits paid to the worker and must give eight weeks notice of the termination of benefits.

The bill proposes that, when an insurer has taken reasonable steps to obtain a medical assessment and the medical assessment has not been completed within the 28 days due to the injured worker's failure to attend, the insurer should be entitled to cease weekly payments until the worker attends the medical assessment. Where the medical assessment cannot be completed for reasons outside the worker's control, such as the unavailability of appointments with specialists, then the current arrangements would continue to apply.

The act's benefit structure has a major financial incentive to return to work in the form of a step down in benefits from pre-injury earnings to 65 per cent of pre-injury earnings after the worker has been off for 26 weeks. Currently, return to work, even for a day, can mean the injured worker can claim a new 26-week period of pre-injury earning benefits. This has the potential to allow an injured worker to abuse the scheme. The step down is a major incentive for injured workers to return to work and should not be open to abuse. The bill will clarify that all periods of absence from work due to the same injury should be treated as cumulative and the initial 26-week period should be applied once to any one injury.

Encouraging the early reporting of injuries can help cover the costs of workers compensation if it means that injury management and return to work strategies are put in place sooner. Currently employers are not entitled to be indemnified by their insurer for the costs of weekly benefits payable to employees if they fail to report an injury to their insurer within 48 hours. The bill clarifies that an employer who fails to report an injury to their insurer within 48 hours is only entitled to be reimbursed for weekly benefits from the time they give notice of the injury to the insurer. The bill will clarify that it is not an offence for an insurer to fail to pay an invoice it has not received from a provider. The bill proposes that employers may consult with a broad range of people when developing a return to work program for injured workers. For example, employers may choose to consult with people who have expertise in occupational health and safety.

The bill proposes a new provision allowing for the apportionment of the costs of administration of the act among approved insurers and self-insurers. The provisions clarify that the costs of administration include costs incurred by the Magistrates Court in relation to workers compensation matters. Liability for these costs shall be met by those who were approved insurers or self-insurers on the basis of the costs attributable to each insurer or self-insurer during the year. The government will disclose the basis for attributions to ensure transparency.

The amendments proposed by the bill will allow the territory courts to make publicity orders against people convicted of offences against the Workers Compensation Act. These provisions are based on similar provisions in the Occupational Health and Safety Act 1989 and the Dangerous Substances Act 2004. Publicity orders can assist in ensuring employers' compliance with the legislative framework.

Finally, the bill will repeal chapter 12 of the act dealing with infringement notices. A new schedule will be created by regulation under the Magistrates Court Act. This move will further progress government policy on creating a single, consistent regime for infringement notices issued under ACT legislation. I commend the Workers Compensation Amendment Bill 2005 No 2 to the Assembly.

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

## **Planning and Environment—Standing Committee Report 16**

Debate resumed from 17 November 2005, on motion by **Mr Gentleman**:

That the report be noted.

**MR PRATT** (Brindabella) (11.07): Last week I sought to extend the debate on the tabling of this report as I noticed that there were issues of importance surrounding the government's management of bushfires and, more importantly, managing the research and analysis into what failed in the past.

The previously issued COAG national inquiry on bushfire mitigation and management continued the trend of governments with their heads in the sands. I do not necessarily agree with the statements made in this recovery conference about COAG and the need to ensure that the five Rs are covered. It talked about research, information and analysis, risk modification, readiness, response and recovery. It talked about how wonderful it was that these five Rs had been pursued. I take issue that the research and analysis aspects of any inquiry into the January 2003 fire disasters have been properly pursued. I maintain that they have not. As I said the other day, I want to concentrate on those aspects in relation to the January 2003 fires.

The COAG bushfire report, which this recovery conference report refers to, was simply another useful but ultimately disappointing report. Like the McLeod inquiry, it was simply a wasted opportunity; it again failed to get to the heart of useful matters such as government failure, departmental failures, systemic failures and strategic and operational shortfalls.

The McLeod report, too, failed to answer many of the questions. The recovery conference refers to this inquiry as well. In support of the McLeod report, I would say it has proven to be very useful in highlighting the mistakes that were made by various parties involved in the bushfires but did not answer all outstanding questions that the community had regarding bushfires. It ran well over time and cost too much as well.

I question the worthiness of the bushfire recovery conference when it blissfully skates over the very serious issues of failure to analyse what went wrong. The bushfire recovery conference says of the McLeod inquiry:

Mr Ellis praised the ACT government's demonstrated leadership following the 2003 bushfires and commended consideration of bushfire response and recovery programs concurrently.

I wonder, however, whether Mr Ellis, or anyone else for that matter, would praise this Chief Minister in his attempt to dismiss the Doogan inquiry because of his belief of perceived bias. Research and analysis into the January 2003 fires has been incomplete, slow and painful, to say the least. The facts speak for themselves.

The terms of reference of the McLeod inquiry did not properly address the fundamental issues of strategic preventative measures and the very vexed issue of why the government and its agencies failed to warn the community about the approaching disaster. It is, therefore, disappointing that this very important conference did not address these yawning gaps in the research and analysis aspects of recovery.

What we have come to see from the Chief Minister, of course, is that representing pro-government lobby interests in the community, closing ranks with those lobbies, will happen at any cost, even if that means hiding the facts at the expense of serving the greater good. Yet here we have the committee's report highlighting Mr Ellis' praise of the ACT government's actions in the wake of the 2003 bushfires. This is a very disappointing and totally useless observation on the part of the recovery conference.

As a result of the inadequate McLeod inquiry, an independent and fully capable coronial inquest was, therefore, much more important to serve the community's needs, not the government's interests, and the community's safety needs in equipping it better for bushfire threats of the future. Again, the recovery conference seems to have skipped conveniently over this reality and not decried the obstacles put in the path of the coronial inquiry by this government.

On the basis of a great deal of information that was presented to the Doogan inquiry, it appeared that it was very likely to reach into the heart of the important issues regarding the fires, such as the essential issue of the government's failure to warn the community. It was this process, I maintain, that the Chief Minister also interfered with. This interference was deeply concerning and, yet again, contributed to this government's neglecting to allow the ACT community to find out and understand the truth about strategic and systemic failures leading to the death and disaster that we saw in January 2003.

While finding limited lessons in the COAG report, the ACT will not have its safety improved as a result. The COAG report, like the McLeod inquiry, fell far short of getting to the bottom of these events. Again disappointingly, the bushfire recovery conference does not acknowledge these important failures.

The committee report notes, on page 10, concerns about previous government committee inquiries whose recommendations have been ignored and left to collect dust, wasting millions of taxpayer dollars in the process. I am heartened to see Mr Gentleman's committee identify the number of times that parliamentary inquiries have been conducted into public works, environmental and bushfire-related inquiries but with little government uptake.

**Mr Stanhope:** On a point of order, Mr Speaker: I believe that the speaker, in comments that he just made, casts fairly serious aspersions on the Coroners Court and the coroner. The suggestion that has just been made by Mr Pratt is that the Coroners Court has failed and will fail to get to the truth of issues that are currently being agitated before the court. I believe that is a direct insult to the integrity of the coroner and of the Coroners Court.

**MR SPEAKER:** I accept that.

**MR PRATT:** Mr Speaker, may I talk to the point of order?

**MR SPEAKER:** I am not going to have the Coroners Court reflected upon here, halfway through the process. It will not be long before it will be making some decision in relation to that.

**MR PRATT:** Mr Speaker, I absolutely deny the allegation that I have attacked the Doogan inquiry. I have attacked the Chief Minister's predilection to impede the Doogan inquiry.

**MR SPEAKER:** I will have a look at *Hansard*.

**MR PRATT:** I shall continue. While finding that the COAG report, like the McLeod inquiry, fell far short of getting to the bottom of the events again, disappointingly, the recovery conference has not acknowledged those important failures.

While I acknowledge that the Stanhope government did take up many of McLeod's recommendations and has made a genuine effort to implement many of its recommendations, it is not true, as the Chief Minister has claimed, that all of those recommendations have been implemented. I sincerely hope that the Stanhope government now acts on those areas well covered in the sustainability and bushfire recovery conference and that the report does not become another dust-collecting and expensive exercise.

Of greater concern to the opposition and the community is that the Stanhope government, un-prodded by a bush fire recovery conference that failed to discuss the most yawning gaps in the research and analysis aspects of recovery—namely, failed preventative strategies, on the back of stark lessons arising from the December 2001 bushfires and the government's failure to warn the ACT community prior to 18 January 2003—will not take note of nor put into action any lessons arising from that conference either.

**MR STANHOPE** (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs) (11.15): I wish to address the issue very briefly. I find quite remarkable the lack of respect for the sub judice rule, the Coroners Court and the coronial process that has been expressed particularly by Mr Pratt in the comments he has made—in fact, a lack of respect for anybody associated with any response to the bushfire and the outcomes of that.

We see the attack from Mr Pratt on the McLeod report. Mr Pratt, of all people, with the level of understanding or intelligence that he brings to most subjects, is attacking Ron McLeod, the ex-Commonwealth Ombudsman, who provided an initial, short, sharp inquiry, with 60 recommendations—all learned, all made on the basis of submissions from across the ACT, from all relevant authorities and from individuals—a workable report, exactly the sort of report that we needed at the time, a report which the ACT government implemented and implemented effectively. Yet it is not good enough for Mr Pratt.

In railing against the government in order to achieve this cheap political point, Mr Pratt and the Liberal Party, the opposition, seek to continue to generate from the fire this attempt to fan the flames of community dissension and aggravation. As Mr Quinlan has said time and time again, they are feeding off the grief and the loss of people who are still grieving and still feeling so hard the loss that they suffered in the fire. It is now three years since the fire.

We have had a detailed inquiry, through McLeod; we have had a detailed inquiry through the COAG process; and the coronial inquest has been running now for two years and is about to report. As Mr Quinlan has time and time again said in relation to this weekly attack on me and on the government in relation to the fire and our response to the fire, the opposition is, in the most tawdry, pathetic and offensive way, seeking essentially to continue to agitate the grief and loss that a small number of people continue to feel. The extent to which each of you seeks to take advantage from the loss, the pain and the suffering of others is quite despicable.

You are doing it here again today. You misread the situation. You confect this widespread disaffection or dissatisfaction with the government's response to the fire. Mr Quinlan—and I know he has it in his folder here; and I draw on the attitude and the information that he has provided previously in relation to this issue—has said that Mr Pratt, Mrs Burke, Mr Seselja, Mr Smyth and the others will stand up here and say, "People come to us constantly, all the time, expressing their dissatisfaction with the government's attitude and the government's response and the attitude which the Chief Minister has presented in relation to the coronial inquest."

Mr Quinlan, uncomfortably, then refers to the electoral returns at the last election in the suburbs most dramatically affected by the fire. What does Mr Quinlan reveal? In the suburbs most affected by the fire, Chapman and Duffy, what happened to the Labor Party's vote between 2001 and 2004, in the period in which the fire occurred and the government responded and during which I—

**Mr Pratt:** That's a pretty pathetic piece of spin.

**MR SPEAKER:** Order, Mr Pratt!

**MR STANHOPE:** Mr Pratt thinks it is pathetic. What happened in Chapman, the suburb dramatically affected by the fire, where there was significant damage and enormous trauma? The number of people who voted Labor in Chapman from before the fire until after the fire grew by 9.3 per cent. I wonder why that is. That is a massive swing. Between 2001 and 2004 the government's vote in Chapman grew by 9.3 per cent.

What happened in Duffy?

**Mr Pratt:** But why did you fail on 17 January?

**MR SPEAKER:** Order, Mr Pratt! I have called you to order several times. I warn you.

**MR STANHOPE:** What happened in Duffy, the suburb at the fire front that bore the brunt of the fire? In the context of the attack, which we just have witnessed from Mr Pratt and others, and in the context of the attacks on me—my outrageous behaviour, my interference and my refusal to get to the truth and the people of Chapman and Duffy would expect the government to respond appropriately—would they express concerns if they thought I was acting inappropriately and that I was seeking to disguise the truth?

Let us go through those numbers again: 2001 election, fire, McLeod report, COAG report, coronial inquest and, goodness me, our vote increases by 9.3 per cent in

Chapman. What happened in Duffy, the other suburb at the front? On the basis of this assault on the Chief Minister's dreadful behaviour and the failings of the government, goodness me, surely the people of Duffy would have punished us at the ballot box. What did they do? Eight point six per cent more of them voted for us than they did in the previous election. In Holder, the suburb next affected—these are massive swings in any electorate in any election—there was a swing to the government of 8.4 per cent. In Rivett, there was a swing to the government of 8.3 per cent. In Weston Creek, there was a swing to the government of 9.8 per cent. There was a 10 per cent swing to the government in that affected suburb.

And you stand up here and rail, “We are being constantly approached by people upset with the Chief Minister and upset with the government in relation to the fire.” That is simply not true. There is one great test of what people think of a government, and it is the test at the ballot box. In relation to these issues, which you stand up in here and rail about, the people of Canberra have said, “You passed the test,” to the extent that 10 per cent more people in Weston Creek voted for us—the biggest swing in Canberra. It is not just a significant swing by itself; it is a vote about you, of course. It is a vote about us, but it is also a vote about you; it is a reflection of what the people of Canberra think of you. Ten per cent more people voted for us in Weston Creek after the fire than they did before the fire.

Have you stopped to pause and think why that was? Have you stopped to pause and ask yourself, “Why was the biggest swing that this government achieved in 2004”—and it was a significant swing across the board—“achieved at Weston Creek, Chapman and Duffy?” It is a commentary on you. It is a commentary on the appalling, putrid politics that you have played with this issue. The people of Duffy and the people of Chapman know about the way that you are using and abusing them, what they honestly think and what they honestly seek to achieve. And it is not what you are seeking to achieve; it is not the continual sowing of dissent—

*Mr Pratt interjecting—*

**MR SPEAKER:** Don't be tempted, Mr Pratt. I will name you.

**MR STANHOPE:** It is not the continued prostitution of them and their grief that you are involved in. They are sending you a big signal through the ballot box that they do not like what you are doing; they do not like the way in which you are abusing this issue for your shallow, short-term, putrid, political ends. And nor does the rest of Canberra.

**Mr Stefaniak:** On a point of order, Mr Speaker: the word “putrid”.

**MR SPEAKER:** It is a reflection on the attitudes of—

**MR STANHOPE:** I was referring to the party.

**MR SPEAKER:** It is strong language, but I would not rule it to be unparliamentary. It is a reflection on the position of people with an opposite view. It is colourful language and it is strong, but I would not say it is unparliamentary.

**MR STANHOPE:** I draw members' attention to the vote in Weston Creek; look at the vote in Duffy. The ALP vote in 2004 was 50 per cent. The Liberal Party vote in Duffy in 2004 was 29 per cent. I wonder why that is. I wonder why 50 per cent of the residents of Duffy voted Labor and 29 per cent voted Liberal after the fire, after McLeod, after COAG, after the coronial inquest. Do you know why only 29 per cent of them voted for you? Because they are offended to their core by your behaviour in relation to the fire. That is why.

They believe that your behaviour is unacceptable, that your dredging up of the pain, the suffering, the loss and the grief for your own purposes is not what they want. They do not want, they do not like your constant preying on their loss and their grief. And that is why 50 per cent of them voted Labor. That is why 50 per cent of them voted for me, and that is why 29 per cent of voters, less than your core vote, less than the Liberal Party core vote, voted for you in Duffy. I wonder why. You could not even attract your core vote in Duffy. And yet here you are railing in this pathetic, putrid way that you have, trying to profit by other people's loss and grief. People are heartily sick of your abuse of this issue.

**MR SPEAKER:** The member's time has expired.

**MRS BURKE (Molonglo) (11.26):** What a diatribe and a load of disgraceful spin that was. It really is disgraceful for the Chief Minister to stand in this place—

**Mr Stanhope:** Twenty-nine per cent!

**MR SPEAKER:** Order, Mr Stanhope!

**Mr Quinlan:** Let us look you up, Jacqui.

**MRS BURKE:** Have you finished, children?

**MR SPEAKER:** Continue.

**MRS BURKE:** Thank you, Mr Speaker. I have read this report and, quite interestingly, have taken on board Mr Pratt's comments. He talks of the report being skated over in regard to some serious issues, and I have to agree. I put it to the house that we have also skated over and tried to hurry on in some way the recovery of the people who suffered and are still suffering as a result of the bushfires in which four people lost their lives and hundreds of home were destroyed.

If we look through the report—and I will just pick out one or two of the areas that were talked about; obviously there was a very nice gathering of people and some good things were talked about—there was a lot of skating over. On page 8, for example, 1.15 of the report states:

... following the first keynote and panel session, delegates divided into two streams, focusing loosely on public works and the built environment, and community engagement.

Much is being said about putting a lot back on the community. I do not have time to go into why a lot of that stuff is quite appalling in itself, but I will go on quoting from the report:

... Paul Lewis, of the ACT Planning and Land Authority, reflected on the challenges faced by fire affected residents ...

People not had only to weave through their own emotional state but also through the sheer enormity of rebuilding their homes and all that involved. As we know, it has not been an easy route for people. Many will see, on the inquiryprotest.com website, the issue of houses being rebuilt and so forth. I will not go into that here.

On page 9 it states:

Mr Barton Williams, of VicUrban, introduced delegates to the sustainability benchmarks that VicUrban is working with.

He talked about a sustainability charter, focusing on the community wellbeing, environment, commercial success, housing affordability and urban design excellence.

If we stop at the first point, community wellbeing: we have a government and a Chief Minister who wish the opposition would not talk about this issue at all, in the hope that it will simply go away, not ever be spoken about, let us never bring it up for debate at all, because he has got a glass jaw and he cannot take it. He can give it, but he cannot take it.

We have to also make the point that you cannot rebuild a community in its physical sense unless you can first rebuild its people. The Chief Minister wants to wash over all of this; let us get on with life, let us get on with it. He sits there, smugly smiling, while people are suffering. He denies the fact that people ring the opposition, that they call people in the media, that they talk to people like the ABC about post-traumatic stress. It does not exist, according to the Chief Minister.

I would say then that the Chief Minister is in total denial that new research has revealed a high rate of post-traumatic stress.

**Mr Stanhope:** Not even your core vote.

**MRS BURKE:** On a point of order, Mr Speaker: would the Chief Minister like to shut up while I finish my speech?

**MR SPEAKER:** Order! Tempted though people may be to interject, it is disorderly so please desist.

**MRS BURKE:** The Chief Minister, obviously, and the Treasurer do not like to hear these comments. The ABC reported this week:

New research has revealed a high rate of post-traumatic stress disorder among victims of the 2003 Canberra bushfires.

The research by the Australian National University has found one in three men and two in three women in a sample of 24-to 28-year-olds suffered the disorder after the fires.

Professor Helen Christensen says the symptoms are characterised by an acute anxiety that persists.

It persists; it has not gone away. I am sorry to disappoint the Chief Minister and the government: this issue has not gone away. It has gone away simply because of the fact that people have now said, "Forget it." They are going down a downward spiral. I spoke to a family yesterday whose marriage is now on the rocks; their children are still suffering; this guy's income has dropped from \$60,000 per annum to \$20,000 per annum due to post-traumatic stress.

Mr Speaker, I put it to you that this report glosses over so many of the important issues. It is all well and good that people want to get on with their lives. The Chief Minister forgets this. People want to get on with their lives. Again according to reports, people are waking up in the middle of the night, terribly fearful about the event, having nightmares, not being able to think about it. I continue quoting from the ABC report:

The Phoenix Society's Richard Arthur says he believes the results are only the tip of the iceberg.

**Mr Gentleman:** On a point of order, Mr Speaker: Mrs Burke has referred to this report as glossing over the important issues. The report discusses the conference that occurred from 28 to 30 September.

**MR SPEAKER:** Come to your point of order.

**Mr Gentleman:** I ask Mrs Burke to be relevant to the discussion we are having today.

**MR SPEAKER:** There have been some eloquent contributions about issues that the report might have touched on.

**MRS BURKE:** No, Mr Speaker. I am going through it point by point. I beg to differ.

**MR SPEAKER:** It would be better if you drew some links back to the report itself.

**MRS BURKE:** I beg to differ, Mr Speaker. I object to that point of order. I referred to the report. On page 9 of the report, 1.21 states:

Ms Chris Healy, Mrs Jo Matthews and Mr Graham Fuller then presented a case study in community involvement in recovery ...

They talked about various keys to success, including positive outlooks, community—

**MR SPEAKER:** That is fair enough, as long as you draw links back to the report.

**MRS BURKE:** Mr Speaker, I have been, constantly, throughout my speech.

**Mr Gentleman:** Mr Speaker to the point of order—

**MR SPEAKER:** I have ruled on the point of order. She will have to draw some links back to the report.

**MRS BURKE:** I am referring to the report. Do not be so touchy. You will get your moment, Mr Gentleman. They identified:

... various 'keys to success' including positive outlooks, community drive and spirit—

I am reading straight from the report here—

imagination, and on the government side—assistance and facilitation, good communication and honesty.

I ask the government: when people have to crawl on their hands and knees, virtually, to ask to have counselling, is that good governance? Is that giving assistance? Is that facilitating people's road to recovery? As I said before, if you want to rebuild a community you have to rebuild people first. It is going to be totally impossible. I can hear that the government is so upset. At page 9 of the report, 1.22 states:

... Mr Chris Stamford, of the Phoenix Association, spoke about his experience as a volunteer and the emotional aspects of helping others.

The Phoenix Association and Chris Stamford are given four lines in this report. I am sure he said more than four lines.

In this report, at page 14, point 1.33, under "Sustainability and Bushfire Recovery Conference Display", lists the things that were on display: the winning design for the Canberra international arboretum and gardens, the concept design for the ACT bushfire memorial and layout, Tidbinbilla redevelopments, plans for Stromlo forest park, the redevelopment of Uriarra and Stromlo villages, EcoWise maps of recovery in catchments and by vegetation communities, Australian Native Plant Society Canberra Region Inc information, Yarralumla Nursery, information about Centrelink's role.

Do you know the one thing that is missing from here, Mr Speaker and members? There is not one mention about Pierces Creek and the families who are going back there. What has happened there? I would have thought that would have been essential. I have looked through the report and cannot see it. Perhaps Mr Gentleman can address it. Perhaps he has had talks with the Chief Minister, who has since made up his mind about whether those people are going to be allowed to go home or not. They are very quiet on that one.

I will not go on and upset the government any more; they are very delicate today, very glass-jawed. On that note, I just say that this report skims over many serious aspects; people cannot get on with their lives; and they need to pay more attention to helping people through this still-difficult period, particularly coming up to the anniversary of the bushfires; let us not forget.

**MR GENTLEMAN** (Brindabella) (11.35), in reply: It has been interesting to hear the comments of Mr Pratt and Mrs Burke this morning. The question arises of course that, if Mr Pratt was so concerned about the ACT strategies on the bushfire response and recovery, why did he not attend the conference? That is right; he was not there.

**Mr Stanhope:** He was trying to get into the mosque. They have banned him from it!

**MR GENTLEMAN:** And why did Mrs Burke not attend the conference? She was not there either.

**MR SPEAKER:** Order! Mr Gentleman has the floor.

**MR GENTLEMAN:** I think that, if they had attended, they would have learnt quite a lot. I am pleased that Mr Pratt has finally decided to take an interest in the matter but I suggest that he take up the invitation next time he is invited. He has come here today with a spray on a four-day conference that he did not attend.

**Mr Stanhope:** Good point.

**MR GENTLEMAN:** I would like to start by saying there are some tragic facts that come with any discussion on the 2003 bushfires.

**Mrs Burke:** You attend everything, do you, Jon?

**Mr Stanhope:** Four days, and he couldn't be bothered to go. That is really interesting.

*Mrs Burke interjecting—*

**MR SPEAKER:** Order! The conversations across the floor are not helping Mr Gentleman to give his presentation.

**Mr Quinlan:** He doesn't mind.

**MR SPEAKER:** Well, I do. Please desist, however tempting it might be.

**MR GENTLEMAN:** Any life lost is a tragedy. Not only is such discussion unavoidable, it is also necessary. We did that. Mr Pratt has raised concerns over the validity of the conference. He believes there should have been more attention paid to the research and analysis of bushfires so this does not happen again. One of the lessons we learnt at the conference, Mr Pratt, is that bushfires will happen again because they are part of the Australian environment. I would like to pose a question, through you, Mr Speaker, to Mr Pratt. How does Mr Pratt know that the conference was a waste of time if, given the opportunity to attend, he did not do so?

**MR SPEAKER:** You cannot pose questions at this point. Do not be tempted to answer that, Mr Pratt.

**MR GENTLEMAN:** I will try to enlighten Mr Pratt as to the presentations that occurred at the conference, to provide him with some of the information on our bushfire

management plan. The strategic bushfire management plan in the ACT that the rural fire service has in place falls under section 72 of the Emergencies Act 2004 and underpins the ACT's approach to bushfire management. The plan is framed around the universally recognised emergency management framework of prevention, preparedness, response and recovery. The ESA is implementing the strategies defined in the SBMP that have been developed in consultation with key stakeholders in both the ACT and surrounding New South Wales. These have come to the forefront after a long and complex study by this government into recovery and sustainability after bushfire.

The strategic bushfire management plan is a 10-year plan, to be completed in two parts. Version 1 was completed in January 2005 to meet immediate government and public expectations for bushfire management prior to the 2004-05 season. Version 1 of the SBMP has been well received and provides strategic direction for bushfire management in the ACT. There are a number of important issues that affect the development and implementation of the plan, including: future land use for the Cotter catchment area, the Namadgi park management plan, the Brindabella management plan and ongoing work being undertaken by the Bushfire Cooperative Research Centre. It is expected that version 2 of the SBMP will be completed by 2006-07. Version 1 will remain current until that time.

For Mr Pratt's benefit, this conference was about exchanging ideas so that governments may be best prepared in preventative measures, response and recovery. I assume by Mr Pratt's comments that he would rather politicise these tragedies than learn from them. Had he bothered to attend, he would have heard the Chief Minister talk on the plans and projects underway in the ACT. He would have heard that out of tragedy comes an opportunity to learn and grow as a community. I commend the Chief Minister for his honesty and leadership at the conference on matters that most members of parliament and, I would presume, ACT opposition members, would rather avoid than confront. I am not alone in my commendation of Mr Stanhope and the ACT government. I draw members' attention to section 1.9 of the report where Stuart Ellis, chair of the COAG national bushfire inquiry:

... praised the ACT Government's demonstrated leadership following the 2003 bushfires and commended consideration of bushfire response and recovery programs concurrently.

Further, it says that Mr Sandy Hollway, in 1.10 of the report:

... advised delegates that short and long term recovery strategies should include leadership and teamwork, open and responsive dedicated government machinery, a sense of urgency, strong political backing and the budget to get the job done.

These are all attributes the ACT government displayed during the crisis and in its bushfire recovery process. The conference was not about patting each other on the back and forgetting the real issues, though. It was about exchanging real stories so that all delegates had the opportunity to learn. We heard from the South Australian delegate, Lyn Breuer, on the South Australian government's response to the 2005 Wangary fires; and we heard from members of the Mount Taylor community about how, out of tragedy, a community came together, building a greater sense of community—and there was the construction of a commemorative tree. This is a living example of opportunity coming

out of tragedy. It is a wonderful example of the work of unsung heroes in our community—people like Mark O'Neill and the urban fire unit at Kambah.

At the conference we heard from organisations like Volunteers ACT, represented by Ms Porter, and we heard how community organisations could better prepare themselves for the great outpouring of support—how best to help people to help people. If Mr Pratt had bothered to attend the conference, he would have seen first hand, as the delegates did, recovery in progress with a tour of the Tidbinbilla nature reserve. As his colleague Mr Seselja did, he would have heard from Barton Williams of VicUrban on the sustainability benchmarks VicUrban is working with. Maybe next year, Mr Pratt.

We found some other key points concerning the committee process at the conference with regard to the government response to committee reports. I will quote from paragraph 1.24, page 10, table 1. It says:

The ACT Government has responded to all of this Assembly's P&E Committee reports except for the most recent reports tabled in September.

It then goes on to quote Ms Ellis, with regard to federal government reports. It says:

The convention, not always honoured, is for a government response to a House of Representatives Committee report to be tabled within 90 days. For e.g. the Joint Standing Committee on the National Capital and External Territories tabled four reports relevant to Norfolk Island July 2001 – 2004, none of which were responded to. The government took just over 12 months to respond to the committee's August 2004 report on the redevelopment of bushfire-affected Pierces Creek, ACT.

This is another example of good governance in the ACT. Before concluding, I would like to again thank members of the committee office for their support and dedication to making this conference the great success story it was. I would also like to thank Ray Blundell for his technical support and good humour during the conference, and Siew Chin Scholar for her substantial biographical research in the lead-up to the conference. I commend the report to the Assembly.

Motion agreed to.

## **Planning and Environment—Standing Committee Report 17**

Debate resumed from 22 November 2005, on motion by **Mr Gentleman**:

That the report be noted.

**MR GENTLEMAN** (Brindabella) (11.44): I am pleased to be able to discuss the draft variation to the territory plan again.

**Mrs Burke**: Mr Speaker, on a point of order, where is this on the sheet?

**MR SPEAKER**: It is the second item of Assembly business. It is listed on the notice paper but it is not listed on the blue.

**Mr Seselja:** Why isn't it on the program?

**MR SPEAKER:** It is on the notice paper.

**Mr Seselja:** There are a lot of things on the notice paper, but why isn't it on the program?

**Mrs Burke:** Is that usual, that Mr Speaker? Surely it is a courtesy to have this presented on the blue.

**MR SPEAKER:** It is listed on the notice paper but it is not listed on the blue. The matter listed on the blue as No 1 has been dispensed with. It is a 45-minute debate. If there is any further debate to be pursued within the time, it can be pursued.

**Mrs Burke:** But surely opposition and crossbench members have not had time to prepare anything on this matter.

**MR SPEAKER:** It has been the subject of other debates. Several speakers have spoken on it and it was adjourned. Mr Gentleman has the floor.

**DR FOSKEY (Molonglo) (11.45):** I seek leave to ask a question. I am sorry; I do not know the standing order. I consulted Mr Gentleman's office this morning as to whether, as I expected, this would come up. It was not on the blue paper. I was told by his office that we were to discuss the other report.

**MR SPEAKER:** The only thing people can do is move to adjourn this—and the house can decide what they want to do with it.

Motion (by **Dr Foskey**) proposed:

That debate be now adjourned.

The Assembly voted—

Ayes 8

Mrs Burke	Mr Seselja
Mrs Dunne	Mr Smyth
Dr Foskey	Mr Stefaniak
Mr Mulcahy	
Mr Pratt	

Noes 9

Mr Berry	Ms MacDonald
Mr Corbell	Ms Porter
Ms Gallagher	Mr Quinlan
Mr Gentleman	Mr Stanhope
Mr Hargreaves	

Question so resolved in the negative.

**Mr Mulcahy:** Mr Speaker, I wish to raise a point of order. If we are relying on the notice paper, I was part way through speaking when this matter was—

**MR SPEAKER:** Mr Gentleman has the floor. What is your point of order?

**Mr Seselja:** Why does Mr Gentleman have the floor?

**Mr Mulcahy:** It says here, “Mr Mulcahy in continuation.” I had not completed it in the allocated time.

**MR SPEAKER:** You did not rise to the call, Mr Mulcahy.

**Mr Seselja:** That is because it was ridiculously brought forward without any notice. How was he meant to know it was coming on?

**MR SPEAKER:** Order!

**Mr Seselja:** It has turned into a farce, Mr Speaker.

**Mrs Burke:** It is a farce.

**Mr Seselja:** Mr Gentleman’s office lied to Dr Foskey’s office.

**MR GENTLEMAN** (Brindabella) (11.51): Mr Speaker, I am pleased to be able to discuss this draft variation to the territory plan again. We, as a committee, have worked long and hard to produce this report. Draft variation 231 had a high number of submissions. All of those were reviewed carefully when received over the last six months. Each member of the committee receives a copy of the draft variation after the minister refers it to us. This occurred in June. The committee secretariat personally delivers a copy of each and every submission to the specified draft report to each member of the committee for his or her records. The point to this process that I raise here today is that Mr Seselja believes he has had insufficient time to review this variation to the territory plan. This is not the first time that Mr Seselja has stood in this chamber and made assertions about the amount of time allocated to consider draft variations. Mr Seselja has, on numerous occasions, in the chamber and in the media, complained about the committee process.

*It being 45 minutes after the commencement of Assembly business, the debate was interrupted in accordance with standing order 77. Ordered that the time allotted to Assembly business be extended by 30 minutes.*

**MR SPEAKER:** I call Mr Gentleman to continue his speech.

**Mrs Burke:** I am sorry, Mr Speaker. I was on my feet first.

**MR SPEAKER:** Mr Gentleman has the call.

**Mr Seselja:** She is moving a motion.

**MRS BURKE** (Molonglo) (11.52): I wish to move a motion, Mr Speaker. I move:

That the question be now put.

**Ms Gallagher:** So now you don’t want to talk on it.

**MR SPEAKER:** I am just trying to work out how many people have spoken on this.

**Mr Seselja:** We want proper procedures to be followed.

**MR SPEAKER:** Order! The question is that the question be now put.

*Members interjecting—*

**MR SPEAKER:** Order! The gag has been moved. The question is that the question be put. Those of that opinion say, “Aye”; to the contrary, “No.” I think the ayes have it. The question now is that the report be noted. Those of that opinion say, “Aye”; to the contrary, “No.”

**Mr Corbell:** No.

**Mr Gentleman:** The noes have it.

**Mrs Burke:** You don't want the report noted?

**MR SPEAKER:** The noes have it.

**Mr Seselja:** Sorry. The noes have what?

**MR SPEAKER:** Order, please!

**Mr Seselja:** The question has been resolved.

**Mrs Burke:** You resolved it, Mr Speaker.

**MR SPEAKER:** I have called the vote. The question that was put to the house was the gag—that the question be put. I put that question and I declared it—that the ayes have it.

**Mr Seselja:** Thank you.

**Mrs Burke:** Yes.

**Mr Corbell:** Mr Speaker, the noes have it.

**Mr Seselja:** No. This has been resolved. Mr Speaker, they missed the boat. They were not paying attention. The question now is that the report be noted.

**Mr Gentleman:** You heard me say the noes have it, Mr Seselja. You cannot ignore that.

**MR SPEAKER:** No. He is entitled to call a vote.

**Mr Seselja:** You did not say it.

**Mr Gentleman:** I did.

**Mr Seselja:** That is not what Mr Speaker thinks.

**Mr Corbell:** Mr Speaker, the noes have it.

**MR SPEAKER:** A division called for; ring the bells.

*A call of the Assembly having commenced—*

**Mr Seselja:** On what? Are you going back to the one you have already resolved?

**MR SPEAKER:** I will tell you on what, Mr Seselja—on the question that the question be put. Understood?

**Mr Seselja:** You have already resolved it, Mr Speaker.

**Mrs Burke:** I have a point of order, Mr Speaker.

**Mr Seselja:** It was resolved—he said it.

**Mrs Burke:** You have already done that and we have voted on that.

**MR SPEAKER:** By way of explanation, it is hard to have a division unless I have declared the vote. I declared the vote and a division was called for. That is what happens.

**Mrs Burke:** But you did, sir.

**Mr Seselja:** No. That is not the procedure. Do you know how the procedure goes? You say, “I think the ayes have it; the ayes have it.”

**MR SPEAKER:** All members are present. Resume your seat!

**Mr Stanhope:** We said that the noes have it.

**Mr Seselja:** That was after he had resolved it. He has now changed, under pressure. Are you going to act as a Speaker or are you just going to do what they tell you to do?

**MR SPEAKER:** Order! Lock the doors.

**Mr Corbell:** It says on the blue:

This program of proposed business is issued for the general guidance of Members. It is not a formal document and business listed is subject to change.

**Mr Seselja:** The vote was put and resolved. Are you rescinding the vote now?

**MR SPEAKER:** Order!

**Mr Seselja:** This is what happens in committees when they get it wrong.

**MR SPEAKER:** Order! People will be excluded from the vote if they continue to persist—

**Mr Seselja:** That would make a lot of difference.

**MR SPEAKER:** The question is: that the question be now put.

The Assembly voted—

Ayes 8

Noes 9

Mrs Burke  
Mrs Dunne  
Dr Foskey  
Mr Mulcahy  
Mr Pratt

Mr Seselja  
Mr Smyth  
Mr Stefaniak

Mr Berry  
Mr Corbell  
Ms Gallagher  
Mr Gentleman  
Mr Hargreaves

Ms MacDonald  
Ms Porter  
Mr Quinlan  
Mr Stanhope

Question so resolved in the negative.

**MR SPEAKER:** I call Mr Gentleman.

**MR GENTLEMAN:** As I was saying, this is not the first time Mr Seselja has stood in this chamber and made assertions as to the amount of time allocated to consider draft variations. Mr Seselja has, on numerous occasions, both in this chamber and in the media, complained about the committee process. Through you, Mr Speaker, I ask Mr Seselja: how many times have we rescheduled or called a special committee for you to attend so we could work together as a committee?

**Mr Seselja:** I believe twice. How many for Ms Porter and for you?

**MR SPEAKER:** Order!

**Mr Seselja:** On a point of order, Mr Speaker, I do not think Mr Gentleman is able to pose questions to me. I think you pointed that out to him earlier in the debate today.

**MR SPEAKER:** It was a rhetorical question.

**Mr Seselja:** It did not sound very rhetorical. I think he is putting it to me.

**MR GENTLEMAN:** I will repeat that for Mr Seselja. Mr Seselja, how many times have we rescheduled, or called a special committee meeting for you to attend, so we could work together as a committee?

**Mr Seselja:** I've got records—for you and for Mary.

**MR GENTLEMAN:** How many times, when attending a meeting specifically to discuss a report, have you said you have not read a report? How many times are you going to complain about the workload, instead of just getting on with the job?

**Mr Seselja:** How many times have you delivered a speech without reading it?

**MR SPEAKER:** Order! I warn you, Mr Seselja.

**MR GENTLEMAN:** Maybe Mr Seselja has been spoilt by his previous high-powered, senior government position. Now that you are employed to represent those in your electorate, things are different. It is time to put some effort in, Mr Seselja. As I have mentioned already, the other members of the committee have managed to find the time not only to read the report but also to engage in consultation over the recommendations. This DV was referred to the committee in May this year but Mr Seselja still feels that this was an unmanageable length of time to consider the report.

As time is such a constraint for Mr Seselja, I would like to bring to the attention of members that the only committee he is currently a member of is the planning and environment committee. Ms Porter is the Chair of the Standing Committee on Education, Training and Young People; the Deputy Chair of the Standing Committee on Health and Disability; and the Deputy Chair of the Select Committee on Working Families in the ACT; and she is also a member of the Standing Committee on Planning and Environment. She is on four committees and she still has time to enter into the debate on all reports referred to those committees. I am the Chair of the Select Committee on Working Families in the ACT; the Deputy Chair of the Standing Committee on Education, Training and Young People; and, as we are all aware, Chair of the Standing Committee on Planning and Environment. Not only do I have time to review the reports but often in the planning committee I also make the majority of the recommendations for discussion.

This DV was with the committee for an extended time frame—six months, in fact. Being mindful that the end of the year is fast approaching and of the fact that the committee has had numerous meetings in which to discuss this variation, we decided to table it so we could begin work on new draft variations and keep the planning process moving in a positive direction.

Mr Seselja has mentioned on several occasions that the time lines for consideration of this report were inconceivable. I would like to bring to the attention of members that there was certainly enough time for consultation. For the benefit of the opposition, I will repeat the time frame: June, July, August, September, October and November. That is six months, in my book.

I would like to thank Mrs Dunne for her blind support of her opposition colleague. I call it blind support because it is clear that Mrs Dunne has not been given all the facts. For the benefit of Mrs Dunne, I will inform the house of the committee process and Mr Seselja's behaviour during that process. Mr Seselja has asked on numerous occasions for an extension of time to consider draft reports. The other two members of the committee do not seem to need extra time to consider reports. I agree with Mr Seselja that this report is very important, but is he implying that the other draft variations are of less importance to him than this one? I hope not.

I agree that this is an important variation. It is important for the enjoyment of our natural heritage for generations to come, as well as for them to enjoy housing in Gungahlin. I am not sure how many times Mr Seselja has asked the committee for an extension of time on a range of issues but I think it could have been as many as seven times. I am of the opinion that we granted these extensions to allow Mr Seselja extra time to consider draft reports in a collaborative way. I am sure most reasonable people would say that six

months is a more than adequate length of time to consider any draft variation, even an important one.

**Mrs Dunne:** Two working days for the 87-page report?

**MR SPEAKER:** Order, Ms Dunne! Mr Seselja is already on a warning. I am happy to add others to the list.

**MR GENTLEMAN:** Six months to come to a position on this variation and six months to bring your thoughts and ideas back to the committee for discussion.

**Mr Stanhope:** Six months!

**MR SPEAKER:** Order, Chief Minister! That will include you, I am afraid.

**MR GENTLEMAN:** Once again, as Mr Seselja suspects I will, I call on him to work with the committee as a member of this Assembly and scrutinise the government for the benefit of the greater community. A bipartisan approach should be taken to the committee process. If Mr Seselja cannot do this, maybe he should consider allowing another member of the opposition to take on his role in the committee. If he cannot do the work, he should hand it over to someone who can. Instead of whingeing about the work and whining about the timelines, just get on with the job at hand. Do some work. Get stuck into it, Mr Seselja, the rest of us do. I commend this report to the Assembly.

Question resolved in the affirmative.

## **Public Accounts—Standing Committee Report 4**

**MR MULCAHY** (Molonglo) (12.03): I present the following report:

Public Accounts—Standing Committee—Report 4—*Auditor-General's Report No 10 2004—2003-2004 Financial Audits*, dated 2 November 2005, together with a copy of the extracts of the relevant minutes of proceedings.

I seek leave to move a motion authorising the report for publication.

Leave granted.

**MR MULCAHY:** I move:

That the report be authorised for publication.

Question resolved in the affirmative.

**MR MULCAHY:** I move:

That the report be noted.

I am pleased to speak to report 4 of the Standing Committee on Public Accounts, Review of Auditor-General's report 10 of 2004: 2003-04 Financial Audits. This report was

presented to the Legislative Assembly on 7 December 2004 and subsequently referred to the committee for inquiry. The report summarised the results of the audits of the financial statements of the territory and its agencies in 2003-04 and included comments on significant matters found during those audits. The report represented a departure from previous years, in that the Auditor-General did not make recommendations for the government to consider, providing instead a summary of significant findings.

The committee received a briefing from the Auditor-General on the audit report and sought and received a government submission in relation to the findings in the report. In reporting, the committee considered and assessed the issues raised by the report within the financial auditing context of accountability and governance and in subsequent effective reporting by public sector agencies.

The committee's report focuses on a selection of the significant issues raised by the Auditor-General and provides a summary of the government's comments in relation to those. This focus includes the territory's financial management and reporting, which was found to be deficient in many cases. Too great a number of financial statements were not provided on time and some agencies required assistance from the audit office to bring the reports up to an acceptable standard.

Although the territory's short-term financial position was strong and in balance, there was some risk of significant deficits in the next three years, should there be adverse fluctuations in revenue and expenses. On this matter, as it has turned out, the Auditor-General was remarkably prescient. The long-term financial position, which is relentlessly deteriorating, is expected by the Auditor-General to decline rapidly over the next few years. Those are her words. The substantial rise in the territory's unfunded superannuation liabilities and the government's practice of running down financial assets to fund capital works without budget surpluses is weakening the territory's financial position. Indeed, at paragraph 2.8 the committee records its concern at the possible adverse impact of continued funding of capital works from current revenue as opposed to exploring the issue of borrowing.

The management of capital works was another area of concern. While showing some improvement in 2003-04 compared with the previous year, the large amount of unspent funds indicated that the management of capital projects needed to be improved. Concern was expressed by the committee that possibly none of the \$60 million investment by Actew Corporation in TransACT would be recovered in the short to medium term. On a personal note, I am concerned that those funds will probably never be recovered.

The committee's report made three recommendations. Recommendation 1 was that agencies take up the Auditor-General's finding regarding desirability of improvements to processes for the preparation of financial statements; recommendation 2 was that a capital works framework policy be developed to establish a consistent, whole-of-government approach to the monitoring, planning and procurement of capital works; and recommendation 3 was that the Legislative Assembly note the findings of the Auditor-General's report.

A report such as this does not come to fruition without the hard work and professionalism of a number of people. I would like to thank my committee colleagues, Dr Deb Foskey and Ms Karin MacDonald; those who assisted the committee with its

deliberations and the committee secretariat and, in particular, the committee secretary, Ms Andrea Cullen. I commend the report to the Assembly.

Question resolved in the affirmative.

## **Planning and Environment—Standing Committee Report 18**

**MR GENTLEMAN** (Brindabella) (12.08): I present the following report:

Planning and Environment—Standing Committee—Report 18—*Draft Variation to the Territory Plan No 165—Open Space Network Project*, dated 22 November 2005, together with a copy of the extracts of the relevant minutes of proceedings.

I seek leave to move a motion authorising the report for publication.

Leave not granted.

### **Standing orders—suspension**

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

That so much of the standing orders be suspended as would prevent him from moving that Report 18 of the Standing Committee on Planning and Environment be authorised for publication.

The Assembly voted—

Ayes 9

Noes 8

Mr Berry	Ms MacDonald	Mrs Burke	Mr Seselja
Mr Corbell	Ms Porter	Mrs Dunne	Mr Smyth
Ms Gallagher	Mr Quinlan	Dr Foskey	Mr Stefaniak
Mr Gentleman	Mr Stanhope	Mr Mulcahy	
Mr Hargreaves		Mr Pratt	

Question so resolved in the affirmative.

**MR GENTLEMAN:** I move:

That the report be authorised for publication

Question resolved in the affirmative.

**MR GENTLEMAN:** I move:

That the report be noted.

I have tabled in the Assembly today the report of the Standing Committee on Planning and Environment on draft variation to territory plan No 165, open space network project. The minister referred the copy of DV No 165 to the committee for consideration and

report in July this year. The committee discussed the draft variation to territory plan No 165 at meetings held in July, September, October and November this year.

The committee, the ACT Planning and Land Authority and the government are all committed to the need for open space areas in and around the city. ACTPLA has identified and assessed open spaces in the territory plan. These spaces are a treasured aspect of the ACT landscape. Open spaces in the ACT can be seen in many forms. Some of the words I will include have been taken from the submissions of key stakeholders.

Open spaces form a key element of our bush capital and garden city, making Canberra a capital city like no other. They provide breathing space for the spirit; they are beloved by residents and envied by visitors; they meet important community needs in a physical and aesthetic sense; they provide places for health promotion and linear recreational activities such as running, cycling and horse riding; they allow for the planting of large shade trees, which add a sense of permanency and security; they absorb pollutants and increase oxygen levels; and they provide opportunities for community involvement in management, encouraged by a sense of ownership. Those are just a few examples of the ways in which the submissions supported this draft variation to the territory plan.

The aim of this variation is to determine whether sites should become part of a designated open space network with full statutory protection; whether they should be given enhanced protection because of their public space values; or whether the existing land use policy should be retained. The committee received five submissions in total during the consultation period into DV 165 but there were also a number of relevant submissions received for DV 231. Some of the concerns raised were in relation to the suggestion by the Commissioner for the Environment, Dr Rosemary Purdie, that there is a need for policy development in relation to the urban forest of the future, to provide explicit objectives regarding the nature of the urban forest, to be achieved through deliberate tree plantings—native or exotic—in new suburbs.

In keeping with the objectives raised through the submissions, the committee has made only a couple of recommendations. The committee recommends that the ACT Planning and Land Authority review open space and landscaping requirements applicable to the commercial land use policy in the territory plan as part of the planning system reform process. The final recommendation by the committee is that ACTPLA review the land use policies applicable to Percival Hill in Nicholls, Stirling Park in Yarralumla and section 51 in Aranda. The committee would like the various apparent anomalies to be reviewed. If they were to be incorporated into the Canberra Nature Park as hills, ridges and buffers with a Pc overlay, which is a nature reserve overlay, that in turn would mean that those areas would be better protected. Still in relation to the final recommendation, we are also of the opinion that all—not just part—of blocks 33 and 34 of section 78 in Griffith be designated urban open space, as it is a much loved children's playground and has a significant number of mature trees.

In the final part of the recommendation we request that block 42 section 78 in Griffith also be designated urban open space or, if not, that the area to be designated be better clarified. As committee chair, I would like to thank all those involved in the consultation process and, in particular, the committee office and the committee secretary, Hanna Jaireth.

Debate (on motion by **Dr Foskey**) adjourned to the next sitting.

**Sitting suspended from 12.19 to 2.30 pm.**

## **Questions without notice**

### **Dental health**

**MR SMYTH:** My question is to the Minister for Health. Minister, recently the Chief Minister and you have been proclaiming that ACT Health's dental care program is in top working order. Is it not the case that the program has been downgrading the work of dental nurses and assistants, particularly the temporary staff, placing them in an untenable position and leaving this portion of the staff with very little productive work to do? How many temporary dental nurses and dental assistants has ACT Health laid off recently?

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

**MR SMYTH:** Minister, is it the case that various entitlements, such as leave pay, have not been paid to those temporary dental nurses who have been laid off? If so, when will these nurses get their entitlements?

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

### **Prison—funding**

**MR MULCAHY:** My question is to the Chief Minister. In answer to a question on funding the new prison, on Tuesday this week you made a number of comments about the availability of funds to build the prison. In particular, you said:

Funding of \$128 million for the prison has been appropriated.

... the prison is fully appropriated to the tune of \$128 million ...

The money is in the budget, all \$128 million of it ...

Chief Minister, has your Treasurer now explained to you the difference between funds being identified in the budget, including forward estimates, and funds that have actually been appropriated by this Assembly? Will you now correct your statements made earlier this week when you answered the question relating to the ACT prison?

**MR STANHOPE:** No.

**MR MULCAHY:** Mr Speaker, my supplementary question to the Chief Minister is: what funds have been appropriated to date for the construction of the ACT prison?

**MR STANHOPE:** The funding for the prison has been allowed for by the government through the budget process.

### **Teddy Bears Child Care Centre**

**MRS DUNNE:** My question is to the Minister for Planning. It relates to blocks 2 and 6 of section 99, Curtin.

Minister, did you recently have a meeting with the management of the Teddy Bears Child Care Centre in relation to the direct sale of land as a replacement for the current centre? Did you tell the management of the Teddy Bears Child Care Centre that the land at Curtin was not available for direct sale because you were interested in setting it aside for urban infill?

**MR CORBELL:** No.

### **Planning and Environment—Standing Committee**

**MR SESELJA:** My question is to the chair of the Standing Committee on Planning and Environment. I refer to your decision to call a meeting of the planning and environment committee for Tuesday, 22 November 2005 in order to adopt report 17 of the committee, concerning its inquiry into DV231. Mr Gentleman, did you or your office have any discussions or correspondence with Minister Corbell or his office in relation to the decision to call the meeting? If so, what was the nature of such discussions or correspondence?

**MR GENTLEMAN:** The meeting was called under the standing orders appropriate for committee meetings. I am not aware of any particular discussions with Mr Corbell's office.

**MR SESELJA:** What were the reasons for hastily calling a meeting to adopt the report?

**MR GENTLEMAN:** The meeting was called to proceed with draft variation 231, as notified in the calling of the meeting, and also draft variation 165.

### **Dragway**

**MR STEFANIAK:** Mr Speaker, my question is to the Chief Minister. Chief Minister, one of your government's election commitments in 2004 was that you would build a dragway within 18 months. More than 12 months has elapsed since the election and only six months remain in which to fulfil your promise. Further, it has become evident that many—55 to be exact—of the government's election promises remain unfunded. What is the status of the consultation process relating to the building of a dragway? When will construction commence on a dragway in the ACT?

**MR STANHOPE:** Indeed the ACT government did campaign on a dragway for the ACT, as did the Liberal Party. The Liberal Party, in fact, insisted that, if you wanted a dragway, you would have to vote Liberal, and they inundated the ACT with stickers to that effect: "A vote for a dragway requires a vote for the Liberals." I have always found this to be one of the interesting little conundrums governments face upon election in determining the extent, degree and level of an ambit when your opponents campaign thus: "If you want a dragway, you must vote Liberal." Then, if the people turn out in

droves and vote against the Liberals to degrees and levels that they have never voted against them before, it raises an interesting issue in relation to the capacity of governments to determine the degree of their ambit. I think it is no more evident in relation to the dragway than any other issue. The Liberals were out there campaigning like mad. They had a great big bus—do you remember—which Bill Stefaniak rode around in.

**MR STEFANIAK:** Mr Speaker, I wish to raise a point of order. He is quite clearly breaching standing order 118 (b) in debating the subject. And he certainly should confine himself to the subject matter of the question. So he is probably doing both.

**MR SPEAKER:** You mentioned the subject in your question. Mr Stefaniak, these questions are politically loaded, as always. I think ministers are entitled to use an element of politics when they respond to questions. The subject matter was the dragway.

**MR STEFANIAK:** The subject matter was the dragway but, under 118 (b), he cannot debate that.

**MR SPEAKER:** Well—

**MR STEFANIAK:** If you could just hear me on that, the question was: what is the status of the consultation process—and when will construction commence on a dragway in the ACT? It is pretty simple. He is going off on a tangent debating—

**MR SPEAKER:** Fair dinkum, Mr Stefaniak. Read out the whole question—come on.

**MR STEFANIAK:** I will read the whole question again, if you like. I refer you to the question. The preamble is: one of your government's election commitments in 2004 was that you would build a dragway within 18 months. More than 12 months has elapsed since the election.

**MR SPEAKER:** Ministers are entitled to make some mention of the government's commitments and any other corresponding commitments people might make. As long as the minister sticks to the subject matter of the question, which is the dragway, and does it within five minutes, I think he is responding appropriately.

**MR STANHOPE:** Thank you, Mr Speaker. We all remember the extent to which the Liberals campaigned on this and insisted that the only way a dragway could ever be delivered would be if the Liberals were returned to power. In fact, there was very much a campaign against the Labor Party. This brings to mind the campaign that said, "If you want a dragway, vote Liberal." Then, of course, the people of Canberra rushed like mad towards the Labor Party. To be fair to the dragway proponents, I believe the message from the Liberal Party that the electorate took most to heart was that which inundated the electorate via that amazing electronic campaign over the last two weeks that said: "Vote as if your life depends on it." They certainly did. They knew their lives depended on it and they voted in absolute droves as if their lives depended on it.

*Opposition members interjecting—*

**MR SPEAKER:** Order!

**MR STANHOPE:** It was the culmination of the campaign against the Labor Party on the dragway but it was with that final flourish—that \$200,000 electronic campaign at the end: “Vote as if your life depends on it,”—that the people of Canberra for once sat up and took notice and thought, “By crikey; we will.” They did; and they will be forever grateful for the fact that they did.

The consultation process for a dragway in Majura has been exhaustive. It is chaired by Geoff Cammock, a long-time dragway proponent and one of the original investors in the dragway that then existed—the dragway closed down by the Liberal Party when they were in government, in complicity with the federal Liberal Party. We need never forget that the ACT had a dragway. I think it was Brendan Smyth, the then Minister for Planning, who closed it down.

Never ever forget this fact: there was an operating dragway in the ACT until Brendan Smyth could not take up an argument with the federal government. This is a classic example that I could have used yesterday in the coat-tugging debate we had, where the Liberals stood up in sequence to see who could be the biggest coat-tugger, the biggest brownnoser, the greatest sycophant and the biggest crawler in the place. Brendan Smyth, as Minister for Planning, in discussions with the commonwealth about the continued existence of a dragway in the Majura Valley, thought, “Well, I’m not going to argue with the commonwealth over the existence of a dragway in the ACT; we will definitely close it down—and he did.

**MR SPEAKER:** The member’s time has expired.

**MR STEFANIAK:** Mr Speaker, I have a supplementary question.

**MR SPEAKER:** No preamble!

**MR STEFANIAK:** Thank you, Mr Speaker. I note that that was a complete non-answer. Minister, will the government ditch this election promise because of the poor condition of the ACT’s finances?

**MR STANHOPE:** The consultation process in relation to a replacement dragway in the Majura Valley—a dragway to replace that which Brendan Smyth closed down when he was Minister for Planning because he simply could not take up an argument with the commonwealth—has proceeded under the direction and chairmanship of Geoff Cammock, the Chief Executive Officer of the Royal Agricultural Society and noted dragway enthusiast, who was indeed one of the original owners of the dragway that Brendan Smyth closed down. The consultative committee for the dragway has among its membership the president of the North Canberra Community Council and the president of the Hackett Residents Association. They have been very content with the degree of consultation and involvement of the North Canberra community.

There is a range of very significant, difficult and problematic issues in relation to the development and running of a dragway, most particularly, of course, noise. At every step of this process the consultative committee and indeed the government officials who are working on this project have said that. I have said continually and consistently through this process that there are issues that need to be resolved which we are working through.

Number one amongst the issues is noise. We have said that every time we have spoken on this subject; it is at the heart of the consultation and the scientific and environmental assessment that is, of course, part and parcel of a project such as a dragway. We are talking here about a very noisy pastime. It has always been the case in relation to the proposed development of a dragway that the issue that would determine the possible site and operation of a dragway is the effect of noise and other environmental impacts on the amenity of residents. That is the great difficulty the ACT has.

For years the government has scoured the ACT looking for a potential site where there would be minimal impact on any resident. It is very difficult in a small territory. We have looked long and hard and a whole range of sites has been assessed. Almost the ultimate or final site set on was section 51 of the Majura Valley. It has always been implicit in the assessment of that site that, if the issues around noise simply cannot be accommodated, then of course we would have to look at it. This was never a case of, "Well, damn the environment; damn the environmental laws; damn the environmental regulations; and damn the amenity of the residents of the Majura Valley and North Canberra, we are going to build this dragway here, irrespective of the noise and other environmental impacts."

**MR STEFANIAK:** It sounds as if you are making excuses to get out of it.

**MR STANHOPE:** No. Look, I have not made a decision on this and nor has the government. In fact, the matter is yet to be presented to cabinet for consideration. There is a very active, very thorough community consultation process in place; there has been a rigorous analysis of all the issues in relation to the site and the funding but most particularly in relation to the noise, as you would expect.

The heart of the matter is that the Liberal Party and Brendan Smyth closed down a perfectly good dragway in the Majura Valley because Brendan Smyth was simply not prepared to take up an argument with the commonwealth. Mr Mulcahy, as chief coat-tugger, insists that that is the appropriate way of dealing with the commonwealth. The Richard Mulcahy approach to relationships with the commonwealth is: deferentially bow, tug the coat, brownnose, call but don't create dissension and do not put a position.

**Mr Corbell:** It is a conga line.

**MR STANHOPE:** It is a conga line, yes. And of course Mr Smyth set the standard with the dragway. He closed it down because he simply was not prepared to take up the argument in relation to a dragway with the commonwealth or with other powerful influences.

### **Water agreement**

**MR GENTLEMAN:** My question is to the Chief Minister. Is the Chief Minister aware of comments in this morning's *Canberra Times* about the development of an agreement between New South Wales and the ACT over the supply of water to proposed new developments? What is the status of the water agreement? What does it aim to achieve?

**MR STANHOPE:** Thank you, Mr Gentleman, for the question. It is a topical and very important issue, the issue of regional settlement arrangements between the ACT and our neighbour on the pattern of development that should occur within Canberra and the Canberra region and the implications for the supply of water that result from regional planning decisions in the region. It is an issue that has been much negotiated and much discussed over the last year.

The ACT government, the New South Wales government and the commonwealth government have been negotiating agreements. There are two particular agreements but three in toto. The one of most moment, the issue of the supply of water, which was the subject of the agitation expressed in the *Canberra Times* today, is a regional settlement agreement and a cross-border water agreement. The two are intertwined. This has not been completely understood but has been almost wilfully not understood or misunderstood at times. The two provide a framework for decisions that will be made in Canberra and the region into the future of development.

The ACT government, through the spatial plan, has laid down a blueprint for the future development of the ACT. Through the spatial plan, we have developed, in a strategic and good planning way, the way in which the ACT should develop into the future, consistent with a whole range of aims and philosophies that underpin the Canberra plan and, most particularly, the spatial plan. Where, optimally, should development occur to take account of existing infrastructure and pursuant to our commitment to sustainability and the environment?

At this stage—and this is the issue that continues to be negotiated between New South Wales and the ACT—New South Wales has not completed a similar arrangement or plan. They are working on a Sydney-Canberra corridor plan, which, to that extent, mirrors the work that has been done in the ACT on the spatial plan. The ACT is ahead of New South Wales in relation to planning and the sequence of planning for development within the region. We have completed, within the boundaries of the ACT, detailed spatial planning and have developed a sequence under which planning would be undertaken within the ACT. New South Wales has not done the same.

That is the difficulty we see expressed across the border with competing proposals, particularly at Tralee and Googong. There is enormous frustration among the Tralee proponents, particularly expressed this morning in a quite nonsensical way by Mr Winnel.

At the end of the day, the ACT government will not approve or disapprove Tralee. That is an issue entirely and solely for the New South Wales government. The ACT government will not be approving Tralee. The New South Wales government will be approving Tralee. If Bob Winnel has an issue with a decision not being made by anybody as to whether or not Tralee should proceed, it is with the New South Wales government. The ACT government is not holding up the development of Tralee. That is a matter for the New South Wales government. To express angst, as has been done this morning, toward the ACT government about decisions that have not been taken by New South Wales is incredibly unfair.

We have existing agreements for the provision of water to the city of greater Queanbeyan, which we meet. We meet obligations under the agreements and under the legislation that apply to the supply of water across the border. When the cross-border water agreement is reached and settled, as these agreements are ultimately signed by the three governments, we will have a framework and a whole range of criteria on which decisions might be made by the ACT government and, most particularly, by the New South Wales government about, particularly and most importantly, regional settlement and the basis on which water would be provided to those settlements.

There are a whole range of issues in this complex and difficult debate, one of them being costs to the ACT. It is interesting to see the way in which the matter was reported this morning. There was no suggestion by Mr Winnel, Mr Pangallo or Mr Whan, for that matter, about the cross-border costs the ACT would pick up. This is why we have been hampered. It is an incredibly complex issue. There are enormous costs that would be borne by us.

**MR SPEAKER:** The minister's time has expired.

**MR GENTLEMAN:** My supplementary question to the Chief Minister is: what other agreements would the ACT like to see developed between the two jurisdictions?

**Mr Smyth:** What about an agreement on the road?

**MR STANHOPE:** Mr Smyth interjects, "What about an agreement on the road?"

**MR SPEAKER:** It was highly disorderly and there is no need to respond to it.

**MR STANHOPE:** That is right, but it is relevant to the question. It is precisely what I was going to talk about. I was going to talk about it in the context of the one-sided and, I have to say, rather hypocritical approach taken by those proponents across the border who point the finger at this government, without ever strutting up and entering a debate which is part and parcel of our negotiations with New South Wales in terms of the agreement.

What about a debate about the cost to the ACT of regional settlement across the border? To use one example, 42 per cent of students at St Edmunds college live across the border. Does anybody think for one minute that there is not a significant cost to the ACT taxpayer of 42 per cent of an entire school? I used St Edmunds as an indication of a dramatic and stark indication of the nature of the cross-border relationship, the interrelationship and the dependency of people across the border on ACT services. These are important and complex issues. We anticipate the cost of education provision by the ACT taxpayer for New South Wales students at \$22 million.

**Mr Smyth:** Have you put in a Productivity Commission claim?

**MR STANHOPE:** Yes, we have. It is not recognised and we are not recompensed. \$22 million is the direct cost to the ACT of the provision of education in the ACT of New South Wales students. The Liberals dismiss that as irrelevant because it is a continuation of their commitment to non-engagement with other governments on the

negotiating of hard agreements. The attitude of the Liberal Party is: if the negotiations are tough, disengage; tug a coat here or there. You have got the Mulcahy coat-tugging example: you go to New South Wales and begin to negotiate a cross-border water agreement, a cross-border regional settlement agreement, knowing that there are enormous costs and implications for the ACT taxpayer in unrestrained, unregulated and uncoordinated development across the border. To use education as one example: it is to the tune of \$22 million.

We have seen that reflected today in the attitude of the conga line: get in line; do not argue; bail out; Bob Winnel is one of our mates; let us develop Tralee; let us not even debate or enter into an agreement or negotiations on the basis, the consideration or the framework for coming to decisions on how we determine the cross-border regional settlement, the sequencing of the development and how we address the costs to us of that settlement, whether it be in the provision of education, in the provision of roads or in the provision of the whole range of community services that will be delivered by the people of the ACT, the ACT ratepayer, for the use of our neighbours across the border. Education is the clearest and starkest example—\$22 million or thereabouts of unremitted cost to the ACT taxpayer from cross-border movement of just under 5,000 students in both the non-government and the government sectors.

We are out there negotiating this and we will not be steamrolled; we will not tug coats; we will not brownnose; we will simply not crawl in the way Mr Mulcahy would. Mr Mulcahy is up there, deferentially tugging the backs of coats, “treat me as a big boy,” “I want to play, too,” “treat me as one of the big boys,” “I want to play the game as well,” “I will pay any price,” “I will tug the coat,” “I will crawl,” “I will brownnose,” “I will do anything I can to ingratiate myself for the photo opportunity”—because it is all about the photo opportunity; it is not about standing up, fighting, arguing and advocating.

We have a range of costs, whether it be in relation to land sales, as Mr Winnel talks and scoffs about. He does not talk about education provision; he does not talk about health services; he does not talk about a full range of community services; he does not strut up and say, “I will build the roads.” He does not say, “I will worry about the public transport infrastructure; I will put in the infrastructure required to provide the water.”

**MR SPEAKER:** The minister’s time has expired.

### **Business support**

**DR FOSKEY:** My question is to the minister for economic development. It concerns business support.

Minister, you would be aware that the ACT economy offers limited employment for people without post-secondary education and that ongoing under- and unemployment is particularly prevalent amongst men in that sector. You would also be aware that construction is a major industry in the territory and that the market for energy efficient and environmentally sensitive building within it is destined for substantial growth. In that context I am aware of two ACT businesses focused on manufacturing construction components that employ a range of people, including blue-collar workers, and would be in a position to expand if the government were prepared to offer some support.

The ACT's business incentive fund, however, is limited to predominantly white-collar fields, such as information and communication technology, administrative services and science and technology industries. Are you prepared to consider broadening the criteria for business support in the territory to include ESD construction as one of the targeted industries?

**MR QUINLAN:** I do not think so, because I do not think it is necessary. I will have a look at the criteria. I think one of the businesses that we have provided assistance to makes veteran car parts or antique car parts. So it is not restricted particularly to the white-collar or high-tech industries, although I think it has to be conceded that the prospects for substantial economic development in the ACT probably rest in that area.

But it is not exclusive to that. A number of the companies that came with us on the last trade mission to Ireland and northern England were not necessarily white-collar companies. We are interested in whatever development can take place if the businesses are sustainable and if they offer prospects of growth, particularly in employment and economic activity.

I am happy to receive an application from anybody who will contribute to the growth of the economy in the ACT. I stress that the fundamental objective is economic development. It is the process of wealth creation that is usually a precursor to becoming involved in wealth distribution. Provided the company offers prospects for growth and development that will contribute to the territory, we will be happy to talk to them.

**DR FOSKEY:** Given that the categories of the business incentive fund do appear to preclude the kinds of construction industries that I am talking about, how, then, can the government support businesses that provide opportunities for relatively unskilled people who look as though they might do well?

**MR QUINLAN:** If they look like they might do well, they might not need us. I will have a look at the criteria to see if there is some impediment that would preclude us from assisting a company with genuine prospects of contribution. Dr Foskey, you talk about employment of unskilled workers. It would be a secondary bonus if we provided that level of employment, but the primary criterion is to contribute to economic growth within the territory. If there is some impediment to the process, I will take a serious look at it.

### **Policing—motor vehicle thefts**

**MR PRATT:** My question is to the minister for police, Mr Hargreaves. Minister, last Wednesday, 16 November, in this place you said, "Motor vehicle thefts have gone down." The National Motor Vehicle Theft Reduction Council has issued its latest *Theft Watch* report, which I seek leave to table.

Leave granted.

**MR PRATT:** I table the following paper:

National Motor Vehicle Theft Reduction Council—Theft WATCH, Newsletter  
No 17 November 2005.

The latest *Theft Watch* report states that the ACT performed the worst of all jurisdictions in the September quarter, recording its second consecutive quarterly increase, with more than 200 extra thefts. The report says that this was an increase of 44 per cent. Minister, why did you tell the Assembly that car thefts were down when the National Motor Vehicle Theft Reduction Council says they are actually up by a massive 44 per cent?

**MR HARGREAVES:** Mr Speaker, I confess that I have not seen the figures that Mr Pratt has produced and will be having a look at them. I also have to confess to you that whenever Mr Pratt comes into this place with figures I instantly suspect them, because he is very prone to picking figures out of the air. Sometimes he picks annual growth figures and sometimes he picks other figures. For example, with his police numbers figures, sometimes he says that they are at a point in time and I do not know what point in time Mr Pratt is talking about.

I will look at that piece of paper when it comes round and compare those figures with what I consider to be fairly reliable figures. Those figures are the ones provided to me by the Australian Federal Police through the Australian Bureau of Statistics. I also undertake to examine *New Idea* to see the next set of figures that Mr Pratt will produce.

**MR PRATT:** Minister, when will you concede that the increase in car thefts shows that current policing strategies to deal with thefts are not succeeding due to your failure as minister to increase and retain police numbers?

**MR HARGREAVES:** I believe the police in this town, contrary to the assertions of Mr Pratt, are actually doing a fantastic job.

**Mr Pratt:** Yes, but you're not.

**MR SPEAKER:** Order, Mr Pratt!

**MR HARGREAVES:** Did you call him Beaker or something like that the other day, Mr Quinlan? You didn't?

**MR SPEAKER:** Order, Mr Hargreaves!

**Mr Pratt:** Is that the best you can do? Is that your total defence, John?

**Mr Stefaniak:** I'd like to be Fozzie Bear.

**Mr Quinlan:** You have got that, mate.

**MR SPEAKER:** Mr Pratt, you asked the question. Let Mr Hargreaves answer it.

**Mr Quinlan:** It's a walk-up start for you.

**MR SPEAKER:** Mr Hargreaves is not being helped by Mr Quinlan, either.

**MR HARGREAVES:** Mr Speaker, I do not need any help from Mr Beaker over there, either.

**MR SPEAKER:** Order! You have to address members by their correct titles.

**MR HARGREAVES:** All right, Mr Pratt: aptly named. Mr Speaker, I have all the confidence in the world in the AFP. Operation Halite produces crime reductions that those opposite could only ever dream about; Operation Globin is brilliant; the whole range of things. I believe ABS figures. I believe AFP figures. I think that they are doing a fantastic job. Why are they doing a fantastic job? It is because the Stanhope government has backed them. They have increased the number of police over time. We have increased the resources that they have.

**Mr Pratt:** That's a mislead.

**MR SPEAKER:** Order, Mr Pratt!

**MR HARGREAVES:** Mr Speaker, I ask that Mr Pratt withdraw the comment about misleading.

**MR SPEAKER:** Order! Mr Pratt, just withdraw that.

**Mr Pratt:** I withdraw, Mr Speaker.

**MR SPEAKER:** Thank you.

**Mr Pratt:** A 14 net loss.

**MR HARGREAVES:** Mr Pratt looks into his *New Idea* and comes out with another figure of a net loss. Obviously, he needs some remedial mathematics, because the Stanhope government has increased the number of police incredibly at two levels, and an examination of the budget documents will reveal that. Mr Pratt over there is either mistaken or mischievous, and I do not really care which. In either case he is absolutely an abomination for that side, part of the gang of four that I do not want to be associated with.

The other thing that has happened is that the Stanhope government has given community support to the police, as evidenced over my time particularly and I know during Mr Wood's time, and we have seen a growth in community appreciation of the police so denigrated by the people over there. All that character over there can do is run them down.

Did I see Mr Pratt at the open day at Woden police station? No, I did not. When I spoke to the police at that open day they said that they were heartily sick and tired of that character denigrating them in public. That was from the constables. In terms of objects pathetic, that chap over there is an absolutely pathetic opposition spokesman on police affairs.

What has happened also is that the confidence that the AFP enjoys from the Stanhope government has seen a greater visibility of police in our community. It has seen a rise in the acceptance and it has seen a significant downturn and reduction in major crime in this town. All I can do is suggest to Mr Pratt that, firstly, he get his facts straight and, secondly, that he go and see Mr Mulcahy for a change in portfolio.

**MR SPEAKER:** I call Mrs Burke.

**Mr Pratt:** Riveting, John, riveting!

**Mr Hargreaves:** Get your facts straight, you goose.

**Mr Pratt:** Misleading.

**Mr Hargreaves:** Mr Speaker, I take a point of order. Mr Pratt again accused me of misleading the house. I ask for him to withdraw.

**Mr Pratt:** I actually said misleading the community, Mr Speaker. That is what I said, which he is.

**MR SPEAKER:** Order! Just stop the conversations across the chamber and deal with questions without notice. I call Mrs Burke.

### **Havelock Housing Association**

**MRS BURKE:** My question is to the Minister for Disability, Housing and Community Services. Minister, what are you doing to ensure that the Havelock Housing Association is in a position to offer an increased level of appropriate support to high-need clients?

**MR HARGREAVES:** I am pleased to receive that question from Mrs Burke; it is a sensible question, in contrast to that of her colleague. The Havelock Housing Association, as I have said in this place before, is an absolutely wonderful organisation, looking after a particular sector of our housing need in this town. There is a substantial partnership between the government, through the Department of Disability, Housing and Community Services, and Havelock Housing Association. The efficacy of that association was evidenced recently at the National Housing Conference, which I have mentioned before, with their walking away with one of the six national awards and receiving two highly commended.

Associations like that deserve all the accolades they can get—and I am the first in the queue to give it to them. But they do not do that by accident. They deliver the quality service through partnerships, and they do that in this particular instance in partnership with the ACT government. We need to understand the contribution and the partnerships that exist between Havelock Housing Association and Housing ACT; it is significant. The dialogue in there is constant and, from time to time, as Havelock housing and our own needs analysis show the point, we allocate more properties to that association to address that need.

The community housing sector is another area of housing need in this town that not so much concerns me but occupies my time, to the extent that I want and have had conversations with the community itself about it. Contrary to those opposite when they were in power, I have actually gone down and had direct conversations with those in the sector.

**Mr Smyth:** Ooh! I always went down, so did Bill.

**MR HARGREAVES:** I have had a number of housing forums where I have had a range of people come around the table—tenants, community housing providers, social housing providers, public housing providers, private housing providers—and we have talked about various subjects covering the whole of the housing issues. The conversation that this government has directly with those affected in the sector—directly, through those housing forums and through other conversations with people like those at the Havelock Housing Association—will culminate in the summit in February.

**Mr Smyth:** A summit?

**MR HARGREAVES:** I hear Mr Smyth denigrating the idea of talking to the community directly. How clever is that! Those people who are connected with the sector have congratulated the government on, one, being so personally involved with their subject; two, giving them sufficient time to collect together the information they need for the summit; and three, being involved in the constitution of the topics to be discussed in that summit—at the conclusion of which we will have a comprehensive picture of what really needs to be done in this town.

We have now got to the stage where the Stanhope government have picked up the shambles that these people left in 2001 and have got it on an even keel. We have done the repair and we will move forward. This time we will move forward in partnership with the community, instead of in opposition to it.

**MRS BURKE:** I have a supplementary question, Mr Speaker. Minister, given that Havelock Housing Association has achieved high accolades recently, when will you provide adequate resources for specialists who can meet the unmet need of supporting Havelock's clients?

**MR HARGREAVES:** We already do.

### **Mental health—beyondblue**

**MS MacDONALD:** My question is to Mr Corbell, the Minister for Health. Minister, yesterday you signed the ACT's ongoing commitment to the beyondblue program. Could you tell the Assembly about the benefits to the ACT in being part of this program?

**MR CORBELL:** I thank Ms MacDonald for the question. Yes, yesterday I was very pleased to join with the Chairman of beyondblue, Mr Jeff Kennett, to sign another five-year funding agreement between the ACT government and beyondblue for their ongoing work.

Beyondblue is a national, independent, not-for-profit organisation that is focused on addressing the issues associated with depression, anxiety and related substance misuse disorders in Australia and to reduce the stigma associated with those illnesses. The national depression initiative works to promote early intervention and prevention of depression through programs and research activities. It provides information about real life experiences of people with depression and, importantly, possible effective treatments.

I am very pleased that ACT Health has worked with beyondblue to develop a new funding agreement, and that is what was signed yesterday. The new agreement actually started on 1 July this year. The ACT contribution to beyondblue is \$70,000 per annum. The ACT has been in partnership with beyondblue now since 2000-01 and I am very pleased to be continuing that relationship. Initially Beyond Blue was established in 2000 between the commonwealth and Victorian governments and has since been expanded across the country.

Why is this initiative important? It is important because it is estimated that around 20 per cent of people in Australia will experience depression at some point in their life. It is a widespread and concerning illness. It is one of the most significant worldwide health problems that we now see emerging. In fact, it is recognised that, by 2020, it will be one of the most significant illnesses worldwide. It is very important that we as a community work to reduce the stigma associated with depression, as well as providing as much support as possible to those who suffer from it.

Mental health remains a key priority area for the ACT government. We are constantly striving to improve funding and resources for people with mental illness, not only in terms of treatment and recovery, but also in terms of good health promotion, prevention and early intervention. The partnership between the ACT government and beyondblue allows us to continue this important work.

I would like to highlight to members one of the really useful initiatives that is funded as a result of the ACT government's engagement with beyondblue. That is the postnatal depression program. This has been an important initiative for the ACT. The work has provided valuable data, as well as improved outcomes for women and their families here in the ACT.

There are other beyondblue activities that are in place across Australia that we are able to take advantage of here in the ACT because of our partnership with beyondblue. They include the perinatal mental health project and the E-Couch program being developed by the ANU Centre for Mental Health Research. The perinatal mental program has involved the screening and assessment of perinatal depression and the provision of information and education to primary health care givers and has contributed significantly to understanding the key risk factors, in particular past histories of abuse, depression and anxiety, when it comes to perinatal depression.

The E-Couch program is an electronic health counselling and information website that has been developed by the Centre for Mental Health Research at the ANU. This website is in the final stages of its development. It will be ready for pilot in 2006 and will provide

very valuable therapeutic information for people suffering from mental illness 24 hours a day.

These are just some examples of what the ACT gets from our engagement with beyondblue. I was very pleased to join with Mr Kennett yesterday in signing our ongoing commitment to beyondblue. I encourage all members in this place to continue to recognise the widespread prevalence of depression in our community and the importance of communicating to the community that depression is an illness, not a life sentence. Depression does not reflect a personality flaw or incapacity on the part of a person, but is an illness like any other and must be addressed in the same way that we address any other illness.

**MS MacDONALD:** I ask a supplementary question. Minister, can you inform the Assembly of Mr Kennett's assessment of the ACT's performance in addressing depression?

**MR CORBELL:** Again I thank Ms MacDonald for the question. Yes, yesterday Mr Kennett was asked by representatives of the media how he felt the ACT was performing when it came to dealing with issues such as depression. I know that those opposite have been very critical of the government, I think unfairly so, and this for me was confirmed in the comments of Mr Kennett. He is not known as a supporter of the Labor Party or Labor governments, but he said very clearly that the ACT had one of the strongest commitments in the country to dealing with depression.

He went on to say that the ACT was doing a better job than most in dealing with depression. I very much welcome that comment. He recognises, unlike Mr Smyth and those opposite, in an unbiased and reasonable way that the ACT is making significant strides in this regard. Mr Kennett is not somebody who votes Labor. He is not someone who is known as a fellow traveller of the Labor Party. In fact, he would usually be one of those that Mr Mulcahy would be coat tailing, running around behind, saying, "Jeff, aren't we doing a great job?"

We do not need to do that. We stand by our record. I was very pleased that Mr Kennett recognised it yesterday when he said that the ACT was doing a better job than most in dealing with depression. He reckoned that the ACT is ranked in the top half of states in dealing with depression. He said that we are not in the bottom half; we are in the top half. That is what Mr Kennett said, and I really welcome his comments. They are affirmation of the commitment this government is making to address issues to do with mental health.

Most tellingly, at the end of the day, Mr Kennett said that the ACT had not been dragged "kicking and screaming" to support the program. Those were very encouraging words from him. I thank him for his recognition and endorsement of our activities. Like everyone in this debate, he recognises that there is more work to be done. He said that yesterday. I continue to say that as minister. But the important thing is that we are getting strong endorsement from national leaders at a national level that we are on the right path when it comes to tackling issues to do with depression and mental illness.

## Early development index

**MS PORTER:** My question is to the Minister for Children, Youth and Family Support. Minister, I understand the Australian early development index was released today by the Centre for Community Child Health. Can you update the Assembly on the ACT results in relation to this index?

**MS GALLAGHER:** I thank Ms Porter for her question. The pilot program, the Australian early development index, was released by Senator Kay Patterson earlier today. It is a commonwealth government initiative under the national agenda for early childhood. It is one of those programs that I think will grow in importance. It is a great program, and I do not mind acknowledging good programs when they come about.

The index is a population measure of young children's development, based on the scores of a teacher-completed checklist. The checklist covers students in kindergarten and is collated on a suburb by suburb basis. This year the program was run in Gungahlin. Six government and Catholic primary schools participated in the project, involving 24 teachers and 450 students, and it was coordinated by the Gungahlin child and family centre.

As members would know, the Gungahlin community is a fast-growing community with the highest number of children aged from nought to 14 in the territory. The residential population of the area is almost 30,000, with 2,650 aged between nought and six. It therefore proved an excellent location to trial the early development index in Canberra.

The pilot provided the ACT government, in partnership with the local community, the opportunity to strengthen collaboration between schools, early childhood services and agencies supporting young children and families. The project assessed children's development in five key areas: physical health and wellbeing; social competence and wellbeing; emotional maturity; language and cognitive skills; and communication skills and general knowledge.

The project showed excellent results in Gungahlin, with almost 75 per cent of children in Gungahlin performing well in one or more developmental domains; this is compared to the national average of 65.1 per cent. So children in Gungahlin are performing on average at about 10 per cent above the national average. "Performing well" is defined as children in the top 25 per cent of those surveyed nationally. Of the developmental domains, Gungahlin children are experiencing high levels of physical health and wellbeing, with 50.6 per cent performing well. In communication skills and general knowledge, 49.8 per cent of Gungahlin children are at the "performing well" level, and 44.2 per cent of the children are performing at the "well" level in language and cognitive skills. Children in Palmerston are performing particularly well, with 83.6 per cent in the "performing well" bracket.

The results in terms of vulnerable children are also encouraging: 14.7 per cent of Gungahlin children are vulnerable in one or more developmental domains, compared to a national average of 22.6 per cent. Vulnerability is defined as children in the bottom 10 per cent of those surveyed in the national project. While any child in a vulnerable situation is concerning, it is encouraging that our commitment to early development,

child protection and childhood development in the ACT, including Gungahlin, is having a positive effect. These results indicate that the majority of children in Gungahlin are doing well across all of the developmental domains, but there are a small number of children vulnerable in each of the developmental domains.

Our children's plan discusses the importance of population-based outcome measures and suggests the implementation of the early development index as an option to measure the health and wellbeing of ACT children. This pilot of the program in Gungahlin provides a valuable opportunity to consider the usefulness of implementing this index ACT wide.

Perhaps the most important part of the data we have received is the ability for us to target programs and priorities towards areas of need and children in need within a region or a district of the ACT. It also allows us to target our programs and, if they are not going into the right area, to be able to make those changes and to invest them in the right areas to support the early years of young Canberrans.

**MS PORTER:** Minister, you mentioned the efforts the ACT government has made to invest in the early years of Canberrans living in Gungahlin. Which investments do you think have led to this positive rating under the Australian early development index?

**MS GALLAGHER:** The ACT government recognises the importance of investing in the early years to optimise the longer-term outcomes for our children. We have made significant investment in new and improved services in the ACT for young children and their families. This investment includes the new, award-winning P to 10 school in Amaroo, at a cost of around \$30 million; \$2.8 million on the Gungahlin childcare centre, which has places for 90 children aged from nought to five; \$3.1 million for the purpose-built child and family centre in Gungahlin, which is the centre that piloted this program.

**Mrs Dunne:** Probably the biggest single determinant is that their parents are in work.

**MS GALLAGHER:** Mrs Dunne cannot bear it; she cannot bear listening to a positive story about young children in one of our regions doing well because of targeted programs and support from the government. She just sits there, makes snide remarks and undermines constantly what is a positive story which members of the opposition should be listening to—a constituency for members opposite—about children, how they are performing and how the government is supporting them. That is what this information to the Assembly is about. All Mrs Dunne can do is sit there, make snide and negative comments and constantly interject.

The child and family centre in Gungahlin was the centre which piloted this program. It is the first centre like this in the ACT. The permanent centre, which we are building at the moment and which will be opened early next year, is running a number of programs. Over the trolley is a universal parenting information initiative conducted in the Gungahlin marketplace. Paint and play is a program for children and their parents who seek to identify early developmental concerns in children who may not be accessing universal services and to increase parents' capacity through modelling and play.

The government has provided approximately \$1.3 million a year in recurrent funding for the child and family centre. For the first time in Canberra we have a place where parents

in need of extra support can turn up on the doorstep and ask for advice. If they need advice from health, housing or education or on targeted early access to childcare services in their region, they can get that information. Not only can they get that information, they can be welcomed into playgroups and programs which deal with some of the isolation that many families with young children feel in communities. This centre is delivering fantastic outcomes to Gungahlin. One is in operation in Tuggeranong, with similar success.

We have also expanded the number of childcare places across the territory, particularly in Gungahlin, with a total investment of \$4 million. An additional 54 places were provided in Gungahlin in May 2002, at a cost of \$650,000, which was used for two portables at the Nicholls and the Ngunnawal childcare centres.

We recently announced that the new youth detention centre will be built in Gungahlin, representing an infrastructure investment of some \$40 million. On top of this, we have invested heavily in child protection across the territory, including in Gungahlin, which allows the government to target our response to those families in need of extra support and those children who need protection. Those resources are out there now. We have doubled the number of our child protection workers from 51 in April 2004 to 110 in July 2005.

We have provided over \$8 million over four years to increase the provision of preschool education for eligible four-year-olds, from 10½ hours per week to 12 hours per week. That is being implemented in some preschools now. There will be a full rollout next year.

This information I have been given today provides us with an opportunity to see how our children are going and, most importantly, to look at those children that are not doing so well and have particular needs in certain areas. It will enable the government to respond, to make sure that our childhood educational services are meeting the needs of children not only in Gungahlin but also across the ACT.

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

## **Supplementary answers to questions without notice**

### **Business support**

**MR QUINLAN:** Mr Speaker, during question time I took a question from Dr Foskey in relation to the criteria for business incentives. She may well have a point.

In respect of the assessment criterion as to the suitability for industry in the ACT, the government will give priority to applications that are from business in those areas in which the ACT has a competitive, strategic or natural advantage. There is a list of those areas: ICT, space science, biotech, public administration, environmental industries, creative industries—which have been plagiarised by Mr Smyth—sports, science administration, education and defence. So that may be a hurdle that a practical business may have.

I will add that the contribution criteria would include: the type and size of commitment to ACT employment; contribution of a project to export or import replacement; new

skills or technology to be introduced; demonstrable multiplier indirect effects on the ACT economy—that is, flow-on unemployment—sourcing of inputs; and use of ACT and region-based services. If a business looks like it is genuinely going to contribute to growth within the economy, we are happy to revise our rules. We are very happy to encourage any business that will build the ACT economy.

### **Dental health**

**MR CORBELL:** In question time today Mr Smyth asked me about alleged reductions in positions in the dental health program. I am pleased to advise Mr Smyth that there has been no reduction in funded positions in the dental health program. One staff member has been removed for non-budgetary reasons. This position will be replaced. There has been no reduction in staffing in the dental health program.

### **Mental health**

**MR CORBELL:** Yesterday in the Assembly in question time Mr Smyth asked me a question about protocols for the CAT team, in particular in relation to police attendance. I am pleased to advise Mr Smyth that the mental health crisis team response is based on clinical and risk assessment. The response categories are as follows: category one is crisis response within one hour, where the use of emergency services may be required; category two is priority response within 12 hours, with routine or urgent assessment; category three is deferred response within 24 hours, involving regional team referral or support visits and medication compliance; category four involves referrals to other agencies; and category five is general inquiries.

The crisis team always endeavours to respond to these situations` within the relevant time frames. If assessed as necessary to reduce the risk of harm to the consumer, staff or others, the crisis team will ask police to accompany them in their response. There is no stipulation in relation to the number of police required, nor in which circumstances police should attend. This decision is made on a case-by-case assessment of each individual situation. Attendance by police is based on need, not on the time of the day.

In relation to the particular incident to which Mr Smyth referred, the consumer in question was given a response of a category two priority, that is, response within 12 hours. This decision was based on the referral information and assessment. This information also identified the need for police support to be available to attend with the crisis team. Australian Federal Police assistance was required, as the CAT staff had been advised that the consumer was unwilling to have any medical contact and had been aggressive to friends when they suggested she go to hospital. The AFP provided appropriate support to enable the crisis team to respond within the required response time. The response time was about four hours. The protocol specifies response within 12 hours.

The crisis team has a good working relationship with the AFP. This is demonstrated through a new draft memorandum of understanding between Mental Health ACT, the AFP and the ACT Ambulance Service. It outlines how all services will work together to achieve the best possible outcomes for ACT consumers and will be formally signed off by all parties in the very near future.

## **ACTION bus service**

**MR CORBELL:** Earlier this week in question time Mr Seselja asked me a question about when I had been briefed in relation to options for bus services to the Brindabella business park. I responded to Mr Seselja that it was in the second half of this year. In checking the record, I was in fact briefed in February and March this year. I correct the record for members and apologise for any confusion caused by the previous information.

## **Personal explanation**

**MR PRATT:** Mr Speaker, I seek leave to make a personal explanation under standing order 46.

**MR SPEAKER:** Please proceed.

**MR PRATT:** Today in question time I referred to a document, which I indeed tabled, called *Theft watch*, a document released by the National Motor Vehicle Theft Reduction Council Inc. The minister stated that my figures undoubtedly could not be trusted and that the data from this particular report were therefore unknown and not to be trusted.

**MR SPEAKER:** How have you been misrepresented, Mr Pratt?

**MR PRATT:** I have been misrepresented in terms of the quality of the document that I tabled, Mr Speaker. I would like to clarify exactly why—

**MR SPEAKER:** This is not a debate about an issue that has been dealt with in question time. This is a personal explanation about a personal matter in respect of which you have claimed to have been misrepresented. You should come to that point.

**MR PRATT:** Thank you, Mr Speaker. The National Motor Vehicle Theft Reduction Council is in fact an initiative of all Australian governments and insurance companies—

**MR SPEAKER:** Mr Pratt, how have you been misrepresented here?

**MR PRATT:** The quality of this document has been misrepresented; therefore the quality of my question has been misrepresented. That is the point on which I stand.

**MR SPEAKER:** Order, Mr Pratt! Unless you can point out where you have been misrepresented, you might as well sit down. I am not going to allow a debate on this issue to continue under standing order 46.

**MR PRATT:** Mr Speaker, the minister implied that I was offering up false data. What I am saying is that this document is a document to which this government contributes. How can it be false data?

*Members interjecting—*

**MR PRATT:** The point is made anyway, Mr Speaker. Thank you.

## Administrative arrangements Paper and statement by minister

**MR STANHOPE** (Ginninderra—Chief Minister, Attorney-General, Minister for Environment and Minister Arts, Heritage and Indigenous Affairs): For the information of members, I present the following paper:

Administrative Arrangements—Administrative Arrangements 2005 (No 4)—  
Notifiable Instrument NI2005-438 (S4, dated Thursday, 17 November 2005).

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

Leave not granted.

## Standing orders—suspension

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

That so much of the standing orders be suspended as would prevent Mr Stanhope from making a statement.

**MR SMYTH** (Brindabella—Leader of the Opposition) (3.40): Mr Speaker, we have—

Motion (by **Mr Corbell**) put:

That the question be now put.

The Assembly voted—

Ayes 10		Noes 7	
Mr Berry	Mr Hargreaves	Mrs Burke	Mr Smyth
Mr Corbell	Ms MacDonald	Mrs Dunne	Mr Stefaniak
Dr Foskey	Ms Porter	Mr Mulcahy	
Ms Gallagher	Mr Quinlan	Mr Pratt	
Mr Gentleman	Mr Stanhope	Mr Seselja	

Question so resolved in the affirmative.

Original question put:

That **Mr Stanhope's** motion be agreed to

Question resolved in the affirmative, with the concurrence of an absolute majority.

**MR STANHOPE** (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs): For the information of members, I table revised administrative arrangements that commenced on 17 November 2005.

## **Chief Minister's Department—annual report 2004-05 Paper and statement by minister**

**MR STANHOPE** (Ginninderra—Chief Minister, Attorney-General, Minister for Environment and Minister Arts, Heritage and Indigenous Affairs): For the information of members, I present the following paper:

Annual Reports (Government Agencies) Act, pursuant to section 13—Chief Minister's Department—Annual Report 2004-05—Corrigendum.

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

Leave not granted.

### **Standing orders—suspension**

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

That so much of the standing orders be suspended as would prevent Mr Stanhope from making a statement.

**MR SMYTH** (Brindabella—Leader of the Opposition) (3.44) Mr Speaker, it has been a tradition in this place that courtesy is extended to members in many forms. One of them is leave. Another is advice that a motion that they are to respond to is about to be brought on. We do that to facilitate the smooth and efficient running of this place, in many ways to make it easy for you, Mr Speaker, so that we do not waste time doing exactly what we are doing now.

There has been discourtesy and a lack of organisation in government ranks this morning. Courtesy applies to many things, Mr Speaker. It should be applied so that members get the chance to do their jobs. This morning the government whip failed to inform members what was likely to come on during the day so that they could be prepared. Apparently—

**MR SPEAKER:** The question is that the standing orders be suspended.

**MR SMYTH:** Yes, Mr Speaker, and I am explaining why they should not be suspended.

**MR SPEAKER:** I can hardly see how something that happened this morning is relevant to the debate about whether the standing orders be suspended.

**MR SMYTH:** The government has moved to suspend the standing orders because we have denied the Chief Minister leave. I am explaining why we have denied leave so that we can get on with this in a more harmonious manner.

*Government members interjecting—*

**MR SMYTH:** If you do not want to hear the explanation, I will keep doing it all afternoon. The point is that not even the manager of government business knew that this was going to be done this morning. Mr Mulcahy, who was part heard on a matter this

morning, did not have the opportunity to finish his speech. It is the tradition of this place to afford members the courtesy of having knowledge of what is going to be brought on.

**MR SPEAKER:** Order! The Chief Minister sought leave to make a statement in relation to a paper that he presented.

**MR SMYTH:** And I am explaining why leave was not granted, Mr Speaker.

**MR SPEAKER:** You refused him leave to make a statement in relation to that paper. How can you say that what you are now talking about is relevant?

**MR SMYTH:** Because leave is granted by courtesy of this place, Mr Speaker. The lack of courtesy this morning in this place brings us all into disrepute. I am just making the point that much is done in this place by courtesy, including, for example, the giving of leave. We do not intend to continue this. We can if you want. We can do this all afternoon. We can call divisions. We can have 15 minutes between each speech.

I do not want to do that. I simply want to make the point to the government that it is time for the government to get organised and for the government whip to inform us of things not on the program that are going to be brought forward. In that way members can be ready so that we can facilitate the smooth running of this place and not have the debacle that the government caused this morning. That is why we are not going to grant leave in this case.

**MR SPEAKER:** I have to say, Mr Smyth, that you will not get the chance to make that speech again. You ignored my pleas for relevance.

**MR CORBELL** (Molonglo—Minister for Health and Minister for Planning) (3.48): The standing orders should be suspended because it is the common practice for ministers to table papers and provide information to members after question time. If the opposition is saying they do not want that any more, then the government can make that provision. We will not table information and make statements in the Assembly. It will save everyone quite a bit of time and quite a bit of paperwork.

Is that seriously what the opposition is saying? I would have thought that the opposition was interested in scrutinising government. I would have thought that any competent opposition leader would like to see information provided by the executive and to have the opportunity to debate that in this place. But it seems to me that Mr Smyth does not want that. You do not want that, Mr Smyth. You do not want the Chief Minister to table information. You do not want the Chief Minister or ministers to table information on the conduct of their portfolios.

Just what sort of serious opposition are you? “No, no. Don’t give us the information. We might have to do some work.” This is the Zed Seselja principle of opposition—do not show up to meetings; do not read reports; do not read documents; please do not give us information.

*Opposition members interjecting—*

**MR SPEAKER:** Order! Mr Corbell has the floor.

**MR CORBELL:** Maybe the Liberal Party is finding the workload a bit too onerous. They have to read reports that are tabled in the Assembly.

*Opposition members interjecting—*

**MR SPEAKER:** Order!

**MR CORBELL:** It is not good enough not to show up to committee meetings and not to read committee reports and not to look at budget papers so as to understand what the appropriation is about.

*Opposition members interjecting—*

**Mr Mulcahy:** Mr Speaker, I raise a point of order.

**MR SPEAKER:** Order! I warn you, Mr Seselja. I have called the opposition to order on several occasions during this debate. Interjections will cease. Mr Mulcahy, what is your point of order?

**Mr Mulcahy:** My point of order relates to relevance, which you have stressed, Mr Speaker. I do not think Mr Seselja's involvement with committees has the slightest bit to do with this dissertation that we are hearing from Mr Corbell.

**MR CORBELL:** Mr Speaker, it is entirely relevant because the opposition are saying they do not want to give the Chief Minister leave to give information. They have denied the Chief Minister leave to give information, and I am explaining to you clearly what sort of opposition takes those steps and opposes a Chief Minister giving information in this place. It is clearly not good enough for Mr Seselja, Mr Smyth and the rest of the opposition to say—

**Mr Mulcahy:** Point of order, Mr Speaker. He is going back again, Mr Speaker, to the issue of Mr Seselja and committees. I again draw to your attention that he is not staying relevant to the matter before the Assembly.

**MR CORBELL:** Mr Speaker, I am making the argument that the opposition should be interested in information before this place and that is why they should give leave.

**MR SPEAKER:** That is relevant.

**MR CORBELL:** Clearly they are not interested. That is very disappointing for the government. Any government is only as good as its opposition. Unfortunately, at this stage the opposition are not doing their job. It is the Zed Seselja school of opposition. It is about not scrutinising documents, not showing up for meetings and, now, not even giving ministers leave to give information. If that is the way you want to do it, I am sure the government will be very happy to oblige.

**MRS DUNNE (Ginninderra) (3.52):** Mr Speaker, the position that the opposition has taken this afternoon is not a blanket one. It is one to impress upon the government the need to communicate across the chamber. What happened this morning—and this is

relevant—is that the manager of government business failed to get the blue sheet right for the second day in sequence.

**Mr Corbell:** Point of order, Mr Speaker: I do not understand how the issue of what is in the daily program has anything to do with whether standing orders should be suspended. That is the question that the opposition are opposing in this house. They should be made relevant.

**MR SPEAKER:** Can you come back to the subject now?

**MRS DUNNE:** The opposition opposes the suspension of standing orders to sheet home the message that this government needs to be cooperative. It needs to rely on cooperation and not depend on the failure of—

**MR SPEAKER:** Resume your seat, Mrs Dunne.

**MR STANHOPE** (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs) (3.53), in reply: I wish to address the motion to suspend standing orders. I would like to take the opportunity to endorse everything that my colleague has said. It is quite remarkable. It is the first time I can recall in my time in this place that an opposition has not wanted to be provided with information.

If the motion does not succeed, if the standing orders are not suspended, I will be prevented from providing information in this place, for the information of the opposition, certainly, for the information of all other members of the Assembly and, through the processes of the Assembly, for the media and the people of Canberra.

It is important that this motion succeed. It is quite remarkable that today the Leader of the Opposition has twice sought to deny me the opportunity to provide, for the information of the members of the Assembly and, through the Assembly, the people of Canberra, vital information about the administration of the Australian Capital Territory. It is remarkable. We have an opposition that is now frightened of work, a lazy opposition, an opposition that does not want to be informed, an opposition that does not want the Chief Minister of the territory, the leader of the government in the ACT, to provide it and, through it, the people of the Australian Capital Territory, with vital information about the management, administration and governance of the territory.

I cannot recall a single instance in my eight years in this place of an opposition not wanting to be informed, not wanting to be provided with reports prepared by the government for the information of the Assembly and for the people of the Australian Capital Territory. I cannot remember a single instance of an opposition refusing to allow the people of the territory access to government reports.

What is this is a response to? What is the motivation? The motivation, of course, is a disinclination by the opposition to work. We saw it this morning. We see it again now. The point was well put by Mr Gentleman this morning, scathingly put, that Mr Seselja does not like to work, and we saw the nonsense yesterday in relation to that. Mr Seselja has displayed clearly his aversion to work. He does not like work. He does not want to

turn up to committee hearings. He will not read reports. He will not contribute to committee inquiries. It is a signal—and we see it again today with this motion—

**Mrs Dunne:** I take a point of order, Mr Speaker. The Chief Minister is spending a lot of time talking about Mr Seselja's supposed incapacity to read reports—

**MR SPEAKER:** He has been ordered to come back to the subject matter. Resume your seat, Mrs Dunne.

**Mrs Dunne:** That is pretty rich from someone who, by his own admission, does not read reports.

**MR SPEAKER:** It is not a point of order.

**MR STANHOPE:** If my motion to suspend standing orders does not succeed—and I find it remarkable that we are debating the motion at all—then, for the first time in my eight years in this place, an opposition will have sent a signal that it does not wish to receive government reports. Why does it not wish to receive government reports? It is because it might be forced to read them; it might be forced to respond to them; and it might be forced to do some work.

It is remarkable that the Liberal Party of the ACT, through its leader, has sent a signal twice in a row now that it does not wish to receive reports. Why does it not wish to receive them? There are two excuses. The first is that it is a lazy opposition, an opposition that does not wish to work. It does not wish to work either because it does not have the capacity to work or because it is simply petulant and childish. They are the choices. You have two choices here. At best you are lazy, disorganised and uninterested and have given up the ghost. At worst, you are simply being petulant and childish. You choose.

You have been petulant and childish in responding to a scathing criticism of Mr Seselja. We saw him blush red, not just at his designation as “scooter”, but also at being revealed as somebody who simply refuses point blank to work. He is an incredibly lazy non-executive member of the planning committee. He will not work. This is the petulant response to his exposure as a member of this place who will not work.

**Mr Stefaniak:** The Chief Minister said he does not recall this situation occurring before. That is an absolute nonsense; check *Hansard*. I seem to recall occasions when members from both sides of the house have failed to advise that matters have been added to the notice paper. Leave often has not been granted.

Motion (by **Mr Corbell**) put:

That the question be now put.

The Assembly voted—

Ayes 10

Noes 7

Mr Berry	Mr Hargreaves	Mrs Burke	Mr Smyth
Mr Corbell	Ms MacDonald	Mrs Dunne	Mr Stefaniak
Dr Foskey	Ms Porter	Mr Mulcahy	
Ms Gallagher	Mr Quinlan	Mr Pratt	
Mr Gentleman	Mr Stanhope	Mr Seselja	

Question so resolved in the affirmative.

Original question put:

That **Mr Stanhope's** motion be agreed to.

The Assembly voted—

Ayes 10

Noes 7

Mr Berry	Mr Hargreaves	Mrs Burke	Mr Smyth
Mr Corbell	Ms MacDonald	Mrs Dunne	Mr Stefaniak
Dr Foskey	Ms Porter	Mr Mulcahy	
Ms Gallagher	Mr Quinlan	Mr Pratt	
Mr Gentleman	Mr Stanhope	Mr Seselja	

Question so resolved in the affirmative, with the concurrence with an absolute majority.

**MR STANHOPE** (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs): Let me say at the outset that I thank the opposition for the sheer strategic brilliance, the political genius—

**Mrs Burke**: No, just get to the point, and I think you have.

**MR SPEAKER**: Order, Mrs Burke!

**MR STANHOPE**: I thank you for that strategic brilliance—

**Mrs Burke**: A bit like yours this morning.

**MR SPEAKER**: Order, Mrs Burke!

**MR STANHOPE**: displayed over the last half hour—

**Mrs Burke**: A bit like your organisation this morning.

**MR SPEAKER**: Order, Mrs Burke!

**MR STANHOPE**: actually, for the condemnation that you have just brought on yourselves. Well done!

*Mrs Burke interjecting—*

**MR SPEAKER:** Mrs Burke, I name you. I have warned you several times.

Motion (by **Mr Corbell**) put:

That Mrs Burke be suspended from the service of the Assembly.

The Assembly voted—

Ayes 9		Noes 8	
Mr Berry	Ms MacDonald	Mrs Burke	Mr Seselja
Mr Corbell	Ms Porter	Mrs Dunne	Mr Smyth
Ms Gallagher	Mr Quinlan	Dr Foskey	Mr Stefaniak
Mr Gentleman	Mr Stanhope	Mr Mulcahy	
Mr Hargreaves		Mr Pratt	

Question so resolved in the affirmative.

**Mrs Burke:** An absolute disgrace!

**Mr Corbell:** Point of order, Mr Speaker: Mrs Burke just indicated that that decision was absolutely disgraceful. That really is calling into question the decision of the Assembly, Mr Speaker, and I draw that matter to your attention.

*Mrs Burke was therefore suspended at 4.04 pm for three sitting hours in accordance with standing order 204, and she accordingly withdrew from the chamber.*

**MR STANHOPE:** I call the Chief Minister to continue his remarks.

**MR STANHOPE:** For the information of members, I present a corrigendum to the Chief Minister's Department annual report 2004-05. Volume 1 of the report provides information on the department's service purchasing arrangements, community grants and assistance sponsorship.

The amounts for the community grants for 2004-05 associated with the community inclusion fund on pages 176 and 177 were incorrect in the final published report. This corrigendum replaces the respective pages contained in the published report. The chair of the Standing Committee on Public Accounts has been advised of the error and provided with the corrigendum.

## **David Harold Eastman** **Paper and statement by minister**

**MR STANHOPE** (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs): For the information of members, I present the following paper:

David Harold Eastman—Inquiry conducted under section 475 (repealed) of the

*Crimes Act 1900* into the matter of the fitness to plead—Volume 2, dated 6 October 2005.

I ask for leave to move a motion to authorise publication of the paper.

Leave granted.

**MR STANHOPE:** I move:

That the Assembly authorises publication of the paper.

Question resolved in the affirmative.

**MR STANHOPE:** I seek leave to make a statement.

Leave granted.

**MR STANHOPE:** As members are aware, on 6 October 2005 Acting Justice Jeffrey Miles provided the executive with a two-volume report on Mr Eastman's fitness to plead in the trial for the murder of Colin Winchester. On 10 October, I, as Attorney-General, announced Acting Justice Miles's findings, and volume 1 of the report was made publicly available via the Supreme Court web site. A copy of both volumes of the report was provided to Mr Eastman.

On 20 October 2005, I tabled volume 1 of the report to the Assembly. I noted that volume 2 contained personal information about Mr Eastman and his family and that the government would prefer to assess the privacy issues affecting Mr Eastman's family before releasing volume 2 publicly. Volume 2 of the report is now tabled, with the exception of some paragraphs from pages 316 and 317 of appendix 16. These paragraphs discuss matters that are personal to Mr Eastman's family and to Mr Eastman. The government considers that the omission of this information does not impede any comprehension of the evidence provided in appendix 16.

## Papers

**Mr Quinlan** presents the following papers:

Capital works program 2005-06—Progress report—September 2005 quarter.

Financial Management Act, pursuant to section 16—Instrument directing a transfer of appropriations from the Department of Justice and Community Safety to ACT Health, including a statement of reasons, dated 23 November 2005.

Territory-owned Corporations Act, pursuant to subsection 22 (4)—Annual Report 2005—Totalcare Industries Limited, dated 22 September 2005.

**Ms Gallagher** presented the following papers:

Education Act—

Pursuant to section 127—Non-Government Schools Education Council—  
Recommendations—2006-2007 ACT budget.

Pursuant to section 73—Government Schools Education Council—  
Recommendations—2006-2007 ACT Budget.

## **Indigenous housing**

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

**MR HARGREAVES** (Brindabella—Minister for Disability, Housing and Community Services, Minister for Urban Services and Minister for Police and Emergency Services): For the information of members, I present the following paper:

Indigenous people—Provision of housing—Agreement between the Australian Government and the ACT Government—October 2005-June 2008, dated 19 and 28 October 2005.

I seek leave to make a statement.

Leave granted.

**MR HARGREAVES:** I thank members. In accordance with section 11A of the Housing Assistance Act 1987, I am pleased to table the agreement between the ACT and Australian governments for the provision of housing for indigenous people. This agreement formalises the framework for continuing the partnership between the ACT government and the Australian government in the planning, delivery and management of housing for indigenous people living in the ACT.

The 2001 census counted 3,548 indigenous people normally resident in the ACT. This was 1.1 per cent of the ACT population and 0.9 per cent of the total indigenous population of Australia. While indigenous people living in the ACT are generally better off than those living in other jurisdictions, they rate below average compared with the ACT population overall across a range of housing indicators.

Amongst all indigenous households in the territory, 41 per cent either owned or were purchasing their own homes. By contrast, 66 per cent of all households in the ACT were in this category. In terms of overcrowding, the 2001 census revealed that 17 per cent of all indigenous households in the ACT have fewer bedrooms than they need. While this is much lower than the national indigenous figure of 29 per cent, it is almost three times higher than the figure for all ACT households.

Indigenous people are also more likely to be homeless in the ACT population overall. However, they are also more likely to be living in public housing. Public housing provides a home for 24 per cent of indigenous households in the ACT. While this is much greater than the overall figure of 9 per cent, it is a direct reflection of the ACT government's focus on providing housing for those most in need.

In terms of specific housing initiatives for indigenous people: the ACT government has provided \$350,000 this year and for the previous three years for the development of the indigenous housing sector to provide better access and wider choice for indigenous

people. This funding is used to fund specialised indigenous housing providers, Billabong Aboriginal Corporation and Ghibba Gunya Housing Corporation.

Moreover, combined funding from the ACT and Australian governments, in excess of \$2 million, was provided over 2003-04 and 2004-05 to the Billabong Aboriginal Corporation to significantly increase the stock of indigenous housing. Billabong has purchased seven properties with this funding. In addition to properties purchased, Billabong received one property through the community organisation rental housing assistance program in 2004-05. This means that Billabong has received eight additional properties since 1 July 2004, a 67 per cent increase, and will be allocated an additional three properties in 2005-06, two of which will be aged persons units.

Funding of over \$50,000 per annum has also been provided to Winnunga Nimmityjah Aboriginal Health Service since 2002 to provide a housing liaison service. Dyiramal Migay, another program run by Winnunga, is funded in partnership with Aboriginal Hostels Ltd to provide a supported accommodation service for young women experiencing homelessness. These services assist indigenous people in the ACT to access appropriate housing and related support services. I hope to be announcing further support services later this year.

Against this background, the new indigenous housing agreement between the ACT and Australian governments is intended to be a catalyst for continuing to improve housing outcomes for indigenous people. The agreement also aims to ensure that appropriate levels of ongoing resources and assistance are provided to support the development of management skills and capabilities to facilitate a robust and viable indigenous housing sector.

Under this agreement, a gradual transition will see the ACT government take over responsibility for allocating all funding for indigenous housing service delivery from 1 July 2006. This is a departure from previous arrangements, whereby the Australian government provided funding directly to indigenous community housing organisations in the ACT. The new agreement establishes a joint funding pool for indigenous housing services in the ACT from 1 July 2006. This funding pool will combine annual funding of nearly \$820,000, of which over \$400,000 is provided by the ACT government.

This pooled funding arrangement will result in improved indigenous housing services in the ACT, with less confusion for housing providers and tenants. This arrangement will, for the first time, allow the ACT government to have input into the allocation of Australian government funds for indigenous housing in the territory. This will ensure that funds are allocated to areas of greatest need.

In accordance with the ACT government's commitment to community consultation, the agreement provides for the establishment of an ACT advisory committee on indigenous housing. The committee will provide advice on policies and strategies to improve housing outcomes for indigenous people in the ACT. The government will be shortly seeking expressions of interest from the indigenous community to join this committee.

In conclusion, I believe that this agreement will have a positive impact on the housing outcomes for the indigenous community of the ACT. Housing is the foundation upon which successful employment, education, health and social outcomes are built. This

agreement will, therefore, help to ensure that the ACT's indigenous people have a standard of housing and related services that provides a safe, affordable environment that contributes to improved health outcomes and quality of life.

## **Caring for carers**

### **Papers and statement by minister**

**MR HARGREAVES** (Brindabella—Minister for Disability, Housing and Community Services, Minister for Urban Services and Minister for Police and Emergency Services): For the information of members, I present the following papers:

Carers legislation in the ACT—Review—

Report, dated November 2005.

Government response, dated November 2005.

Caring for carers in the ACT—A plan for action 2004-2007—First progress report.

I ask for leave to make a statement.

Leave granted.

**MR HARGREAVES:** I thank members for that. I am pleased to table today the first progress report on *Caring for carers in the ACT—a plan for action 2004-2007*, which was presented to the Assembly on 26 August 2004, and the government response to the report on the review of carers legislation in the ACT. This government came to office committed to better supporting the thousands of carers in our community and to implement policies and action plan programs to assist them. We are also concerned to raise the profile of carers so that their contribution to our community is better acknowledged.

The government knew that, to achieve this goal, we needed to consult widely and develop strong partnerships with carers and people who receive care, as well as service providers. This strategic approach has ensured that the government is aware of, and can better respond to, the unmet and changing needs of carers and people who receive care. It is essential that we acknowledge and support carers, not least because they make up some 14 per cent of the population and provide a service that the government alone could never address.

The majority of the estimated 43,000 carers in the ACT are female. We have a growing number of young carers. In this regard, it is estimated that some 7,600 carers are under the age of 25. By way of a mind picture, when we talk about 7,600 carers under the age of 25, there are 5,700 houses in the suburb of Kambah—the biggest suburb in town. We are talking about more young carers under 25 than all the houses in the whole of Kambah. That is huge.

In recognition of the unique needs of carers for support, the government developed the caring for carers policy, tabled in the Assembly in 2003. The policy aims are simple: to provide a basis for improving supports for carers that enhance their health and wellbeing and that of the people they care for. Above all, the policy recognises the social, economic

and health risks that confront carers. To progress the objectives of the caring for carers policy, the government sought further input from the community and key stakeholders to develop an action plan to address these risks.

On 26 August 2004, the *Caring for carers in the ACT—A plan for action 2004 to 2007* was released. This document outlines the actions that we have been taking over a three-year period and that we are taking over the three-year period to meet defined objectives. This action plan is structured around the principles outlined in the caring for carers policy and reflects the key messages arising from our extensive consultations with carers and the people receiving care. These messages included:

- the need for public recognition of the role and contribution made by unpaid, informal carers;
- assurance that the person being cared for is provided with quality, adequate and accessible support; and
- carers be regarded as partners with government.

To immediately support the policy and the action plan, the government committed, in its 2004-05 budget, \$830,000 to be delivered over four years. This funding is being delivered through the carers recognition grants program, which supports the implementation of the caring for carers policy. To oversee the implementation of the action plan, we established the carers implementation partnership. The partnership comprises carers, people receiving care, as well as relevant community and government agencies.

What we are seeing is a significant level of improvement in the support provided to carers. The carer recognition grants are a key initiative. This year, they were focused on the provision of information and resources for carers. Carers had indicated to us that they required easy access to information to enable them to carry out their role safely and effectively. In the funding round, eight projects received grants ranging from the provision of information and resources and the establishment of support groups for carers to the employment of a mental health outreach support worker.

Specifically, Family Based Respite Care Inc, FABRIC, were provided \$4,400 to develop a website to enhance communication and networking for FABRIC families, carers, support workers. Funding of \$12,251 was also provided to the Gungahlin Regional Community Service for a mutual support group for carers based in Gungahlin. The Mental Health Foundation received \$38,827 for a program that provides individually tailored support to carers of people with mental illness in their own homes.

The Marymead boy zone program, a mutual support group and mentoring program for young male carers aged 9 to 13 years, was granted \$27,500. The Youth Coalition of the ACT received \$22,000 to undertake research on the accessibility, appropriateness and responsiveness of respite and other supports for young carers.

Anglicare Youth and Family Services, CYCLOPS, received \$35,000 for making education work for young carers, a project that supported young carers in their current learning environments to continue their education. Carers ACT received \$44,000 for a carer information kit for service providers and professionals, a resource to assist service providers and professionals in the community, health and education settings to

better recognise and support carers. Finally, Winnunga Nimmityjah Aboriginal Health Service received a grant of \$38,522 for a program that provides culturally appropriate support, counselling, information and activities for Aboriginal carers.

Meeting the needs of carers is a shared responsibility, and a coordinated, whole-of-government approach has been undertaken to improve outcomes for carers and the people they care for. In response to carers needs for flexible workplaces, carers rooms are being established in government departments and are already provided in Chief Minister's, Treasury and Urban Services. The 2004-2007 certified agreement template for public servants recognises carer responsibilities and assists employees in balancing their work and carer responsibilities.

Access to respite services is also important for carers if they are to continue in their role. The government is developing initiatives to address this priority. Disability ACT has undertaken a respite review to explore and develop innovative respite options. It also undertook a needs assessment of individuals accessing respite services through one of their respite services. The ACT government has provided matched funding with the Australian government to provide respite care for aging carers of people with disabilities. A range of support initiatives for carers has been funded to ensure carers are able to access the necessary peer support required.

ACT Health, through the home and community care program, funded Carers ACT to provide 14 culturally and linguistically diverse carer support groups and a dedicated Aboriginal/Islander carer support program. The Office for Children, Youth and Family Support funded CYCLOPSACT to provide internet-based information for carers aged 10 to 18 years, and their families, who are responsible for the care of a relative with an illness or disability.

The ACT Arts funding program provided capital to the YWCA to assist young carers to devise, rehearse and produce a new theatre work in 2005. The carers information and training project received \$30, 000 to identify gaps in information, develop strategies for the dissemination of information and to prioritise training needs for carer groups. A significant initiative undertaken in the last year relates to principle 6, strategy 12, of the action plan. It committed government to review, in consultation with the community, the need for new or improved legislation for support carers.

Today I have tabled the government response to the report on the review of carers legislation in the ACT. Members will recall that the government released the report for public comment earlier this year. The report concluded that there was not broadly based community support, nor a demonstrated need for a stand-alone carers act for the ACT. However, the report recommended the development of a carer recognition bill to better support Canberra through amendments to some existing acts. The government supports this position and will develop a carer recognition act to amend some existing legislation to provide for better recognition of carers in the ACT laws.

The government supports or agrees in principle or in part to 29 of the 41 recommendations in the report. It notes a further six and does not agree to the remaining six recommendations. Measures that the government will act upon include amending the Human Rights Commission Act 2005 to allow children and young people who are carers to lodge a complaint if a service is not being provided appropriately and review

legislation to ensure that shared caring responsibilities by a number of people for a person in need of care are recognised. The six recommendations not agreed to by government are not supported either because they recommend legislative change that is not required to achieve the objective or because the government prefers another approach to the detail of the recommendation. For example, it is not necessary to amend legislation to ensure that carers are consulted in policy development, planning or review of government services. The government's framework, the social compact, ensures that extensive public consultations are undertaken and that the principles that underpin the framework are adhered to.

The government supports the development of a carer recognition bill to amend some existing legislation to better support carers and their rights. At the same time, it recognises the various caring responsibilities provided to an individual by more than one person. The Department of Justice and Community Safety will undertake the development of the agreed legislative amendments, in consultation with my department. The government also supports the non-legislative recommendations in the report that focus on providing practical ways to inform carers of their rights and support them in their role.

As you can see, Mr Temporary Deputy Speaker, we have come a long way in 12 months. However, there is much more to be achieved. Recently I was pleased to announce the recipients of the 2005-06 carer recognition grants. The organisations that were awarded grants this year were Winnunga Nimmityjah Aboriginal Health Services, to continue their project carer recognition which provides support and respite for indigenous carers and opportunities for carers to participate in activities to reduce the social isolation often experienced by carers; Youth Coalition of the ACT, for a project, supporting our family kit, which will develop a support kit for children, young people, and families where a parent has a mental illness or a dual diagnosis. Opportunities for young carers to develop skills to articulate their support needs and access to services they require will also be provided.

Another grant was to Uniting Care, Kippax, for their project, nurturing our carers. This project offers respite and support to carers by offering free counselling, practical assistance to carers and young children and aged persons, skills development for carers, opportunities for socialising and a buddy support system for families in crisis. Another grant went to Community Connections for their project, developing circles of support for mature carers and others, including those from different cultural backgrounds. The aim of this project was to introduce families and individual carers to the concept of circles of support. The circles concept creates support networks for families to consider solutions to problems they experience in everyday life and plan and develop directions for a safe and secure future.

Friends of the Brain Injured Children (ACT) Inc received funding to undertake their project, bad backs: carers lifting and massage training. An occupational therapist will visit families in their homes to assess and provide training in lifting and carrying techniques. Parents of children with cerebral palsy will also have opportunities to train in massaging techniques for their children. Finally, Carers ACT received funding for a project service, provider carer inclusive training. This project will build on work funded under the 2004-05 carer recognition grants and will raise awareness and skills in

relation to carer issues in the disability, home and community care, health, mental health, drug and alcohol, aged care, education and family sectors.

The government will continue to work with carers to address as best we can the unmet need that they identify. Carers will continue to play a role in the carers implementation partnership and consultations around the development of policies, programs, and projects that impact upon their lives. Amending legislation through the carer recognition bill will form part of that ongoing journey.

I commend to the Assembly the first progress report *Caring for carers in the ACT: a plan for action 2004 to 2007* and the government response to the report on the review of carers legislation in the ACT.

## **Homelessness strategy Paper and statement by minister**

**MR HARGREAVES** (Brindabella—Minister for Disability, Housing and Community Services, Minister for Urban Services and Minister for Police and Emergency Services) (4.33): For the information of members, I present the following paper:

Homelessness Strategy—Breaking the Cycle—First Progress Report for the period July 2004-June 2005, dated November 2005.

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

Leave granted.

**MR HARGREAVES:** I thank members. I am pleased to table in the Assembly today the first progress report on the implementation of *Breaking the cycle: the ACT homelessness strategy*. *Breaking the cycle* is an ambitious strategy, but to engender real social change and improve the lives of people experiencing or at risk of transitioning from homelessness we must be ambitious. I am proud of the achievements of our community in implementing the strategy to date. There are many players involved, and each has, in their own way, been influential in improving the ACT's response to homelessness.

As you would be aware, Mr Temporary Deputy Speaker, the homelessness strategy provides the framework for achieving the coordinated community response to homelessness. This first progress report, *Breaking the cycle: the ACT homelessness strategy*, provides an overview of the range of activities associated with implementation from June 2004 to July 2005. Homelessness is a complex issue, and *Breaking the cycle* has been a dynamic policy document that has changed to meet emerging needs and new priorities. To reflect this dynamic nature, the ACT Homelessness Committee has endorsed a revised implementation schedule for some action.

Mr Temporary Deputy Speaker, you would also be aware that during anti-poverty week the government announced that a poverty-proofing trial, using the Irish model, would form part of the midpoint evaluation of the homelessness strategy. I have embraced the opportunity to be the minister to conduct the ACT's first poverty-proofing trial, for two reasons. The first is the nexus between homelessness and poverty. People with an income and assets rarely become homeless. The second is that, by running a poverty-proofing

check on the homelessness strategy, I hope I will contribute to a framework for ensuring that our future work and development in evaluating policies and programs does not inadvertently act to decrease the causes of poverty and levels of poverty in our community.

The homelessness strategy is one of the ACT's key strategies for social change. It sits under the policy framework of the Canberra plan and the social plan. The social plan provides the ACT community with its long-term target of reducing primary homelessness to as close to zero as possible by 2013. The homelessness strategy provides the blueprint through which the community will work together to reduce the level of homelessness as well as its causes and effects. Make no mistake, though, I am in the business of achieving social change.

As Minister for Disability, Housing, and Community Services, my clear mandate is to work with the community to substantially improve the lives of its most disadvantaged and socially excluded members. The government does this through direct service delivery, such as through our disability care, protection and therapy services and through the development of informed and consultative policy. But I believe that social change is more than the sum of its parts or, if you like, the sum of the programs we provide. Social change requires change in our ways of thinking as a community and change in how we structure the community's institutions, our bureaucracies, our institutions, our community organisations and our service systems.

In developing and implementing the homelessness strategy, we have set out a program of social change and have made a number of significant achievements through this strategy. We have moved from the situation a few years ago, prior to the strategy, where we had a number of stand-alone services for homeless people such as refuges, and mainstream services such as health services and housing services, which homeless people found difficult to access.

Today we have a situation where we are building an integrated service system that works to provide seamless services for homeless people and those at risk of homelessness. For example, we have protocols between mental health and SAAP services to ensure that homeless people get access to mental health services; we move quickly to allocate public housing for mental health clients who are at risk; we have client support coordinators working inside public housing to support tenants and sustain the tenancies of people who would have been evicted and made homeless in the past; we are prioritising emergency accommodation for women and children forced to leave their homes because of domestic violence; and we are working with a model of social inclusion where we build on the strengths of individuals rather than minister to their weaknesses.

One of the key strengths of the implementation of the strategy is that it has been driven by a joint governance model between government and the community sector. The ACT Homelessness Committee comprises members from the ACT government, ACT government agencies and from the community through various peak bodies. Members represent young people, the Aboriginal and Torres Strait Islander community, older people and the SAAP sector. Other member and peak organisations include ACT Shelter, ATCOSS, and the ACT Churches Council.

Community organisations have contributed enormously to the development and the implementation of the strategy to date. Their involvement in the various working groups and willingness to embrace new ways of working to reform the service system have enabled many achievements. The progress identified in this report is shared progress born from a shared commitment to responding to homelessness. That is a real partnership.

As you would be aware, Mr Temporary Deputy Speaker, the Stanhope government underpinned the homelessness strategy with an ACT government commitment of \$2.4 million in 2003-04, increasing to \$3.093 million in 2004-05, and \$3.89 million in 2005-06, to reflect the expansion of supported accommodation services, and then indexed in 2006-07. This and further ACT funding initiatives have formed an integral part of the implementation of *Breaking the cycle*, establishing new services which respond to priority targets.

Services established through these initiatives increased the capacity of the total sector by 30 per cent and, in the case of some target groups, such as funding allocated to support homeless couples, created the ACT's first service response. This funding represents an 86 per cent increase in ACT government funding to SAAP. The nine new services funded in June 2004 through this initiative have already established themselves in the ACT community sector.

These services include accommodation for 20 single men, five of whom are exiting or involved in the criminal justice system; support accommodation for six single men and their children; support and accommodation for 18 families in the Gungahlin, west Belconnen and Tuggeranong regions; outreach services for single women, young people and men with or without children; and recurrent funding for the Canberra Emergency Accommodation Service, CEAS, which brokers emergency accommodation in a range of pre-leased sites such as caravans and motels to enable short-term responses with some case management support and which provides 24-hour counselling.

The Chief Minister's Community Inclusion Board has provided additional funding for support services for homeless people, including the Early Morning Centre, which provides free breakfast, and a drop-in centre for people who are homeless or at risk of homelessness. There are many successes to date in implementing the strategy. Yet this progress report identifies also that there is much work to be done.

A priority issue for 2005-06 will be to establish supported accommodation, outreach and hostel services for Aboriginals and Torres Strait Islanders. These people are overly represented in the homelessness population, and we must ensure that these services, when established, are responsive and meet the needs of this target group.

I table this progress report on behalf of the ACT Homelessness Committee and thank its members for their ongoing commitment and work. I look forward to future reports and achievements as we address and respond to the causes and effects of homelessness as a community.

Finally, I express my appreciation, as I have already done, I suppose, to the community sector for its involvement and its commitment to this, in partnership with the

government. I also express my appreciation to officers of the Department of Disability, Housing and Community Services, on two levels. The first one is that they have an incredible devotion to people less well off than themselves, and that comes through very evidently in these reports that I have put forward today. Further, we need to acknowledge the expert professionalism with which these officers conduct themselves. No large part of the credit, let me tell you, Mr Temporary Deputy Speaker, is due to those particular officers. To name them would be to miss one out, and I won't. On behalf of the homeless community in this city, I express my appreciation to the officers of the department and to the community that supports them.

I move:

That the Assembly takes note of the paper.

Debate (on motion by **Dr Foskey**) adjourned to the next sitting.

## Papers

**Mr Corbell** presented the following papers:

### **Petition—Out-of-order**

Petition which does not confirm with the standing orders—

Gender discrimination—Dr Foskey (100 signatures).

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

Legislation Act, pursuant to section 64—

Betting (ACTTAB Limited) Act—Betting (ACTTAB Limited) Rules of Betting Determination 2005—Disallowable Instrument DI2005-246 (LR, 11 November 2005).

Children and Young People Act—Children and Young People (Childrens Services Council) Appointment 2005 (No 1)—Disallowable Instrument DI2005-243 (LR, 3 November 2005).

Heritage Act—Heritage (Council Chairperson) Appointment 2005 (No 1)—Disallowable Instrument DI2005-247 (LR, 10 November 2005).

Liquor Act—Liquor Amendment Regulation 2005 (No 1)—Subordinate Law SL2005-36 (LR, 14 November 2005).

Magistrates Court Act—

Magistrates Court (Domestic Animals Infringement Notices) Regulation 2005—Subordinate Law SL2005-29 (LR, 10 November 2005).

Magistrates Court (Environment Protection Infringement Notices) Regulation 2005—Subordinate Law SL2005-37 (LR, 11 November 2005).

Magistrates Court (Food Infringement Notices) Regulation 2005—Subordinate Law SL2005-30 (LR, 10 November 2005).

Magistrates Court (Nature Conservation Infringement Notices) Regulation 2005—Subordinate Law SL2005-33 (LR, 10 November 2005).

Magistrates Court (Pest Plants and Animals Infringement Notices) Regulation 2005—Subordinate Law SL2005-34 (LR, 10 November 2005).

Magistrates Court (Plant Diseases Infringement Notices) Regulation 2005—Subordinate Law SL2005-32 (LR, 10 November 2005).

Magistrates Court (Sale of Motor Vehicles Infringement Notices) Regulation 2005—Subordinate Law SL2005-31 (LR, 10 November 2005).

National Exhibition Centre Trust Act—National Exhibition Centre Trust Appointment 2005 (No 3)—Disallowable Instrument DI2005-244 (LR, 4 November 2005).

Occupational Health and Safety Act—Occupational Health and Safety (National Occupational Health and Safety Certification Standard for Users and Operators of Industrial Equipment) Revocation 2005—Disallowable Instrument DI2005-249 (LR, 10 November 2005).

Public Place Names Act—

Public Place Names (Bonython) Amendment 2005 (No 1)—Disallowable Instrument DI2005-242 (LR, 3 November 2005).

Public Place Names (Phillip) Amendment 2005 (No 1)—Disallowable Instrument DI2005-241 (LR, 3 November 2005).

Residential Tenancies Act—Residential Tenancies (Tribunal) Selection 2005 (No 2)—Disallowable Instrument DI2005-248 (LR, 10 November 2005).

Security Industry Act—Security Industry Amendment Regulation 2005 (No 1)—Subordinate Law SL2005-35 (LR, 14 November 2005).

## **Sitting pattern**

Motion (by **Mr Corbell**, by leave) agreed to:

That the resolution of the Assembly of 9 December 2004, as amended 17 March and 20 October 2005, relating to the sitting pattern for 2005 be amended by omitting Friday, 25 November 2005.

## **Volunteers**

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

**MR TEMPORARY DEPUTY SPEAKER** (Mr Gentleman): Mr Speaker has received letters from Mrs Burke, Dr Foskey, me, Mr Mulcahy, Ms Porter, Mr Pratt and Mr Smyth proposing that matters of public importance be submitted to the Assembly. In accordance

with standing order 79, Mr Speaker has determined that the matter proposed by Ms Porter be submitted to the Assembly, namely:

The important contribution of volunteers to the Canberra community.

**MS PORTER** (Ginninderra) (4.47): Today, in order to recognise International Volunteer Day on 5 December, I want to highlight the importance to this community of the volunteer. Much has been said over the past few weeks about the paid work force and the dire effects of Howard's IR so-called reforms. However, there is another work force out there which is large and significant and which neither receives remuneration nor seeks it. I speak of Canberra's huge volunteer work force, made up of 42 per cent of the adult population. As we know, there are also many young people who volunteer.

This work force, unseen and hidden on a day-to-day basis, is very important in terms of our daily lives. Some years ago, Volunteering WA did a survey that revealed that, on average, extended families rely on 20 volunteers in any given week. At first, this might seem a bit far-fetched. However, if you start adding up all the places where volunteers work and compare that with services your family might access or activities you may enjoy, you can see that it is not so far-fetched, and that is without some kind of crisis happening in your life.

Just think for a minute how many of your children or grandchildren are at school or in sporting clubs, how many use library services, stroll in the botanic gardens or benefit from the planting after the firestorm, and how many might contact the Citizens Advice Bureau for some community information. Have you or a member of your family been a patient of the Canberra or Calvary hospitals? Have you visited one of the national attractions lately or enjoyed our national park or one of our many heritage places? Perhaps an aged relative needs Meals on Wheels. Maybe you have been touched by cancer in your family, or Alzheimer's disease, arthritis, diabetes, MS or mental illness. The list of voluntary self-help groups is simply enormous. Each group provides much-needed support and understanding when we are faced with life's challenges.

All of us are aware that Canberra has a fine reputation as a caring community and has a record number of volunteers for a capital city. However, that work force is changing. It is no longer the retired that make up the greatest number of volunteers, though retired people give an extraordinary amount of time. There have been changes to this work force. It is now more likely to be a person who is in his or her early 20s to late 40s who volunteers. It is nearly as likely to be a man as a woman, a person with well-developed skills who is willing to give time on weekends and evenings but is restricted as to the amount of time available because he or she has a paid job.

He or she requires flexible work hours and opportunities to take long breaks or take on time-limited projects such as the one that lasts just a few weeks, or even a weekend. This volunteer would expect to receive professional management such as could be expected in a paid job, with all that that entails. If that management is inadequate or the job is not bringing the satisfaction or going in the direction the volunteer had expected, then the volunteer in all probability will walk.

The baby boomers, approaching what have traditionally been the retirement years, will not bring relief to the organisations that are losing their once reliable and regular

work force. Surveys by the ABS in Australia and other reputable research here and overseas all point to a fairly worrying trend, that is, that only one-quarter of the baby boomers are looking to volunteer in the future. These are mainly women who are looking to take on caring roles, which is good news. However, they report that they expect to be nurtured by their organisations of choice, which is not such good news as organisations find that very time consuming.

As to the other three-quarters, some do not plan to retire, remaining in the paid work force for as long as possible beyond the mid-60s; some will travel, study and occasionally tip their toe in the volunteer pool; and some will look after grandchildren, aged parents, et cetera. Those of the remaining three-quarters who do volunteer have flagged that professional management and flexibility are high on their agenda.

This trend is already causing community and government organisations that rely on volunteer staff severe headaches. Many home and community care organisations report difficulty in recruiting and maintaining their volunteer work force. Organisations such as community transport services and Meals on Wheels—who would have imagined that?—friendly visiting services, and schools with volunteers who work alongside children in reading programs are all suffering. This is worrying indeed as we face the ageing of our population and having more and more people with disabilities in our population. Added to that are the Howard government's welfare-to-work impost and the IR changes, changes that threaten to alter the face of our community drastically, doing away with the weekend, for instance.

Fortunately, waiting in the wings is the corporate volunteer. This new volunteer has been around for some while in the Americas, Europe and Asia and is slowly emerging here. This is where the firm becomes the volunteer and donates staff time on an occasional or regular basis. The latter is obviously more helpful to organisations providing day-to-day care and services to aged people and people with disabilities or those with chronic illness. However, the former is well utilised by organisations such as Greening Australia in its extensive tree planting. It is hoped that these programs will fill the void being created by the changes to the regular volunteer work force. Hopefully, the employee volunteer will also swell the ranks, the person given encouragement by his or her boss to use flexitime to regularly volunteer in the organisations of choice.

Everyone remembers the great outpouring of human endeavour that occurred immediately in response to the January 2003 firestorm. Even today, hundreds of those volunteers continue to work in the recovery process. This phenomenon, called spontaneous volunteering, whilst proof yet again that Canberra cares, created considerable confusion at the time. No-one anticipated that that would occur; there was no effective plan in place, no way to channel this human tide.

This is not unusual after a disaster. Post-September 11, one of the lessons learnt there was the need to manage the spontaneous volunteer, or walk-up volunteer as they were sometimes known. The conventional wisdom up to that time, and still held in many places round the world, is to send them away. Guess what? They come back, and back again and again. What a waste of everyone's time and what a waste of goodwill and potential.

This is a lesson Volunteering ACT certainly learnt and, along with the Stanhope government, the first ever plan in Australia for managing the spontaneous volunteer was formulated. In fact, this plan is one of the first in the world and is now accepted by our own ESA and the national emergency organisations as being a suitable template for their management of volunteers.

Another wonderful initiative born out of a disaster is the community fire units. The ACT government has adapted the New South Wales model and established 28 community fire units in the ACT to assist home owners protect their properties at the fringe of the city. There are 450 specially trained and equipped volunteers standing ready to defend homes, in the event of a bushfire, until the regular brigade arrives. This is yet again an example of how willing people are to volunteer to provide services to their community if given the right resources and conditions to do so.

I have said previously in this place that there have been added benefits flow from the establishment of the CFUs, that is, the building of community in those streets which host the units. People who live next door to one another and hardly spoke to each other now know one another; neighbours know when people in their street are going away or need help. Previously, I have related to members that it is my experience that when a few people come together to respond to an identified need or with a particular passion or interest, with perhaps limited resources apart from their own willingness to commit time, energy and sometimes their own hard earned, these groups can achieve much. Numerous examples of that can be given but time does not allow.

As we approach our centenary, the community is becoming enthused by the prospect of this once in a lifetime opportunity to celebrate this wonderful place in which we live. Many volunteers are coming forward already to offer their services in the lead-up to the event and to participate in it. We saw that, of course, in the lead-up to the Sydney Olympics and the volunteers were part of the reason that our Olympics event was so well respected around the world. Whilst the Sydney Olympics showed what a positive experience volunteering can be for all concerned, I know that the government recognises that developing a successful volunteer program is a complex task and I believe that those charged with bringing to us the centenary celebrations will ensure that the volunteer work force is well managed.

This propensity to volunteer makes the Howard's government's mutual obligation policy, which forces unemployed people to volunteer, a nonsense and quite unnecessary. The policy actually works against its intended outcome in the same way as the welfare-to-work policy will work against its intended outcome, having many unintended and negative outcomes, unfortunately. One of those unintended consequences of the welfare-to-work legislation and the IR changes is that there will be less free time for people to devote to both family and community life. Given the change to the voluntary work force that is already occurring, we should all be very concerned.

However, 5 December, International Volunteer Day, is an important day for all volunteers, celebrated every year at the same time, as I said at the outset. Volunteering, in its different forms, occurs round the world and well over 100 countries now belong to the International Association for Volunteer Effort, an organisation that first came up with

the idea that we should all thank volunteers at least once a year and celebrate their wonderful and invaluable contribution.

In conclusion, I would ask all members present to recognise at least two facts. Volunteers are the lifeblood of our community across a myriad of activities and disciplines, and the lifeblood of our community will need a transfusion in the very near future, if not already,. However, I am sure that the community, business and the government can work together to solve this work force issue. Having said that, I recognise and thank all volunteers that work in the ACT, all those who work to support and manage that huge work force, and Volunteering ACT as their peak body.

**MR TEMPORARY DEPUTY SPEAKER:** I call Mr Hargreaves.

**MR HARGREAVES** (Brindabella—Minister for Disability, Housing and Community Services, Minister for Urban Services and Minister for Police and Emergency Services) (4.58): I rise in my capacity as minister for community services, the portfolio in which sits volunteering.

**Mrs Dunne:** She couldn't even speak for 15 minutes on her own MPI.

**Mr Seselja:** What a disgrace!

**MR TEMPORARY DEPUTY SPEAKER:** Order!

**Mr Pratt:** Well done, Mr Acting Temporary Deputy Speaker!

**MR HARGREAVES:** Gee you are a scumbag, you are.

**Mr Pratt:** Up yours, Hargreaves; up yours. Cockroach.

**MR HARGREAVES:** The ACT government's sustainability report states that we lead the nation, with 41 per cent of the population volunteering in one capacity or another. That is something we ought to be proud of. I would like to cite a number of examples.

**Mr Pratt:** I take a point of order, Mr Acting Temporary Deputy Speaker. I would like you to ask Mr Hargreaves to withdraw the derogatory term "scumbag".

**MR HARGREAVES:** I withdraw calling Mr Pratt a scumbag without reservation, Mr Temporary Deputy Speaker, to give you your correct title.

The Citizens Advice Bureau's *Contact 2005* lists over 2,800 community organisations. None of those could function without the dedication and commitment of the volunteers. As Ms Porter said, and I thank her for raising the issue today, much of our community life revolves around volunteer-type activities, as do cultural events such as the National Multicultural Festival, the National Folk Festival, the Heritage Festival and Floriade, to name just some.

Canberra has about 43,000 carers, almost 13 per cent of the ACT population, the majority of whom care for a relative or a friend on a voluntary basis. Why do they do it? They do it because they want to, not because they have to because they are paid to do so.

They do it because something in them drives them to do it. I believe that we will be forever in their debt.

The ACT Emergency Services Authority, through the RFS and the SES, has a total of 1,332 volunteers, and the government values their commitment and their dedication. ACT Policing also utilises the service of volunteers. There are currently 35 participants who volunteer their services. They range from 23 to 78 years of age and they give in excess of 30,000 hours per year, working at a rate of 16 hours a week, to ACT Policing. They should be commended for their involvement.

The government recognises the vitally important role played by volunteers in community sector organisations, such that we have provided funding to Volunteering ACT to provide extensive training to the community sector on what it needs to know in relation to the recruitment of volunteers. That includes insurance coverage, occupational health and safety, privacy consideration and police checks. It reflects our recognition that community organisations operate in a more complex regulatory working environment than ever before in relation to the recruitment of volunteers.

We also support volunteers through the provision of permits to community organisations for use by volunteers for, say, free parking to reduce one significant overhead involved in being a volunteer. The ACT government's vision for volunteering in the future is one in which all people in the community are supported in their efforts to participate in the life of Canberra as volunteers, and that includes overcoming the particular barriers facing participation by people with disabilities, people from diverse cultural backgrounds who do not speak English, people on low incomes, and young people.

The attitude displayed by the ACT government, ably led by Volunteering ACT or in partnership with Volunteering ACT, contrasts starkly with the attitude displayed by the federal government. At a recent meeting of emergency services ministers I raised the issue of out-of-pocket expenses for people who are involved in front-line volunteering, people who willingly go and put themselves between their community and an impending danger such as a bushfire. I sought to have their out-of-pocket expenses recognised by way of a tax rebate, if they pay tax.

All ministers from the states agreed that something needed to be done and that the best way on a national scale would be to do it through that system. That was rejected out of hand by Minister Ruddock because he was too scared to take that proposal to that most generous of men, Treasurer Costello. However, I have received much support from the Western Australian minister, the Queensland minister and the South Australian minister, and we will pursue these federal bandits relentlessly. I encourage people to walk within their community and encourage as much volunteering as they can.

**MR TEMPORARY DEPUTY SPEAKER:** Before I call Mr Pratt, I would like to make an explanation for giving the call to Mr Hargreaves. Standing order 44 states, "When two or more Members rise to speak the Speaker shall call on the member who rose first." Perhaps I took that literally. I did see Mr Hargreaves rise first and gave him the call. But the Clerk has pointed out to me that *House of Representatives Practice* does state that, although the allocation of the call is a matter for the direction of the chair, it is usual as a principle to call members from each side of the house, government and non-government, alternately. The statement prior to that, of course, reflects our standing

order that says that the first person to rise gets the call. I do apologise; it is time for me to learn a bit more of *House of Representatives Practice*, Mr Pratt.

**MR PRATT** (Brindabella) (5.04): Thank you, Mr Temporary Deputy Speaker. I thought we were fairly close in rising. I accept your explanation.

I stand today on this commemoration or this celebration of volunteer day to make a number of comments about Canberrans who volunteer in many walks of life. The volunteer ethic is a fundamental part of the fabric of a successful community. Governments must realise that and they must support volunteerism in every way possible. Volunteerism, after all, supplements government services and, if the spirit of that volunteerism is well respected and supported, the government's burden can be lightened in terms of the delivery of essential services.

International and local NGOs provide an important voluntary capacity and many Canberran volunteers are serving with these organisations here and overseas. I even refer to those international NGOs which pay their workers a basic stipend, enough to work and live securely but not enough to make a living with savings. These people are perhaps paid a basic amount in compensation, but they volunteer to be deployed in harm's way; they volunteer to go and help people and they volunteer to live and work toughly. I think we must celebrate those people as well.

In many ways, the wonderful volunteer ethic that underpins our society is steeped in tradition and sacrifice. Not only did our grandmothers and their ancestors volunteer mightily to serve our communities at home, but also their husbands volunteered to serve as soldiers abroad—I would stress, the ultimate form of volunteerism. Australian troops volunteered in volunteer armies to fight fascist oppression in World War I and World War II, and professional soldiers continue to do that.

We have, of course, people at home in the ACT who volunteer to put themselves in danger in support of their community colleagues. Although they are paid, I also include those emergency services workers and our police who volunteer to place themselves in harm's way. Paid they may be, but they volunteer to work in that line of work, operating in harm's way. I therefore call upon the government to ensure that it does not neglect our emergency services volunteers, not only because they serve their government as well as the community, but also because to retain their interest and their service they must be well-equipped and well-trained. They must be at least compensated to a reasonable degree for personal loss in the line of duty. The secret here, of course, is good government policy aimed at successful retention and successful recruitment. That is the only way we can attract and keep good volunteers.

I turn to our RFS agency. It is important that we properly resource the ESA to undertake regular and routine recruitment and then basic and later more advanced skills and leadership training activities. That is why I was concerned to raise in this place the fact that, over one quarter recently, the government's recruitment of RFS volunteers had dropped 26 per cent, due apparently to a lack of resources. I was not comforted by the government's response. I refer to *Hansard* of 15 November. Mr Hargreaves said:

I am quite satisfied. I am not in the least worried about the number of volunteers we have ... If, in fact, I felt that the time was nigh to have a massive recruitment drive for volunteers, I would do it.

The point is, minister, that to feed a volunteer force you can never stop recruiting. Even if you fear going into a temporary surplus for one quarter or for one-half of the year, you must keep the effort up to ensure the replacement of wastage. Maintaining a volunteer force is nowhere near as certain as maintaining a paid work force. So I think the minister is being extremely cavalier by stating what he has stated in this place. That is not going to encourage the maintenance of the volunteer ethic.

Let us turn now to the community fire units. The government has been slow to capitalise on the volunteer goodwill regarding the strong community willingness to see the development of the community fire units. It has been slow to support, train and resource them properly. I understand that currently there are around 700 CFU volunteers on the books, but at the latest count only about 450 of those have been trained. Retention is the problem. If training and equipping are slow to come, we will lose these people. I stress that retention is a saving to the government and has economic benefits for the government and the community. If the government moves too slowly to attract, train and retain CFU volunteers, it will lose out on valuable knowledge and it will cost the government more money to recruit and train more volunteers at a later date.

That is quite evident in the 2005-06 budget, where the CFU program has been neglected. The outstanding commitment of increasing the number of CFUs to 80 has not been met. Vulnerable suburbs that have expressed their demand for CFU teams have been neglected. If the government sticks to its word, we may see belatedly a further expansion of the program in future years. However, that is questionable, given the poor state of the budget and the lousy interest shown by the emergency services minister, who simply does not have his eye on the ball. I remind the house of what the minister said recently about this deeply concerning issue of the CFU program grinding to a halt. I remind the Assembly that strong recommendations coming out of the January 2003 disaster called for a volunteer force of 80 community fire units covering a minimum of 22 vulnerable suburbs. There is great reliance therefore on a volunteer force to expand our overall capacity significantly.

But what do we have from the government, Mr Temporary Deputy Speaker? We were told recently by the minister regarding his failure to meet the target for getting these community fire units up and running that the program simply missed out in budget cabinet deliberations. That is not acceptable. It is not acceptable and it really reflects a dereliction of duty, a typical irresponsible and pathetically hopeless performance by this failure of a minister. The Stanhope government could not manage then to pull funding out of its hat for that. It could pull out funding for some things—\$12 million for an arboretum, \$6.76 million for a real-time information system, and about \$100,000 for overseas junkets—yet it could not find 500,000 lousy dollars to fund our essential CFUs, neglecting our volunteers.

To add insult to injury, this government has now failed to support our hard-working CFU members by establishing the new CFUs, for which 700 volunteers are currently awaiting training. These volunteers have eagerly stepped forward to make a significant

contribution to our front-line defences for the community's sake as well as their own. They have responded to the volunteer call. They are being ignored by the Stanhope government. They are being ignored by the pathetic reflection of a minister over there.

The government ignores supporting our volunteer organisations at its own peril. Not only does the government need to attract volunteers for the dangerous jobs, but also it has to retain them, to give them confidence and to best demonstrate its belief in and respect for the volunteer ethic. This government does not show that. This is a sham of a motion. They stand up here on volunteers day and they pretend to show great concern for volunteers. They do not put their money where their mouth is. They do not put the money into our most essential volunteer force, a force which puts its life on the line, our volunteers who protect our suburbs. They cannot even find \$500,000 to get that program regenerated and moving.

The Chief Minister talks about lazy work. This is a classic example of lazy behaviour. We have sitting over there as minister for emergency services the most pathetic, lazy representation of any minister or performance I have seen in this place in four years. While ever we have this minister for emergency services presiding over the management, the training, the welfare and the equipping of our volunteers, we will not retrain volunteers. Shame on you. What a sham of a motion.

**MRS DUNNE** (Ginninderra) (5.14): Ms Porter uses International Volunteer Day, 5 December, to bring forward this motion in her claim of support for volunteering.

**MR TEMPORARY DEPUTY SPEAKER:** Order, Mrs Dunne! You have mentioned that this debate is about a motion. It is on a matter of public importance. I just wanted to bring your attention to that. Mr Pratt mentioned it earlier, too.

**Mr Pratt:** I apologise to the house, Mr Temporary Deputy Speaker.

**MRS DUNNE:** Mr Temporary Deputy Speaker, I also apologise for that lapse, and well spotted. The importance of volunteering as raised in this matter of public importance cannot be denied. Mr Pratt has spoken eloquently and with passion about the importance of volunteering in the Rural Fire Service and in those other volunteer brigades designed to protect our suburbs. Mr Hargreaves touched on the importance of volunteering in a whole realm of different places. I am very conscious of, and highly support, the work done by environment volunteers in organisations such as landcare and parkcare. As Mr Pratt has said, all of these volunteers extend the work done by governments. It is almost a bit cliched now to say that governments could not perform their work without the voluntary contributions of countless people.

I have to say that I am always a little wary of the propensity in modern life to regulate and corporatise all of this activity. While it is important to have people and organisations to advocate on behalf of volunteers, I am not entirely convinced—Ms Porter is; perhaps I should bow to her superior knowledge on this matter—that the average person who goes out and chips weeds in a national park or a reserve somewhere is really there because of the burning satisfaction they get from the fact that the volunteers are professionally managed. I think most people would volunteer irrespective of the level of professional management. There is a tendency to want to professionalise everything,

which probably becomes a bit of a dead hand on the spirit of volunteering, the spirit of generosity, of people who want to be like that.

**Ms Porter:** That shows how much you know about volunteers, Mrs Dunne, absolutely diddly-squat.

**MRS DUNNE:** I know a fair amount about volunteering because I do it and feeling that I will be professionally managed when I go out to volunteer is not something that prompts me to do it. I know that most of the people with whom I volunteer are not out there with the burning desire and satisfaction of being professionally managed. They do it because of their commitment to the organisation and the cause in which they participate.

Really, what has happened here today is exactly as members of the opposition predicted: Ms Porter's MPI, ostensibly about the importance of volunteering, is nothing more than a Trojan Horse. It is another opportunity for her to continue the argument that she started yesterday in this place in her welfare-to-work debate. It is really just another stalking horse for giving another serve to the commonwealth government because they do not like it.

**Ms Porter:** A bit sensitive, aren't we?

**MRS DUNNE:** No, it is not a matter of sensitivity. The commonwealth government can stand up for itself. I would really like to point out the flaws in Ms Porter's argument. Ms Porter's argument essentially boils down to this: if the punishing crusade of the Howard government had its way, there would be nobody on unemployment benefit and therefore there would be no-one to volunteer. The logical consequence of that is that there are people in the community like Ms Porter who would prefer people to be unemployed so that they can make voluntary, cost-free contributions to the community. They actually want people to be on unemployment benefit so that they can volunteer.

**Ms Porter:** I did not say that, Mrs Dunne.

**MRS DUNNE:** The logical consequence of your argument and the logical consequence of Volunteering Australia's argument before the Senate committee is, "We would rather have people unemployed than in gainful employment that addresses issues such as poverty and poverty cycles in their lives and in their family's lives so that we can have more volunteers." The logical consequence of Ms Porter's arguments are, quite frankly, derisory.

Ms Porter spent a lot of time talking about other mechanisms for volunteering and how anything that the commonwealth government has its hands on is obviously wrong. There are lots of mechanisms and increasing numbers of mechanisms whereby the commonwealth government is trying to encourage corporate philanthropy to allow employees to take time off from their employment to volunteer, because that creates a benefit not only to the community, but also back in the workplace where people come from. There is much work being done in the federal government to allow that to happen but, because it is being done by the wicked, punishing, crusading Howard government, it must be wrong. Really, what Ms Porter does today is demeaning to volunteering. She uses the volunteers and volunteering as a—

**Ms Porter:** Mrs Dunne, I did not say that.

**MRS DUNNE:** I am not having a conversation with you, Ms Porter. You can say something else at another time. What I am saying, Mr Temporary Deputy Speaker, is that Ms Porter is using volunteers and volunteering for very base purposes. The woman is almost a one hit wonder in this place. The only thing she can actually talk about for the most part is volunteering. But when it comes to base political motives, what she is doing here is dragging these people down in her paltry, venal game of attempting to gainsay the federal government.

Members opposite do not like what the federal government is doing. The federal government is attempting to get people out of welfare and into work so that there will be fewer poverty traps. There are many hurdles to cross before we, as a nation, achieve that, but all we have here is carping from the Labor Party, saying, “The wicked Liberal-National Party government of the commonwealth is doing this, so it must be bad.” We have had the same thing here today, we had it yesterday, and we will invariably have it for the rest of the life of this parliament. This member and the other backbench members opposite in particular spend their time doing the bidding of Bomber Beazley, because he cannot do it, by endeavouring to undermine any good work that is attempted to be done by the commonwealth government. It is of great shame to Ms Porter that she has used this debate today to undermine the work of volunteers. Instead of extolling the virtues of volunteers, she just used it for base political gain.

**MR SMYTH** (Brindabella—Leader of the Opposition) (5.22): All members agree that volunteers are an important part of the Canberra community, and it is a shame that the Labor Party, through Ms Porter, have used the opportunity of what should have been a speech from all of us, lauding volunteers for what they do, as another Trojan Horse to attack the Howard government. They seem to have been obsessed by the Howard government over the last three or four months, and over the last couple of weeks in particular.

The important thing here is that we do not lose sight of what the volunteers do, because, if the unpaid contributions of volunteers were transferred in economic terms across to any jurisdiction, let alone the ACT, they would, of course, cripple all of our budgets. That is why it is important that we create an atmosphere, create an environment, to give to volunteers and their organisations the sort of support that they deserve. Coming up to International Volunteers Day on 5 December, it is important that we remember that Canberra has, against all statistics, the highest level of volunteerism in the country, and that is a fantastic achievement. It is fantastic because what it shows is that we have a community that people value, and then, beyond that, that we have a community and the infrastructure in place to allow people to volunteer.

One of the beauties of Canberra, and one of the reasons that we have a high level of volunteerism beyond the natural concerns that we hold for each other, is the very ease of volunteering, and that in large part is because of the built infrastructure and encouragement given over years by successive governments. All governments have done it. Let us not try to claim and point-score here off each other. The point is that successive governments have understood and valued volunteering, and that is what we should be

here to praise today, not just some sort of Trojan Horse motion from Ms Porter. One of the things that intrigue me, and I would love to see whether there was a study—

**Mr Hargreaves:** I raise a point of order, Mr Temporary Deputy Speaker: it is not a motion; it is an MPI.

**MR TEMPORARY DEPUTY SPEAKER:** You are correct, Mr Hargreaves.

**MR SMYTH:** Well picked. Mr Hargreaves has woken up. He has woken up to the MPI. There we go, there we go, there we go—the same again, cheap political point scoring! Let us get in the swing of it, John. You got the jump; you got the 15-minute speech, which you could not fill. But that is all we expect from those opposite, and that is all we have seen from them, certainly in the last couple of weeks.

One of the things that allow volunteering to be so successful in the ACT, and it is something we have got to try to balance, is that many Canberrans use their private motor vehicles as their primary mode of transport. You can ask the question: is there a dividend from that? The answer is yes, there is a dividend from that. There is a dividend because people are willing to use their vehicles, for instance, to join the driver service at Belconnen community centre, where they volunteer to transport those Canberrans who do not have transport, or who are unable to drive, to medical appointments, to the community centre for senior citizens functions, for all sorts of activities. They do that with their own private vehicles.

It has been brought to my attention that the recent refurbishment of Bunda Street has caused some problems in that there used to be six or eight disabled-driver parking spots in very close proximity to the old Griffin Centre, and I am told that they are not there now. The Minister for Urban Services might like to tell us what he is going to do about this. It is causing no end of havoc to those that use their private vehicles to go to the Griffin Centre, to assist—

**Mr Hargreaves:** There will be more.

**MR SMYTH:** The minister interjects from across the chamber that there will be more. But the problem is, minister, that they are not there now, and it is causing a large number of groups no end of discomfort because their volunteers cannot get close. They cannot park, they cannot drop elderly, infirm or disabled Canberrans off safely. They are getting parking tickets and being booked for parking illegally, which we all know we should not do, but with the right intention of either collecting—

**Mr Hargreaves:** You know that's not so.

**MR SMYTH:** The minister interjects that it is not so. Why are people saying that they are being booked? The problem is—

**Mr Hargreaves:** We've got plenty of capacity.

**MR SMYTH:** The problem is that the parking has disappeared and agreements that were reached to provide parking have not been kept. The two ministers here, the Minister for

Urban Services and the Minister for Planning, need to tell us how they are going to quickly restore—

**Mr Corbell:** That is not true. Prove it.

**MR SMYTH:** He has just admitted it, Mr Corbell. If you would open your ears and listen, instead of going off like a little parrot, Mr Hargreaves just said, “But there will be more soon, there will be more coming.” So there is less now. The problem for the community groups is that it is affecting their operation—and the problem with those opposite is that they do not wish to acknowledge that.

What we have got to do is continue to ensure that there is the environment that we want as a city, that we need as a community, to make sure that people have the facilities when they put themselves in their vehicles to assist others—that we make it as easy for them as possible. I call on the minister to look at it. Maybe he will not. That is his dilemma. But it has certainly been reported to me that the dearth of disabled parking and the dearth of other parking spots, particularly on Bunda Street, are making it very, very hard for voluntary organisations, particularly in the Griffin Centre, to continue to do their good work and provide support for the people of Canberra.

**MR STEFANIAK** (Ginninderra) (5.28): I acknowledge the important contribution of volunteers to the Canberra community, and I, too, am disappointed that the government has tried to turn it into a federal government bashing exercise. I will speak a little bit more on that later.

Volunteers are exceptionally important for our community. We have such things as the highest participation rate, for example, in sport and recreation because of the thousands of volunteers who give hours of their time each week. And, if we tally up the amount of money spent, for example, coaching a side or something like that, we are probably talking thousands of dollars a year of those people’s own money. But they do it because they are passionate about it. They do it because they feel it is the right thing to do; they are putting something back into the community. I do not think we would have the thousands, probably hundreds of thousands, of people involved in such activities as sport especially—junior sport particularly, and senior sport—were it not for the fantastic efforts of volunteers.

I will give a little snapshot here of the efforts of the parents of the Wests under-12s, who raised \$85,000 to send two teams to New Zealand. The committee would have probably spent 20, 30, 40 hours a week each in terms of activities, and probably 40 other support people put in an enormous amount of time to raise that money. That enabled kids to go there virtually at no cost whatsoever. That is indicative; you can replicate that dozens, probably hundreds, of times throughout our community, not just in sport but in other groups too—the amount of effort put in by a lot of people throughout Canberra. With the arts, thousands of people ensure that so many young people appreciate what is involved in the plethora of arts activities in Canberra, giving us the vibrant scene we have.

I am delighted that Mr Smyth has raised a number of important issues as to how the government can assist volunteers more. It does not have to spend any money necessarily but just make their job a little bit easier by removing impediments to them. People put in hours of their time, for example, transporting elderly and disabled people to hospital

appointments. Especially where I live and where Mr Speaker lives, in north-west Belconnen, a low socio-economic area, a lot of people simply do not have access to transport. Volunteers, for example from the Belconnen Community Service, come and assist them and take them to doctors appointments, in many instances over at Deakin where there are a number of surgeries which they have to attend. Those people simply would not be able to get there without immense difficulty were it not for these volunteers, who get some recompense.

They might get \$10 or something occasionally for petrol. But again you do not add up the cost. It costs a hell of a lot more than that for each time they help, but they do it simply for the love of it and simply because they want to help their fellow man in Canberra. That is magnificent.

The clubs might be in a bit of danger here as a result of a few of the policies the government has adopted in recent times. Our licensed club industry, apart from the fact that it employs thousands of young and not so young Canberrans, is also staffed by volunteers, many of whom receive no recompense, especially in a club that is teetering. For example, people on boards of directors put in a large amount of time for little or no recompense—again, volunteers assisting our community to make it a far better place.

As Mr Smyth has said, it is up to governments to encourage that, but they cannot expect that it will go on willy-nilly. They cannot expect that it will continue to happen if these people come up against various impediments that make their job as a volunteer harder. It behoves everyone in this Assembly to ensure that the lot of volunteers is not only recognised but assisted by those of us here in terms of not having silly policies put in place that make the lot of volunteers a lot harder.

I commend the government on one initiative, and that is the CFUs. I was pleased to see at least stage one, which has been in the pipeline for some time now, formally activated, I think, last weekend. But I do ask: whatever happened to stage two? I know you have a very difficult budgetary situation, but I would have thought that, as a result of the McLeod inquiry, properly attacking any possibility of Canberra's urban fringe being hit by fires again would be very, very high on the list of what government should do.

These people spend many, many hours training and now form an essentially important part in terms of potentially fighting fires on the urban fringe, and their numbers should be expanded. We have about 70 kilometres of urban fringe, and we have about only 40 per cent of however many CFUs we are meant to have to do that. I certainly encourage the government to kick-start a program that has been stalled, and let us go on to stage two, because that is important. It is not super costly, but there are people who are desperately keen to volunteer to help in their area who are being denied that opportunity. I see the minister walking away, but there is a lot more he, particularly, can do in relation to that.

Finally, in relation to the Howard government, I remind members opposite that Mr Howard is the second-longest serving prime minister. The coalition have been in power for 40 years out of the 60 since World War II. His particular government have now been in for 10 years; they have been elected on four occasions. They must be doing something right. I find it completely amazing—maybe you are jealous—the way you keep hooking into them at every possible opportunity, and even mentioning them on

a matter like this. It is ridiculous. It demeans the MPI that Ms Porter has correctly written out: the important contribution of volunteers to the Canberra community. It is something none of us can quibble with—it is a good MPI, and I do not think it needs to be tarnished with extraneous nonsense in terms on what the federal government is or is not doing.

Volunteers have been an integral part of the Canberra community, probably more so than any other community in Australia, since I can remember. And I was born here. Our volunteers probably put in more per person than do volunteers throughout the rest of Australia. There is an excellent history in Canberra of volunteerism, and it needs to be nurtured, it needs to be encouraged, and governments need to ensure that unnecessary obstacles are not placed in the path of these wonderful people who do so much to help their fellow citizens in our community.

**MR SPEAKER:** The discussion is concluded.

### **Executive business—postponement**

*Ordered that order of the day No 1, executive business, be postponed until a later hour.*

### **Justice and Community Safety Legislation Amendment Bill 2005 (No 3)**

Debate resumed from 20 October 2005, on motion by **Mr Stanhope:**

That this bill be agreed to in principle.

**MR STEFANIAK** (Ginninderra) (5.35): The Attorney-General, in his introductory speech, said this is the 14th bill in a series of bills dealing with legislation within the JACS portfolio. It makes a number of minor and technical amendments to portfolio legislation. It makes a number of quite good amendments, I must say, although there is one area where I wonder why it could not have been done when the substantive bill was brought before this house not that long ago. I will come to that later.

This bill seeks to make minor amendments to a wide range of acts but some of those amendments, whilst minor, are in fact fairly important. The amendment to the Civil Law (Wrongs) Act takes account of anomalies such as the number of Assembly sitting days, as the act requires annual returns from insurers to be received before 31 October and tabled in the Assembly. To ensure that that occurs this bill makes five sitting days from 1 October apply, and that certainly ensures that that can be complied with. That act is also to be amended to prevent the duplication of costly procedures.

Also in relation to this act, it is important and worthy of note that, where a matter is subject to a particular pre-trial process, it should not be caught up with another pre-trial requirement through another scheme. A lot of our common law claims derive from workers compensation claims that have already been through their own pre-trial process. This is a sensible amendment that obviates the need for a second pre-trial requirement when those civil claims are being dealt with under the civil law. The pre-trial requirement is effectively the same, so it is a classic case of duplication.

I understand the only time this does not apply is when it relates to motor vehicle accidents occurring at work; that is a different insurer class. But that is not a particularly heavy type of claim in the jurisdiction. Most of the claims are other claims, which means there would be this duplication were this amendment not to go through.

Whilst the objective is a noble one, pre-trial conferences and requirements have become quite complex, quite difficult and quite costly. They are a bit of a bane to many people in the profession. I regularly get lawyers coming to me and complaining about the pre-trial processes, saying it would be better if we even went back to the days when we did not have them and solicitors and the parties could sort it out themselves. I can see the sense in having them, but by the same token there are a number of problems with the pre-trial conferences and processes.

The whole area probably does need to be looked at to make sure it is more efficient. I understand the Supreme Court, in its new rules, will be looking at that and certainly the Supreme Court, the Magistrates Court, the Law Society and the profession generally are engaged in activities at present to streamline that process. This ensures that you cannot have, effectively, the same pre-trial requirement twice. That clearly is just a nonsense, an absolute waste of time and, accordingly, that is a very sensible amendment.

There are a number of other basic amendments here which, whilst minor, are important. For example, the federal parliament has now passed some legislation in terms of new federal child pornography offences in the current list of class 2 offences. They deal with commonwealth crimes of trafficking in children, using, possession and producing child pornography through downloading from the internet and using the internet to procure or groom children under 16.

As a result of this amendment to this bill, which is a minor one but nevertheless important, a sex offender will now be required to be registered on the ACT child sex offenders register. Previously, because this commonwealth bill had not been passed, those crimes of trafficking, using, possession and producing child pornography through the internet were not there on the ACT child sex offenders register, which is an important register, as we know because we did that piece of legislation from an ACT point of view only several months ago.

Similarly with restorative justice, which is a recent act, I accept that when the commonwealth introduces some legislation that is relevant to us it is sensible to put those category offences on a register by a simple amendment like this. I do wonder in relation to the Crimes (Restorative Justice) Act, though, whether what happened in this particular instance could not have been done when the act came in. I would be interested to see why that did not occur, because it is an important part of restorative justice, and a sensible one too.

The act provides for the restorative justice unit, and the bill amends section 22 of the act, dealing with which agencies can refer matters to the restorative justice unit. The table in section 22 sets out when an offence can be referred to restorative justice. This particular amendment in this bill makes clear that there is occasion for the chief executive under the Children and Young People Act 1999 to refer matters to restorative justice after a sentence is imposed. That is important because one of the aims of the bill—and this

occurs in New South Wales, I think, in South Australia and certainly in New Zealand—is that restorative justice can be used after a sentence is imposed. It is an essential part perhaps of the rehabilitation process.

At present in the ACT, for kids it can be used to ensure that a solution is found which might not necessitate the young person going to court. I took pleasure in being involved in a restorative justice conference not all that long ago, several weeks ago, which I found not only very interesting but very effective for all parties concerned. I commend the people involved in organising that. I was a little bit sceptical in relation to a couple of points, but as the conference wore on I could see the benefit it was having. I certainly hope the agreements reached work, because in that instance it would mean a couple of families are happy and the young offender in question would not have to go to court, although, obviously, if there were further breaches he would go to court. Justice certainly was done and everyone walked away feeling a lot better for the experience.

But equally it is important, especially for young people too, that what occurs interstate and elsewhere is provided for here. Restorative justice can be an essential part of the rehabilitation process—what happens after a sentence is imposed. It is used certainly in New Zealand, and to an extent in New South Wales, for even quite serious matters when people are imprisoned, as part of the rehabilitation process, part of getting the offender ready to go out into the big wide world again and, hopefully, not re-offend, and as a way of ensuring that victims are taken into account and their fears and worries alleviated.

This is an important part that should have been in the original bill we did last year, and I wonder why it was not. The idea of these types of omnibus bills is that they should be minor amendments, and this is something to me that is fairly important and should have been covered initially rather than being picked up now, and I wonder why that is the case.

There are a number of other amendments in this bill. The bill amends the Guardianship and Management of Property Act so that the public trustee can waive fees where it is appropriate, such as in cases of financial hardship. I am amazed that has not been picked up before, but there you go; that is a very sensible improvement.

There is a minor improvement to the Remuneration Tribunal Act. It simply adds to the Remuneration Tribunal list the Children and Young People Commissioner. That is logical; that person comes under the Remuneration Tribunal.

The amendment to the Residential Tenancies Act ensures that money earned from interest from rental bond moneys is placed in a trust account separate from the JACS budget. That is where it is meant to be and, whilst I do not necessarily think there are any instances of JACS using that money—I hope not—this makes it absolutely transparently clear that it is going where it should go.

The amendment to the Unclaimed Moneys Act involves a simplified process which will assist people involved in it. Currently, a company holding a sum of unclaimed money is able to use part of the money to fund public advertising, which can be very expensive and deplete much of the money held. At present, companies have to disclaim a lot in the advertisement, which might take a full page. I have been told that it might cost anything between \$10,000 and \$15,000 to take out the ad and if the unclaimed money that can be

claimed by a person is, say, only \$20,000, most of your money has gone, through the requirements of the act.

This simplified procedure enables a brief newspaper advertisement to be put in, similar to what is put in for a grant of probate and which would probably cost several hundred dollars instead of thousands, saying where further information can be found. For example, it could direct you to a website where you will be able to get more information. So that is using technology sensibly but also saving the recipient of that money, who might come to claim it, the possibility of losing more than half of what they are entitled to simply because of a formal requirement that is unnecessary.

So basically the opposition will be supporting this bill. I do wonder, however, certainly in relation to restorative justice, why that was not done at the start. But the improvements that this bill makes are sensible and are supported by the opposition. I wonder how many more improvements we will be making. This is bill No 14. I know it was a process started by the previous government, but, hopefully, we will see less and less of these bills, because a lot of the anomalies that these bills are meant to pick up surely should have been picked up by now. We will, hopefully, see fewer and fewer anomalies picked up, which would be good for everyone.

**DR FOSKEY** (Molonglo) (5.46): I am really pleased that it looks like we might be going to pass one of the pieces of legislation on our agenda today, and this one looks relatively simple. I support the Justice and Community Safety Legislation Amendment Bill 2005 (No 3) as it presents a number of minor and technical amendments, none of which warrant concern or appear unfair.

The most important changes being made through this legislation, from our point of view, are those to the Consumer Credit Act, the Crimes (Child Sex Offenders) Act, the Residential Tenancies Act and the Unclaimed Moneys Act. The changes to the Consumer Credit Act and regulations will ensure that hidden fees and charges do not enable credit providers to charge their customers extortionate amounts and that short-term credit providers do not evade the act's requirements. Given the problem with consumer debt, anything that helps to restrict that is very welcome.

The expansions of the sex offenders register will allow the inclusion of people offending against the commonwealth crimes of trafficking of children, using, possessing and producing child pornography materials through a carriage service and using a carriage service to procure or groom children under 16 years of age. These are serious crimes and the Greens are very glad to see them included here.

The ACT Greens supported the establishment of a child sex offenders register in the ACT as part of the development of the national child offender register. However, we still believe that the register proposed by the government is a bare-bones approach. We would prefer to see the ACT be more proactive to ensure that child sex abuse does not occur.

I called on the government, when the Crimes (Child Sex Offenders) Bill was passed, to take on board three recommendations for improving and expanding the operation of the sex offenders register. I remind the Assembly that these were the development of a framework to prevent sexual crime in the ACT, which includes community education,

assistance to victims and offender rehabilitation programs; expansion of the legislation to include mechanisms for monitoring risks and triggering intervention; and commissioning research and consultation into the expansion of the register to include sexual offences against adults. I note that these recommendations are not being implemented in today's bill, but I hope that the government is giving them some consideration.

The Residential Tenancies Act and regulation amendments will safeguard rental bond trust accounts from being mistakenly included as part of the department's budget—something that I hope has not occurred to date. The amendments also, importantly, provide similar status to occupants as tenants, allowing the Residential Tenancies Tribunal the power to restore an occupancy agreement, similar to its power to restore a tenancy agreement.

Finally, the Unclaimed Moneys Act amendments ensure that, when a company holds a sum of unclaimed money, the company cannot deplete the sum of unclaimed money by spending it on advertising the fact in a lavish way. I am glad for these small but necessary changes and, as I said before, I support them.

**MR STANHOPE** (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs) (5.50), in reply: As has been indicated, this bill is the 14th bill in a series of bills dealing with legislation within the justice and community safety portfolio. It makes a number of minor and technical amendments to the portfolio legislation. The bill amends acts and regulations concerned with the administration of matters before the courts, court rules, consumer credit, criminal procedure, fair trading, public trust and a number of other regulatory activities administered within the portfolio. I thank members for their contribution to the debate and for their support of these technical and minor amendments. I foreshadow that there are just two minor technical amendments that I propose to move in the detail stage.

Question resolved in the affirmative.

Bill agreed to in principle.

### **Detail stage**

Bill, by leave, taken as a whole.

**MR STANHOPE** (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs) (5.51): I seek leave to move amendments Nos 1 and 2 together.

Leave granted.

**MR STANHOPE**: I move amendments Nos 1 and 2 circulated in my name [*see schedule 1 at page 4667*].

I also table a supplementary explanatory amendment to these amendments. These are minor and technical amendments. The first of the amendments provides that the proposed amendment is to be taken to have commenced upon the commencement of the Criminal Code (Administration of Justice Offences) Amendment Act 2005, and the

second similarly alters the commencement clause of the Criminal Code (Administration of Justice Offences) Amendment Act. The amendments arise because consequential amendments to the Discrimination Act were dependent on the commencement provisions of the Human Rights Commission Act, which is yet to commence. Accordingly, these amendments are technical amendments to delay the coming into force of the amendments until the Human Rights Commission Act 2005 commences.

Amendments agreed to.

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

Bill, as amended, agreed to.

## **Ms Pattie Tancred**

**MR SPEAKER:** I have a brief statement I would like to make in relation to one of our loyal staff. I would like to draw members' attention to the fact that Ms Pattie Tancred, Hansard's senior editor, is leaving us for three years to accompany her husband on an overseas posting. As this is Ms Tancred's last Assembly sitting day, on behalf of all members I convey our thanks to her for the contribution she has made to recording the work of the Assembly, and wish her well during her time away from us.

## **Adjournment**

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

That the Assembly do now adjourn.

## **Mental health**

**MR SMYTH** (Brindabella—Leader of the Opposition) (5.53): I noted yesterday that the Minister for Health and my esteemed colleague Mr Jeff Kennett met in mutual admiration over mental health and the good work of the ACT government. Notwithstanding the interesting image of Mr Corbell and Mr Kennett in a tender embrace, I thought I should inform the Assembly of the harsh reality of the mental health system in the ACT.

From the outset I declare that this example comes from the experiences of one of my staff who, with his partner, spent Tuesday night trying to care for the mentally ill friend of his partner. The friend was extremely ill by the time my staffer and his partner found her, and she had not been able to look after herself for some days. The CAT team were rung at 7.15 pm. Originally they were too busy to send anyone out. After a second phone call, the CAT team said that they were unable to send anyone out until they could get a police escort for them. Over the next few hours, the friend's condition rapidly deteriorated and no CAT team arrived, despite another two phone calls.

At 10.30 pm, the police were called as my staffer and his partner could no longer handle their friend, and the police promised the next available patrol. The CAT team and the police did not arrive until about 11.15 pm—four hours after the first call—by which time the friend was critically ill. Not once during the five phone calls made to the CAT team

was any advice given on how to handle the friend. They were just told that they would have to wait and provide care until the CAT team arrived. When the CAT team and the police got there, I am told they did a good job and took the friend off to the psychiatric services unit.

But in the rich glow of the Jeff and Simon show we really need to consider the harsh realities. One, it is not much use having a crisis team that takes four hours to turn up in a crisis. Two, given that there are so few police anyway, if the CAT team is relying on them to make call-outs, there are going to be delays, and police work is also going to suffer. Three, given the never-ending PR from Mr Corbell on how much money has been spent on community-based services, I would have thought that there would have been enough staff for the CAT team. Four, it is really inefficient to have a system that responds only to critical incidents, by which time hospitalisation is often the only option. While the incident on Tuesday was occurring, the CAT team, I was told, had eight call-outs. If six of them had ended up with hospitalisation, 20 per cent of the PSU's full bed complement would have been used up in just one evening.

There is no way that an average person, when confronted with someone who is seriously disturbed, can take the disturbed person to hospital if they do not want to go. There is no option but to rely on the CAT service. I have to say that, aware as I am of the shortcomings of Mr Corbell's mental health service, this example has really shocked me. If Mr Corbell really believes that Mental Health ACT is delivering anywhere near the service needed by the community, he really needs to take a long, hard look at himself.

## **Malaria**

**DR FOSKEY** (Molonglo) (5.57): That is a hard one to follow. I rise to respond to Mrs Dunne's adjournment speech last week about the need for DDT to be used to combat malaria by killing the vector, the anopheles mosquito. I must say her talk did seem to be more of an opportunity to have a go at the environment movement and to denigrate the work of Rachel Carson than coming out of a real concern about the deaths from malaria in developing countries.

I went and did some research on the topic because I wanted to know why such a respected and well-informed person as Desmond Tutu was campaigning for its continued use in developing countries. I found out—I guess not surprisingly—that it is a much more complex issue than just using DDT and that the application of DDT is a last resort in countries that do not have the resources to do all the many things that are part of the strategies for getting rid of malaria. The malaria foundation, for instance, advocates an eventual but not immediate ban of DDT because at the moment there are few effective and/or affordable methods available for poor countries and DDT is cheap and effective.

But the way it is used is really important. It has to be kept out of the environment. South Africa has found that spraying DDT in people's houses, especially on thatched roofs, can provide a year's protection. However, it must be kept from water because then it has that impact on wildlife that Carson documented so persuasively. The South African environment minister described the use of DDT, which they see as unfortunately essential, as "a horrible choice we must make for our country". Nonetheless, it has worked to reduce the incidence of malaria in South Africa.

In Mozambique, by contrast, a much poorer country, malaria is still a really serious problem. That is because they feel they cannot really use it because frequent flooding would wash the DDT out of the walls of the huts, they lack the infrastructure that would reduce its danger in the environment and there is an incredible amount of human ignorance. For instance, although insecticide-soaked bed nets are found to be the best way of controlling infection spread, a lot of people do not understand that yet. They do not see the connection between malaria and mosquitoes, and that is a whole area of concern.

Mrs Dunne tended to blame First World environmentalists for the high incidence of malaria in the Third World. I think she should also be concerned about the federal government's and this government's failure to act on the production of greenhouse gases. A recent article in the journal *Nature* says that climate change is driving up rates of malaria and that we can expect many more deaths in poor countries, particularly in Asia, west South America, sub-Saharan Africa and the Indian Ocean coast. The worst outbreak of dengue fever for years has occurred in South Asia as a result of the floods, which are going to be much more common.

There are some other factors contributing to the increase in malaria. The focus of First World based pharmaceuticals is on producing the drugs that sell well in the rich world—Viagra is a good case in point—rather than those needed in the Third World, because guess where the profits are? That is what companies do.

We have also had a development model that has not led to increased sanitation, decent housing and safe water supplies in poor countries. There is the sale of counterfeit drugs which people do just to earn a living in the streets in poor countries, there is a reliance on chemical control of biological problems and, of course, there is climate change. Many of these can be slated home to governments and influential organisations in rich countries. To simplistically place the problem of malaria at the feet of the environment movement is, I think, misinformed.

### **Planning and Environment—Standing Committee**

**MR SESELJA** (Molonglo) (6.02): I would like to talk a little bit about some of the discussion we have had in this place today about the P&E committee, and attendance as such. It has been quite fascinating to me the amount of attention that has been paid to it by ministers in this government. I just want to put some things on the record. It has been mainly Mr Gentleman, but also Mr Stanhope and Mr Corbell, who has been leading the charge.

The first claim was about me deferring debate of things. I have found two instances, including on Tuesday, where I have moved that debate be deferred, one of which was rejected, of course, and I have found at least one where the chair has done so. But the more substantive claim was about me not showing up to meetings; that I have not been bothered to show up to meetings. What I have done is to go through and check the attendances at all of the meetings, and I missed one. I believe there was a meeting on 11 January, when most people are on holidays, so I will take that one on the chin; I was on holidays. As for the rest, there were another six that I missed, and I guess that is what—

**Mr Corbell:** Six!

**MR SESELJA:** Yes, six. I know, it is terrible, isn't it? It is just terrible. I would like to draw attention to the reasons for missing those meetings. As many would know, my wife had our third baby this year and, after a caesarean, with two premature births previously, it was quite a high-risk pregnancy. On a number of occasions during the latter part of that pregnancy, my wife had to go to hospital and had to have special visits to the doctor, and I was called upon to support her in that. Of course, one of the meetings I missed was on 19 July, the day after my son was born.

I guess the message we are getting from the government on this is that it would have been a better outcome if, instead of going to hospital with my wife, I had been at the P&E committee meeting; that, instead of being there the day after my son was born, to support my wife, or when my wife had high blood pressure during the pregnancy, which leads to premature birth, which is something that she suffered from before, I should have put aside those family concerns on the basis of a P&E committee meeting. One of the meetings I missed commenced at 4.00 pm, it was resolved that the minutes of the meeting be confirmed and then it adjourned. That is what happened at one of the meetings that I missed. So this is the kind of work I missed.

What the message has been from the Labor Party on this is that, in supporting my wife, in taking leave for a high-risk pregnancy, in supporting her when she had to go to hospital, in supporting her when she had to go to the doctor, I have somehow neglected my duties. I think people on the opposite side want to be very careful. Certainly no political capital has been made before when government members have missed significant periods on the basis of personal health issues. I certainly would not have made personal capital, political capital, about that, and I would expect that none will be made when Ms Gallagher goes and has her baby—and nor should it.

What we have seen is stooping to the lowest of the low from this government. They are saying, “No, you should not have supported your wife. Don't support your wife. Don't go with her to the hospital. Go to the meeting. That is much more important. We had to confirm the minutes. You shouldn't be there with your wife.” This is how low the Labor Party have stooped. Mr Corbell was leading the charge, saying, “Mr Seselja doesn't make it to meetings.” Of course, he did miss several weeks. He missed several weeks and no-one said a word about it because we accepted that there are some times when personal issues, personal health issues, family issues, are more important. I think most people in the community would accept that, and I think they would be appalled at the way that Mr Gentleman, Mr Corbell and Mr Stanhope have sought to make political capital out of this.

I just repeat that six out of the seven absences were as a result of a high-risk pregnancy, most of them at the latter stages of a high-risk pregnancy. When my wife had serious health complaints, I was there to support her. I was there for when the baby was born and I was there to help her, support her, after that time. If the government are going to stoop to this kind of level in debate, I think they should be outed for who they are. I will not make political capital about people's personal issues, about people's family issues, but if the government want to continue to do so it will all be out on the table.

**Planning and Environment—Standing Committee**

**MR GENTLEMAN** (Brindabella) (6.07): I had a very important speech to give in tonight's adjournment regarding a petition to Mr Barnaby Joyce but it appears that we are still discussing the work performance of Mr Seselja. I should point out firstly that, in my speech earlier today, I did not mention anything about Mr Seselja's attendance; I simply talked about the number of times we moved meeting dates for him.

**Mr Seselja:** Can you substantiate that?

**MR GENTLEMAN:** It will be in *Hansard*.

**Mr Seselja:** I've got all the minutes.

**MR GENTLEMAN:** I also talked about the amount of work this committee does and outlined the time frame for this DV. I would like to remind the chamber of what I said. For the benefit of the opposition, I repeat that the time frame was May, June, July, August, September, October and November—six months in my book. As I asked earlier, Mr Seselja, how many times did we reschedule or call special committee meetings for you to attend so we could work together as a committee; how many times did you say you had not read the report when attending a meeting specifically to discuss a report; and how many times are you going to complain about the workload instead of getting on with the job?

**Mr Seselja:** You are shameful; I cannot believe Simon would lead that charge.

**MR SPEAKER:** Order!

**MR GENTLEMAN:** I have checked the attendances, now that Mr Seselja has reminded us. I would like to bring to the attention of members the fact that Mr Seselja did not attend a total of 18 per cent of meetings of the committee.

**Mr Seselja:** I just told everyone the number of meetings.

**MR GENTLEMAN:** I have just come up with those for you, Mr Seselja. Although this discussion will continue on through tonight's adjournment, this is not the first report Mr Seselja has done no work on. I have risen in the chamber before and discussed the various times Mr Seselja has been uncooperative in the committee process. There have been times when he has even blamed his staff for not reading draft variations. I say again: stop complaining about the workload and get on with the job.

The other members of the committee have bent over backwards to assist in keeping the committee process bipartisan. The time has come to insist that Mr Seselja commits to the job at hand, work with the committee as a member of this Assembly and, in his words, scrutinise the government. Being an elected representative of the ACT is a job we should be proud of, a job we want to do and a job we work hard in, not a job where we sit back and wait for everyone else to do the work and then whinge about the outcomes. Today I have witnessed the embarrassment Mr Seselja has caused his own party, the concerns of his opposition colleagues at his naivety and his utter lack of respect for the

parliamentary process. I have seen the way the government has expressed concern over the way Mr Seselja has performed in debates today, and I urge him to cooperate with this committee.

**Mr Seselja:** What a shameful speech.

**MR SPEAKER:** Order, Mr Seselja, or you will join Mrs Burke.

### **Prison—funding Sinn Fein**

**MR MULCAHY** (Molonglo) (6.10): What a shameful diatribe we just heard. On Tuesday in question time the Chief Minister inaccurately advised the Assembly that \$128 million was appropriated for construction of the prison. Indeed, he attempted to give a lecture to three members of the opposition about our supposed lack of understanding of the budget process.

**Mr Seselja:** He was caught out, wasn't he? There have been a few people caught out today.

**MR MULCAHY:** He was caught out. Today in question time he refused to correct his statement about the amount of funds appropriated for constructing the prison, so inaccurate information remains on the record. I point out to all members of this Assembly that, according to the 2005-2006 Appropriation Act, the total appropriation for capital works under the Department of Justice and Community Safety is \$54.5 million. Clearly, if the capital works appropriation for the whole department is only \$54½ million, it is not possible for \$128 million to be appropriated for construction of the prison. It is nothing like what the Chief Minister asserts. The correct information is that the total appropriation over the past two years for construction of the prison is only \$59.3 million—\$10 million in 2004-05 and \$49.3 million in 2005-06. This leaves the amount of \$69.4 million still to be appropriated—it is not in a bucket, as Mr Stanhope attempts to try and understand economics—before the prison project can be fully funded by the government.

If this is an example of the financial prowess of Mr Stanhope, there is no way he is capable of holding the Treasury portfolio when he moves Mr Quinlan aside. He has revealed that he does not know what is in his own budget. Worse still, he does not even know the expenditure pattern of the territory's largest capital works project, for which he has personal responsibility. Having been caught out and given the opportunity to put the record straight, he showed himself to be too frightened to correct his error. No doubt he is concerned at looking foolish in front of the Treasurer, since he is apparently planning to push him aside and create a new team to review government structures and spending in the ACT.

It is blindingly obvious to all but the Chief Minister that estimating the cost of a project is very different from actually appropriating funds. The budget contains information about the forward estimates. As I am sure Mr Quinlan understands, the forward estimates do not form part of the appropriation act. Mr Quinlan no doubt tried to tell the Chief Minister that he had made a whopping mistake but it appears that the Chief Minister was too stubborn to correct his error.

I would like to raise another matter that came to my attention late this afternoon. I will quote from a report from a national website. It says:

Labor's Senate whip George Campbell has taken time out from his busy schedule playing solitaire on his parliamentary PC to flick around an invite to members of the Parliamentary Irish group to come and hear ...

And he names the person—

Leader of Sinn Fein in the European Parliament, next Tuesday at the Woden Tradesmen's Club in Canberra.

Let us forget about the ethics of our parliamentarians dining with a representative of an organised crime and terrorism combo ... whose last link to Australia was nicking more than 20 million quid from the Irish subsidiary of an Australian owned bank ...

What seems to be more interesting is the fact that the invite comes from ACT Labor Senator Kate Lundy and gives the ACT Labor branch office as the contact point.

If this information is confirmed as accurate, I will be shocked. Here we have the Chief Minister, who was again extolling last night on television how he is a man of principle who wants the right to extol his principles and international values. Where does he line up on Sinn Fein and using them to raise money for the local ALP? I quote here from the *Sunday Times* a few months ago. It reads:

Penalties could be imposed on Sinn Fein this week as part of a growing backlash against the IRA's alleged role in Britain's biggest-ever bank robbery.

The sanctions are believed to be considered in a report into the £26.5m raid written by the Independent Monitoring Commission (IMC), the body that examines paramilitary activity.

It comes as Sinn Fein is looking increasingly isolated with the United States government condemning "paramilitarism and associated criminality" as the central obstacle to peace.

I find it extraordinarily incongruous that any person who is elected to this Assembly and sworn to uphold the constitutional provisions that govern this territory under the self-government act and the rule of law would want to identify themselves with an organisation such as Sinn Fein. I have talked with many Irish people. One of the problems that we face in this country is what I call the romantic Irish notion that there is some relationship between the IRA of today and the IRA of 1916. There is no link. It is a masquerading body that is involved with thuggery.

**MR SPEAKER:** The member's time has expired.

### **Behaviour of opposition members**

**MS MacDONALD** (Brindabella) (6.15): This afternoon we have seen absolutely extraordinary behaviour from the opposition. I do not think it is inappropriate to describe the behaviour as petulant, juvenile and childish—and I could go on. I am sure there are many adjectives I could use to describe their behaviour this afternoon. Members on the

benches opposite continue to try to stop the presentation of papers and prevent ministers from making statements on them. The Chief Minister and Minister Corbell have already talked to that this afternoon so I do not need to go into it, but I would like to make a comment on their reasoning. Their reasoning was that we had been discourteous to them in the morning and because of that they were going to—

**Mr Seselja:** You did not do your job. And we have heard shameful speeches from the Chief Minister, from the planning minister and from Mr Gentleman.

**MR SPEAKER:** Order!

**Mr Seselja:** It is an absolute shame.

**MR SPEAKER:** I warn you.

**Mr Seselja:** It has been a disgrace.

**MR SPEAKER:** I warn you. Do not tempt me. There has already been one person thrown out of here today.

**Mr Seselja:** It is absolutely the lowest act that I have seen in the Assembly.

**MR SPEAKER:** I name you, Mr Seselja.

Motion (by **Mr Corbell**) put:

That Mr Seselja be suspended from the service of the Assembly.

The Assembly voted—

Ayes 8

Noes 4

Mr Berry	Mr Hargreaves	Mr Mulcahy
Mr Corbell	Ms MacDonald	Mr Pratt
Ms Gallagher	Mr Quinlan	Mr Seselja
Mr Gentleman	Mr Stanhope	Mr Smyth

Question so resolved in the affirmative.

*Mr Seselja was therefore suspended at 6.22 pm for three sitting hours in accordance with standing order 204, and he accordingly withdrew from the chamber.*

### **Planning and Environment—Standing Committee**

**MR CORBELL** (Molonglo—Minister for Health and Minister for Planning) (6.22): Mr Speaker, I note Mr Seselja's comments in the adjournment debate and I think his expulsion this evening was unfortunate. It did not need to be that way, but I feel that Mr Seselja gave you no choice. I note the comments he made in relation to his absence from the planning and environment committee. Whilst I cannot speak for other members, I think I can say that if there are, as Mr Seselja asserts, genuine personal reasons why he

has been unable to attend committee meetings, then that is an entirely reasonable and valid argument for him to make and one that I personally accept.

There is no reason why members should choose to put issues to do with their families or their own personal health ahead of or behind their responsibilities as members. If we do not look after ourselves and our families, we are not able to conduct ourselves appropriately in this place. That does not necessarily mean that the government will simply not question members' commitment or engagement on Assembly matters. The opposition do it to the government and the government will do it to the opposition. I acknowledge the comments Mr Seselja made in relation to his absences for family reasons and thank him for drawing those issues to my attention. He made a valid point and it is one I certainly respect.

Question resolved in the affirmative.

**The Assembly adjourned at 6.23 pm until Tuesday, 13 December 2005 at 10.30 am.**

## Schedule of Amendments

### Schedule 1

#### Justice and Community Safety Legislation Amendment Bill 2005 (No 3)

##### Amendments moved by the Attorney-General

**1**

**New clause 2 (2A)**

**Page 2, line 15—**

*insert*

- (2A) Schedule 1, part 1.12A (Criminal Code (Administration of Justice Offences) Amendment Act 2005) is taken to have commenced on the day the *Criminal Code (Administration of Justice Offences) Amendment Act 2005* commenced.

**2**

**Schedule 1, new part 1.12A**

**Page 19, before line 1—**

*insert*

**Part 1.12A            Criminal Code (Administration of Justice Offences)  
Amendment Act 2005**

**[1.53A]    Section 2**

*substitute*

**2            Commencement**

- (1) This Act (other than schedule 1, part 1.8 (Discrimination Act 1991)) commences on the 28th day after its notification day.
- (2) Schedule 1, part 1.8 commences on the day the *Human Rights Commission Act 2005* commences.
-



## Answers to questions

### Planning—Gungahlin (Question No 588)

**Mrs Burke** asked the Minister for Planning, upon notice, on 20 September 2005:

- (1) What plans, if any, does the Government have for “Open Space” in the (a) short, (b) medium and (c) long term in Gungahlin;
- (2) Does the Government have a concise Town Plan for Gungahlin; if so, can the Minister provide details; if not, why not;
- (3) What plans does the Government have for a Town Park in Gungahlin;
- (4) What consideration is the Government giving to the development of a Youth Detention Centre at either Mitchell or Gungahlin;
- (5) Can the Minister provide an update on the construction of the new Palmerston Hall and advise if there is a funding shortfall of approximately \$350 000 and what the Government will do to rectify this matter;
- (6) Given the on-going court proceedings, can the Minister provide a current update on the status of the Gungahlin Drive Extension and provide a timeframe of when work will recommence and the proposed completion date of this project;
- (7) Can the Minister provide an update on the sale of the Gold Creek Golf Club in terms of who will be the new owners and from when this is to take effect;
- (8) Does a fully integrated plan exist for the proposed development of the Gungahlin Sport and Recreation Complex and will this plan include a 50 metre swimming pool, sports hall/s, tennis courts and adequate parking;
- (9) What plans, if any, are there to allocate land for the development of a dedicated arts facility for Gungahlin, similar to that in Tuggeranong;
- (10) Can the Minister provide a current update on proposed petrol service station sites for Gungahlin and if these have not already been identified, when are they likely to be and when will they be released;
- (11) Does the Government plan to construct a Government College, Years 11 and 12, in Gungahlin; if so, when would the construction be likely to begin.

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

- (1) The Government’s formal, statutory, plan for recognising and identifying the location and type of open space, whether for the short, medium or long term, is the Territory Plan. In particular, for Gungahlin, the Territory Plan Variation to North Gungahlin (Variation:130) and Draft Variation to the Territory Plan for East Gungahlin (Draft DV: 231 – currently under consideration by the Assembly) identifies the areas of open space proposed in future land development in north and east Gungahlin.

In addition, with regards to open space management, the Department of Urban Services has prepared Plans of Management for Urban Open Space and Public Access Sportsgrounds (including lakes) throughout the ACT. In particular, for the Gungahlin region, DUS is currently preparing a Draft Plan of Management for Urban Open Space and Public Access Sportsgrounds.

This Draft Plan of Management has been prepared in consultation with relevant government agencies and community representatives. The Plan is available for public comment for 6 weeks from 10 October 2005 to 18 November 2005 with a public meeting to be arranged for 10 November 2005.

- (2) The Government's formal, statutory, plan for the Gungahlin Town Centre is the Territory Plan. The Land Development Agency has a plan of existing development and proposed development intentions for the Town Centre (consistent with the Territory Plan). All the above plans are available on the relevant agencies web-site.
- (3) The Gungahlin Boulevard Park between Yerrabi Park Foreshore and The Valley Avenue is now being designed as the Town Park and concept plans are being prepared. Planning is progressing on the development of an integrated recreation, secondary college and open space precinct to be known as the 'Well Being' Precinct between Gozzard Street and the future enclosed oval. This will complement the Boulevard Park.
- (4) The Department of Disability, Housing and Community Services has released publicly, information on the potential sites that are being assessed for a new Youth Detention Centre. These are:
  - Block 440 and Part Blocks 739, 740 and 751 Gungahlin;
  - Block 742 Gungahlin;
  - Blocks 3 & 4 Section 47 and Blocks 1 & 5 Section 48 Fyshwick; and
  - Block 8 Section 102 Symonston.

The Government has committed funding to develop this facility.

- (5) This question relates to the portfolio of the Minister for Disability, Housing and Community Services. I understand, however, that tenders were advertised on 1 October 2005 for the construction of Palmerston Hall. There is budget funding for the construction of the hall as designed and tendered. If further funds become available in future years, the hall has been designed so that additions can be made. There has been close consultation with the Gungahlin Community Council throughout this project.
- (6) This question relates to the portfolio of the Minister for Urban Services. I understand, however, that the letter of acceptance for the first main construction contract for Gungahlin Drive Extension was issued on 23 September 2005 and work will commence within the next month. Tenders for the second construction contract will be called by the end of October and the contract is expected to be let by February 2006. Both contracts will run in parallel and it is anticipated the road will be open to the public by mid 2008.
- (7) The Gold Creek Country Club and Golf Course was sold to the Konstantinou Group. The ACT Government and the Konstantinou Group are working to finalise transfer arrangements over the next few months.
- (8) Block 1 Section 15 Gungahlin has been identified as a suitable site for the development of an indoor recreation facility incorporating aquatic facilities, indoor/outdoor courts and other facilities that will include options for a 50m pool.

- (9) The integrated education, recreation and open space precinct in Gungahlin Town Centre will include provision for a cultural facility.
  - (10) Two sites have already been released for additional service stations, one in the proposed Amaroo Group Centre and one in the town centre next to Magnet Mart. Further sites for service stations will be identified in the Gungahlin district. The next site is likely to be along Flemington Road, subject to demand, which is being monitored by the Land Development Agency.
  - (11) This question relates to the portfolio of the Minister for Education. The integrated education, recreation and open space precinct (*Well-Being* precinct) in Gungahlin Town Centre includes land for the establishment of a government secondary college. I am advised that, based on the current projected number of government secondary college students residing in Gungahlin, a government secondary college would not open before 2010.
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### **Health—ACT Community Nursing (Question No 608)**

**Mrs Burke** asked the Minister for Health, upon notice, on 21 September 2005:

- (1) Is it reasonable for a complainant with an urgent request for action to have to wait three weeks to receive a response from the Health Complaints Commissioner;
- (2) Is there a Code of Ethics that the ACT Community Health Administrators abide by in dealing with their clients; if so, does it include respect for their patients and their involvement in drastic decisions concerning their care and can the Minister provide a copy of the document;
- (3) Does ACT Community Nursing have the authority to refuse and/or cancel clients' treatment after nearly four years of providing a particular service, for example bowel care, even if this is against the clients' wishes or in the best interests of the client's health outcomes;
- (4) Does ACT Community Nursing have the power to withdraw all services without notice.

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

- (1) Whilst a complainant may request urgent action on his or her concerns, the Commissioner is obliged to assess all complaints under the *Community and Health Services Complaints Act 1993*. A response by the Commissioner to a complainant within three weeks is reasonable in the majority of cases, particularly where the Commissioner requires a reply to the complaint from the service provider. The factors that will affect the time taken to assess a complaint include: time to allow for any action the service provider might take in an effort to resolve the complaint directly with the consumer, where that is appropriate; the complexity and the urgency of the issues raised in the complaint; the circumstances of the parties; and the requirement for the Commissioner's processes to be procedurally fair.

The Commissioner has established standards for the timely and efficient handling of complaints, which include regular contact with the parties and completion of the assessment of a complaint within ten weeks of the complaint being made.

If the Member were concerned about any particular case, the Acting Commissioner has indicated that she would be glad to receive a representation on behalf of any constituent(s) and to review any matter where there may have been a lack of adherence to the standards outlined above.

- (2) Yes there is Code of Ethics and yes it does apply to decisions made with regard to client care. It is as follows;

”Our professionalism is demonstrated when:

- We exercise care, responsibility and sound judgement when carrying out our duties.
- We maintain and strive to improve the skills, knowledge and competencies that are required for us to be efficient in our duties.
- We always maintain a professional relationship with our clients.
- We work together as a team and treat each other with respect and dignity, striving for a safe, harmonious and efficient workplace.
- We provide clients and others with evidence based advice and factual explanations that we are competent and authorised to provide
- We do not carry out our duties if we are under the influence of alcohol or any other drug that inhibits performance.

We act professionally at all times and strive hard to maintain a positive image of ACT Health. [source: *ACT Health Code of Conduct*”

- (3) ACT Health Community Nurses are unable to provide services that are not based on a best practice framework and in the case of clients with complex care needs without a General Practitioner or treating medical officer overseeing the care plan.
- (4) Every effort is made to ensure all clients; their carers and key services providers are engaged in safe, effective, evidenced based, best practice health care. The withdrawal of services is a decision that is never made lightly but may become necessary if there is risk to staff or clients in maintaining safe and effective care to clients with complex care needs without the care plan being overseen by a medical practitioner. I can assure you that Community Health would actively participate in any review of a service to a client with complex needs however it is crucial that a General Practitioner is an active participant in the team providing the care.

### **Motor vehicles—home-garaged (Question No 624)**

**Mrs Dunne** asked the Acting Minister for Economic Development and Business, upon notice, on 21 September 2005:

- (1) How many cars, with ACT Government numberplates, in the Minister’s department are home-garaged every day;
- (2) How many are garaged by officers on call;
- (3) Of those which are not garaged by officers on call, (a) how many cars are there, (b) in which suburbs are they garaged and (c) in the week commencing 19 September 2005, for

each car, how many (i) kilometres were driven to and from work and (ii) kilometres were driven for work purposes.

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

- (1) The Department of Economic Development (DED) has 11 cars with ACT Government numberplates which are home garaged every day. One of these cars belongs to BusinessACT (BACT), six belong to the Office of Sport and Recreation (OSR) and four belong to the Gambling and Racing Commission (GRC).
- (2) The four belonging to the Gambling and Racing Commission are garaged by officers on call.
- (3) (a) 7 cars are garaged by officers not on call because of the lack of secure parking at 220 Northbourne Avenue Braddon where DED is located.  
(b) & (c)

Agency	BACT	OSR	OSR	OSR	OSR	OSR	OSR
Suburb	Chifley	Amaroo	Amaroo	Fraser	Kambah*	Oxley	Qbyn
Home Garaging (km)	141	143	67	85	115	177	200
Business (km)	195	228	215	347	0	211	175

\* The nature of the sample skews the business kilometres for the week. The previous week's business travel for vehicle was interstate travel. On return user spent the week in the office catching up on paper work.

### **Motor vehicles—home-garaged (Question No 625)**

**Mrs Dunne** asked the Minister for Health, upon notice, on 21 September 2005:

- (1) How many cars, with ACT Government numberplates, in the Minister's department are home-garaged every day;
- (2) How many are garaged by officers on call;
- (3) Of those which are not garaged by officers on call, (a) how many cars are there, (b) in which suburbs are they garaged and (c) in the week commencing 19 September 2005, for each car, how many (i) kilometres were driven to and from work and (ii) kilometres were driven for work purposes.

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

The member's question has been investigated and all ACT Government plated vehicles managed by ACT Health, currently being home-garaged have been identified and presented in the attached documents. Each ACT Health Division has been identified separately. The home garaging of vehicles by officers not on call is done so largely to provide security for the vehicle as secure parking is very limited within ACT Health managed buildings. Vehicles are also home-garaged occasionally when officers are required to attend evening or early morning meetings.

## QUESTION ON NOTICE 625

Division	Number of vehicle Home Garaged	Number of vehicles on Call	Number of vehicles NOT on Call	Home Garaged Suburbs
Mental Health	33	15	18	Braddon, Burra, Chapman, Cook, Curtin, Condor, Duffy, Evatt, Flynn, Garran, Holder, Fadden, Kambah, Mawson, Redhill, Sutton, Weston, Rivett, Deakin, Aranda
Population Health	9	1	8	Kaleen, Kambah, Weston, Fraser, Belconnen, Garran, Woden, Googong-NSW, Stirling
Community Health	81	4	77	Ainslie, Banks, Bruce, Calwell, Campbell, Charnwood, Condor, Chifley, Chisholm, Deakin, Downer, Dunlop, Duffy, Evatt, Flynn, Fisher, Fadden, Giralang, Griffith, Higgins, Holder, Holt, Hughes, Hackett, Isabella Plains, Isaacs, Jerrabomberra, Kaleen, Kambah, Latham, Lyneham, Mawson, Murrumbateman, Melba, Macarthur, McKellar, Monash, Macquarie, Nicholls, Page, Palmerston, Pearce, Queanbeyan, Red Hill, Rivett, Stirling, Spence, Scullin, Theodore, Wanniasa, Womboin
The Canberra Hospital	5	3	2	Kambah and Royalla, NSW.
Central Office	3	2	1	Griffith

ACT Health - Division Name	Vehicle Registration No.	Kilometres Travelled for Work Purposes	Kilometres Travelled to and from work	Total Kilometres
Health Protection Services	211589	51	349	400
	211588	48	231	279
	211458	101	85	186
	211390	78	210	288
	211376	72	79	151
	211255	32	102	134
	211233	24	235	259
	211066	238	110	348
	Community Health	210834	191	0
210835		213	0	213
210836		244	0	244
210848		208	0	208
210849		290	0	290
210862		37	0	37
210866		214	0	214
210867		305	0	305

<b>ACT Health - Division Name</b>	<b>Vehicle Registration No.</b>	<b>Kilometres Travelled for Work Purposes</b>	<b>Kilometres Travelled to and from work</b>	<b>Total Kilometres</b>
	210869	247	10	257
	210870	253	12	265
	210871	247	17	264
	210885	116	57	173
	210886	117	44	161
	210888	80	113	193
	210889	113	0	113
	210890	229	0	229
	211004	208	5	213
	211011	106	0	106
	211012	357	0	357
	211013	58	0	58
	211019	336	34	370
	211057	296	0	296
	211061	155	3	158
	211092	44	0	44
	211128	38	49	87
	211183	288	0	288
	211195	144	0	144
	211196	126	28	154
	211208	195	0	195
	211209	289	0	289
	211210	37	183	220
	211211	190	4	194
	211235	236	32	268
	211278	125	0	125
	211298	198	16	214
	211321	394	0	394
	211323	322	0	322
	211324	317	0	317
	211384	169	38	207
	211386	264	0	264
	211393	202	0	202
	211394	110	0	110
	211397	443	0	443
	211398	242	0	242
	211404	145	0	145
	211469	358	0	358
	211470	302	0	302
	211552	175	0	175
	211553	204	0	204
	211731	199	8	207
	211738	160	0	160
	211755	295	0	295
	211756	368	0	368
	211759	242	42	284
	211784	267	0	267
	211803	75	17	92
	211806	397	0	397
	211807	411	0	411
	212035	207	0	207
	212038	141	51	192
	212122	158	0	158
	212225	335	0	335

ACT Health - Division Name	Vehicle Registration No.	Kilometres Travelled for Work Purposes	Kilometres Travelled to and from work	Total Kilometres
	212226	44	0	44
	212245	139	0	139
	212247	323	16	339
	212248	317	64	381
	212249	55	0	55
	212250	173	0	173
	212251	465	0	465
	212253	258	0	258
	212262	130	0	130
	212263	165	0	165
	212305	401	0	401
	212306	65	0	65
	212307	128	27	155
	212310	115	0	115
	212312	77	0	77
Mental Health	210949	137	0	137
	210971	191	0	191
	210974	229	0	229
	210989	120	9	129
	211001	327	222	549
	211007	126	20	146
	211015	351	76	427
	211175	252	20	272
	211252	70	74	144
	211303	241	9	250
	211765	436	35	471
	211783	261	17	278
	211824	490	180	670
	212174	151	119	270
	212186	91	216	307
	212199	185	0	185
	212267	177	28	205
	212271	281	0	281
The Canberra Hospital	211169	70	268	338
	211176	120	541	661
Central Office	211128	124	0	124
<b>Total Kilometres</b>		<b>21361</b>	<b>4105</b>	<b>25466</b>

### Motor vehicles—home-garaged (Question No 629)

**Mrs Dunne** asked the Minister for Urban Services, upon notice, on 21 September 2005:

- (1) How many cars, with ACT Government numberplates, in the Minister's department are home-garaged every day;
- (2) How many are garaged by officers on call;
- (3) Of those which are not garaged by officers on call, (a) how many cars are there, (b) in which suburbs are they garaged and (c) in the week commencing 19 September 2005, for each car, how many (i) kilometres were driven to and from work and (ii) kilometres were driven for work purposes.

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

(1) 141

(2) 44

(3) a. 97

b & c. refer to attachment A

Area	Vehicles not on call garaged	Non on call vehicles suburb garaged	Not on call week of 19 Sept No Kms to & from wk	Not on call week of 19 Sept No Kms for wk purposes
OCE	1	Evatt		
ESN	20	Condor	30	460
		Hackett	75	445
		Holt	22	400
		Kambah	40	104
		Kambah	80	266
		Kambah	3	97
		Melba	50	530
		Queanbeyan	120	412
		Queanbeyan	60	569
		Queanbeyan	80	284
		Queanbeyan	101	173
		Richardson	50	357
		Wanniassa	90	277
		Weston	67	635
		Flynn/Kaleen	143	307
		Wanniassa	215	205
		Belconnen	18	457
		O'Malley	20	792
		Belconnen	34	916
		Wanniassa	228	128
MSN	76	Higgins	93	390
		Kaleen	100	360
		Spencer	230	839
		Macgregor	0	0
		Queanbeyan	172	395
		Monash	162	161
		Stirling	0	0
		Wanniassa	207	185
		Theodore	170	411
		Wanniassa	118	258
		Nicholls	110	243
		Gordon	0	0
		Mawson	127	519
		Curtin	44	365
		Kaleen	45	224
		Aranda	42	184
		Isabella Plains	279	190
		Queanbeyan	90	269

	Hawker	163	140
	Holder	147	255
	Gordon	177	415
	Calwell	60	644
	Narrabundah	108	170
	Queanbeyan	201	315
	Deakin	126	390
	Hall	179	190
	Weetangera	62	216
	Florey	0	0
	Kambah	59	451
	Narrabundah	101	144
	Amaroo	39	513
	Latham	90	643
	Nicholls	108	334
	Gordon	60	638
	Richardson	104	634
	Richardson	120	468
	Flynn	70	285
	Macgregor	50	110
	Curtin	50	356
	Fraser	250	575
	Queanbeyan	252	538
	Gordon	110	555
	Ngunnawal	155	370
	Bonython	70	255
	Lyons	51	285
	Gowrie	186	350
	Bonython	70	289
	Queanbeyan	182	314
	Evatt	99	333
	Gundaroo	308	117
	Weetangera	138	133
	Kambah	71	185
	Amaroo	115	20
	Giralang	43	14
	Palmerston	113	811
	Gungahlin	127	636
	Gilmore	288	604
	Gordon	311	315
	Latham	152	285
	Calwell	325	672
	Kambah	203	531
	Kaleen	60	261
	Wanniassa	250	426
	Fisher	190	323
	Wanniassa	250	335
	Monash	157	593
	Narrabundah	107	496
	Holder	0	265
	Queanbeyan	0	393
	Macquarie	0	320
	Evatt	0	530
	Burra	0	386

		Kaleen	0	459
		Dunlop	266	90
		Queanbeyan	75	532
		Banks	0	1115
<b>DUS Total</b>	<b>97</b>		<b>10563</b>	<b>34829</b>

### **Development—City West (Question No 645)**

**Dr Foskey** asked the Minister for Planning (redirected to the Chief Minister), upon notice, on 21 September 2005:

- (1) What community (a) organisations and (b) members has the ACT Government and/or ANU-City West Precinct Committee consulted with in regards to the ANU-City West development;
- (2) In what form was each of these consultations conducted;
- (3) When did each of these consultations take place;
- (4) What was the outcome of these consultations;
- (5) Can minutes of the ANU-City West Precinct Committee meetings be provided;
- (6) Is the ACT Government and ANU considering collocating community organisations premises in the ANU-City West Development;
- (7) Is the ACT Government and ANU considering providing premises for more community organisations than those that are already housed in the precinct;
- (8) Is there a general plan for all of the blocks involved in the ANU-Civic West development; if so, can it be provided.

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

- (1) The ACT Planning and Land Authority (the Authority) consulted member groups of ROCKS (Residents of Childers and Kingsley Streets) when preparing the City West Master Plan (CWMP).

The Chief Minister's Department (CMD), which has been responsible for on-going consultation with the community groups since the ANU City West Integration Precinct was signed in December 2004, has consulted the Conservation Council, Canberra Dance Theatre, AIDS Action Council and the Pensioners' Club. All of these groups are in the ANU City West Precinct.

- (2) In developing the CWMP, the Authority extensively consulted stakeholders through public meetings, workshops, phone calls, individual meetings and newsletters.

CMD has consulted the existing Precinct community groups in one-off meetings as well as in meetings sponsored by the ANU to bring all parties together to discuss the ramifications of development in the Precinct.

- (3) Consultation by the Authority on the CWMP took place from March 2002 until May 2004. Consultation by CMD has taken place during this year (2005).
- (4) In relation to consultation with the community sector, the outcome of the consultations on the CWMP was an agreement that community facilities accommodation in mixed-use development is the most desirable for the precinct and community groups.

In relation to consultation by CMD, the outcome is that all existing groups have been assured that suitable replacement accommodation will be provided. The specific details of this replacement accommodation depend on the ANU's plans for individual blocks and on further discussions between the ANU and CMD.

- (5) No, as the matters before the Precinct Committee involve commercial in confidence material. However, the Secretariat, within CMD, will do all that it can to provide information on particular decisions to interested parties.
- (6) Yes, however, some existing occupants have specific requirements that may not suit co-location and this will be taken into account by both the government and the ANU.
- (7) The key obligation accepted by both the Government and the ANU when signing the ANU City West Integration Precinct Deed was that existing occupants of the Precinct would be rehoused in suitable accommodation once their sites are identified by the ANU as being needed for development.
- (8) The Precinct Deed requires the ANU to prepare a Masterplan and Implementation Plan outlining the indicative nature and timing of development activity over the ten-year life of the Agreement. The ANU, in conjunction with its joint venture partner Baulderstone Hornibrook, recently submitted a Masterplan and Indicative Plan to the Precinct Committee, which has forwarded it to the Authority for consideration, as required by the Deed. The ANU has placed the Masterplan and Implementation Plan on the website mentioned below. Care should be taken in interpreting the Masterplan as it covers an area larger than just the ANU City West Precinct – reflecting the fact that the ANU has taken the opportunity to link its specific Precinct planning to the ANU's wider vision for adjoining campus (or Commonwealth) land. The address for the Master Plan is <http://www.anu.edu.au/facilities/cpdc/CityWestPrecinctMasterplanfinal.pdf>

### **Crime—drink spiking (Question No 659)**

**Mr Pratt** asked the Attorney-General, upon notice, on 22 September 2005:

- (1) Is the Attorney-General aware of a new communication tactic of motion activated speakers installed in pub urinals being used by Sydney's Manly Council to help get its anti-drink spiking messages, emphasising it is a crime, across to men;
- (2) Would the Attorney General consider a joint initiative with local hoteliers to install these devices locally to distribute a similar message to Canberrans about drink spiking.

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

- (1) No, I am not aware that motion activated speakers placed in pub toilets are being used by Manly Council to announce anti-drink spiking messages to patrons.

- (2) I have asked the Registrar of Liquor Licences to write to the ACT Branch of the Australian Hotels Association drawing its attention to the initiative. Such installations may generate a positive response from patrons, and that may enable a venue to increase their business by attracting new patrons.

Irrespective of the decisions that individual business owners make about that type of feature, I am very pleased to see that ACT Policing will shortly deliver a drink spiking awareness and education program that targets licensees and staff in the hospitality industry.

In the past most drink spiking education has been directed to patrons of establishments. Whilst this has been very effective in raising community awareness, it has not had an equal impact on licensees and people involved in the service of drinks to patrons.

Policing authorities feel that the battle against drink spiking is better fought if both the suppliers and consumers (in a licensed environment) are aware of the possible occurrence of drink spiking in the community.

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**ActewAGL call centre  
(Question No 661)**

**Mr Pratt** asked the Minister for Urban Services, upon notice, on 22 September 2005:

- (1) Is the main call centre for the Canberra based ACTEWAGL located in Melbourne; if so, why; if not, where is it located and why;
- (2) How much does the Government pay for the services that the call centre in Melbourne or other location provides;
- (3) Could an equivalent call centre be located in Canberra if not already; if not, why not;
- (4) How many jobs are located in Melbourne or another outside location for this call centre that could otherwise be located in Canberra;
- (5) Are there any other ACT Government call centres that are located interstate; if so, how much does the Government pay for these services and where are they located;
- (6) What is the total number of jobs for all call centres of ACT Government departments or operations that are not located within the ACT;
- (7) What is the yearly running cost for each of these call centres;
- (8) What is the estimated cost to the ACT economy by not keeping these services within the ACT.

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

- (1) The ActewAGL Electricity, Water, Gas and TransACT call centres are not located in Melbourne. They are located in Canberra at ActewAGL House.
- (2) The ACT Government does not pay for any ActewAGL call centre service in Melbourne or anywhere else.

- (3) ActewAGL call centre services are located in the ACT.
- (4) There are no ActewAGL call centre jobs located in Melbourne, or anywhere else, that could be located in the ACT.
- (5) All ACT Government Departments and operations use call centres that are located locally.
- (6) All call centre jobs for ACT Government Departments or operations are located in the ACT.
- (7) There are no yearly running costs for ACT Government Departments or operations call centres that are not located in the ACT.
- (8) Because all ACT Government Departments and operations use call centres that are located locally, there is no cost to the ACT economy by not keeping these services within the ACT.

### **Poker machine tax revenue (Question No 679)**

**Mr Stefaniak** asked the Treasurer, upon notice, on 18 October 2005:

- (1) Given that the Government, after the poker machine tax has been raised and comes into effect, expects to increase its revenue by \$5.3 million in 2007-2008 and that the club industry is experiencing difficult times and that a number of clubs are failing and other clubs are curtailing activities due to decreased revenue as a consequence of the introduction of note accepters and a further decrease in revenue because of smoking bans, how is the figure of an increase of \$5.3 million arrived at;
- (2) Has the Government any contingency plans if this money fails to materialise as a result of the constrictions on club activities.

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

- (1) The figure of \$5.3 million was an estimate of additional revenue based on expected gaming machine revenues at the time of the preparation of the 2005-06 Budget.
- (2) As stated at page two of the explanatory statement for the *Gaming Machine Amendment Bill 2005 (No. 2)*, the "...increase has been included in this amendment Bill to ensure transparency in the Government's intentions and to enable the industry to plan accordingly..." prior to commencement of new tax rates on 1 July 2007.

As with many revenue estimates, the true impact cannot be gauged until the initiative is in place, therefore, the effect of the new tax rates cannot be fully known until sometime after their commencement on 1 July 2007. Treasury monitors revenue to assess variance from budget on a regular basis and revises estimates accordingly as a part of the Budget Mid Year Review and any Supplementary Appropriation Papers.

You should note that the Government is committed to the Club sector in the ACT and works towards its ongoing viability in a range of fora. In relation to the commencement

of smoking bans in club venues on 1 December 2006, a Smoke-Free Consultative Group has been convened to bring together the Government and the hospitality sector, including ClubsACT, to help facilitate the implementation of smoke-free venues.

### Roads—accidents (Question No 687)

**Mr Pratt** asked the Minister for Police and Emergency Services, upon notice, on 18 October 2005:

How many motor vehicle accidents have been reported, or have become known, to have occurred at (a) roundabouts, (b) stop signs, (c) give way signs and (d) other “uncontrolled” intersections in (i) 2002-03, (ii) 2003-04, (iii) 2004-05 and (iv) 2005-06 to date.

**Mr Hargreaves:** The answer to the member’s question is as follows:

	Roundabouts	Stop signs	Give way signs	Uncontrolled intersections	Total
<b>2002-03</b>	1321	275	1405	810	3811
<b>2003-04</b>	1377	316	1261	874	3828
<b>2004-05</b>	1293	295	1231	874	3693
<b>2005-06 (to date)</b>	347	72	300	203	922
<b>Total</b>	4338	958	4197	2761	12254

NB: ‘uncontrolled intersections’ refer to the following: cross intersection, multiple intersection, T intersection, Y intersection

Source: PROMIS as at 24 October 2005

### Disabled persons (Question No 688)

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 18 October 2005:

- (1) In relation to the Intensive Treatment and Support Initiative, how is the specialist program to deliver intensive support and treatment to people with a dual disability progressing;
- (2) What impact will the recommendations for the specialist accommodation options for people with a dual disability have in providing secure accommodation and community based housing.

**Mr Hargreaves:** The answer to the member’s question is as follows:

- (1) The Intensive Treatment and Support program being developed by Disability ACT is progressing well and is on track to commence operation in the first half of 2006. Staff from the Department are continuing to consult with other agencies both from the Government and Community Sectors to ensure the program operates in an integrated and cohesive way with existing and any related planned services across the ACT.
- (2) The new program will provide additional support and treatment services to a limited number of people with a dual disability and with a range of complex diagnostic and

behavioural issues. The aim of the program is that treatment and support will primarily be provided to individuals in their existing accommodation settings.

The only time individuals would be provided with alternative accommodation by the new program would be if there was a clinically-based assessment recommending that a different environment would assist in the treatment and support process. Under those arrangements the Step Up Accommodation currently being developed as part of the program may be used for a limited time. Any recommendations around accommodation will of course take into consideration the safety and security of the client and of the wider community.

If an individual does reside at the Step Up Accommodation for a period of time, they will be moved back to their previous accommodation as soon as it is deemed appropriate following further clinically-based assessments. Therefore there is very little impact expected from the new service on existing community-based housing.

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### **Disabled persons (Question No 689)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 18 October 2005:

Given that in April 2005 Disability ACT provided "Quality of Life" Community Grants totalling \$109 468.18 to 33 people with disabilities, what forms of specialist disability supports were provided from the funding and how will they assist the recipients in improving their quality of life.

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

One-off grants of between \$500 and \$5,000 were provided for the following specialist disability supports and will benefit recipients as outlined:

- (1) Vehicle modifications for people dependent on wheelchairs and safety equipment for people with a disability to provide increased independence and improved safety and wellbeing whilst travelling.
  - (2) Electronic communication devices and computer equipment for people with communication difficulties or who have been isolated because of limited mobility. This support will enable recipients to increase their participation in community life, improve reading skills and increase access to employment opportunities.
  - (3) Lifting equipment and bathroom modifications that will enable recipients currently in rehabilitation to live in their own homes.
  - (4) Payment for support workers to assist people with disabilities to access community activities.
  - (5) Replacement of a cochlear aid to enable the recipient to continue current employment.
  - (6) Purchase of a specialist bed, as the recipient had been sleeping on a mattress on the floor.
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**Community linking and needs assessment service  
(Question No 690)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 18 October 2005:

Will the Community Linking and Needs Assessment Service (CLANAS) pilot service be continued beyond its trial period; if so, how will the service be resourced sufficiently to cope with the additional workload if there are exceeding demands placed on CLANAS.

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

A review of the CLANAS pilot will occur in 2006. It is anticipated that this review will include an evaluation of the service model, demand for this service and resourcing implications.

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**Individual support package program  
(Question No 691)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 18 October 2005:

- (1) What are the recommended improvements to the Individual Support Package (ISP) Program;
- (2) How will they assist in improving the delivery of ISP's and the funding process.

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

- (1) The review and evaluation of the ISP funding models, conducted between 2003 and 2004, made recommendations for improvements in the ISP program in the following areas:
  - Program rationale;
  - Packages available;
  - Intake and assessment process;
  - Funding negotiation and acquittal processes;
  - Review and adjustment of funding; and
  - Building community and individual capacity.
- (2) The improvements to the ISP program will provide:
  - Improved policy statements and processes for management of ISPs;
  - Improved responses to individuals in need of support;
  - A clearer and more transparent funding process;
  - A process for reviewing ISP's; and
  - A revised policy and process for emergency funding.

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**Disability ACT  
(Question No 692)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 18 October 2005:

- (1) In relation to external auditing and monitoring of non-government organisations, who were the five organisations who took part in Disability ACT's contract and quality monitoring process;
- (2) Were each of the organisations who took part in the audit compliant with (a) the requirements as specified in each individual organisation's funding agreement with Disability ACT, (b) the relevant legislation and (c) specified levels of quality of services delivered;
- (3) Which of the participating organisations did not fully achieve compliance and in what areas did they not reach compliance;
- (4) What written responses were received from Disability ACT from those organisations who were asked to provide evidence of where adjustments and improvements were needed in order to maintain compliance in relation to a baseline assessment against the National Disability Service Standards.

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

- (1) The five organisations externally audited were:
    - *Citizens' Advocacy;*
    - *Focus;*
    - *For You & Me;*
    - *L'Arche Genesaret; and*
    - *Shaw Possibilities.*
  - (2) The Auditor raised concerns about the level of compliance of all five organisations against the National Disability Service Standards and requirements of the Service Purchasing Agreement.
  - (3) The auditor provided draft recommendations for areas of improvement for all the organisations that were audited. All five agencies agreed on actions they would take to ensure that they complied with the Standards and requirements of their Service Purchasing Agreement, within specified timeframes. Key areas identified for organisations to work on included:
    - Improving governance arrangements;
    - Better consumer consultation, feedback and complaints handling processes;
    - Accurate reporting on contractual activities;
    - Clarifying roles and responsibilities of volunteers and staff;
    - Improving risk management; and
    - Improving financial management of government funding.
  - (4) In relation to the agencies named in question (1), agencies were asked to demonstrate their level of compliance with the National Disability Service Standards and provide a continuous improvement action plan on improving their compliance. All agencies except *For You & Me* have provided an action plan. *For You and Me* have met with the Department regarding identified issues and how they will be addressed. Agreed actions have been specified in *For You and Me's* Service Purchasing Agreement 2005/06
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**Disability ACT  
(Question No 693)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 18 October 2005:

- (1) When will the review of the Individual Support Services Policy and Procedural Manual be released;
- (2) What issue/s have signified to Disability ACT that, in conjunction with a review of the above mentioned manual, a review of the complaints policy was also required.

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

- (1) The Review of the Individual Support Services Policy and Procedural Manual is expected to be completed by the end of 2005.
- (2) The Department of Disability, Housing and Community Services released the Interim Feedback and Complaint Guide in September 2005. This has necessitated a review of the Disability ACT Complaints Policy to ensure the policy and procedures are consistent.

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**Public service—future directions  
(Question No 694)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 18 October 2005:

- (1) Has the recruitment process been completed for the implementation of *Future Directions 2004-08* for membership to Oversight and Reference Groups;
- (2) What role will these Groups have in delivering outcomes against the key Strategic Directions of *Future Directions 2004-08*.

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

- (1) The Recruitment of members to the *Future Directions* Implementation structure was completed on 9 September 2005, when letters of offer were sent to community members.
- (2) The *Future Directions Oversight Group* is accountable to the Chief Executive, Department of Disability, Housing and Community Services, for the strategic oversight of the implementation of *Future Directions 2004-2008*.

The *Future Directions Reference Groups* are accountable to the Executive Director, Disability ACT for the management of projects under the relevant strategic direction and within available resources.

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**Homelessness  
(Question No 695)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 18 October 2005:

Since the establishment of the *Response to Homelessness* ACT Budget initiative in 2003-04, how many people who are (a) homeless and (b) at risk of homelessness, have been provided with housing assistance.

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

Data collected from homelessness services in the ACT for 2004-05 will not be available until January 2006 when the National Data Collection Agency releases the SAAP NDCA Annual Report 2004-05.

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### **Disabled persons—housing (Question No 696)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 18 October 2005:

- (1) How is the targeted consultation with key stakeholders progressing in relation to the discussion paper *Principles of Good Housing for People with Disabilities*;
- (2) When will the consultation period conclude and will the Minister request a report on the findings of consultation.

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

- (1) Disability ACT engaged KPMG to conduct a consultation workshop on 4 July 2005. A range of people from across the community housing and disability sectors, people with disabilities and government officers were invited to attend the workshop. Each received an advance copy of the Discussion Paper *Principles of Good Housing for People with Disabilities*.
- (2) The Housing and Tenancy Working Group received the final consultation report from the consultant and considered the outcomes of the consultation. A Final Report, including recommendations was provided to the Department of Disability, Housing and Community Services on 14 October 2005.

The Department is currently considering the Working Group's Final Report and will make a decision on future activities in this area, including the best way to provide feedback to myself and other stakeholders.

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### **Homelessness (Question No 697)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 18 October 2005:

- (1) When will a multilateral Memorandum of Understanding (MOU) be established between ACT Government agencies and community agencies deliver an integrated operational framework of homelessness services in the ACT;

- (2) How much funding is committed to the delivery of outcomes described in the MOU on an integrated operational framework of homelessness services in the ACT.

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

- (1) A multilateral Memorandum of Understanding (MOU) between ACT Government agencies and community agencies is scheduled for completion by June 2006.
- (2) Delivery of the outcomes of the MOU and joint operational framework will be achieved through coordinated service provision and therefore no specific funding has been allocated.

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### **Housing—disabled persons (Question No 699)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 18 October 2005:

- (1) In relation to the offering of individual formal tenancies to people with a disability residing in Disability ACT houses, other than the four people who have accepted an offer of an individual tenancy agreement, how many more people in a similar position have also considered and taken up an offer.
- (2) How successful has the program been in achieving a greater level of independence for people with a disability who wish to take up an individual tenancy agreement.

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

- (1) Residents in four Disability ACT managed houses took up the offer of an individual tenancy agreement equating to 17 individual tenancies. This is in addition to two people sharing a house having existing tenancies. A further 12 individuals accepted the offer, however were not able to transfer to the new arrangements as the offer was contingent on agreement of all residents within a household.

Individuals may elect to take up this offer at any time in the future.

- (2) The project has been successful in offering individuals a level of choice. Individual tenancy agreements provide for the same rights and protections as other Housing ACT tenants. The benefits are evident should a tenant seek recourse regarding decisions that are made which affect their tenancy.

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### **Disabled persons—financial assistance (Question No 700)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 18 October 2005:

- (1) How many people with a disability who, at times, require assistance with handling financial matters, have been involved in the Consumers in Control project set up by Disability ACT;

- (2) Has the service involved in the project been incorporated; if so, how beneficial has its financial model been for people with a disability to assist with directly controlling their financial resources.

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

- (1) There were initially 11 people with disabilities involved in Consumers in Control (CiC). There are currently 10.
- (2) The organisation is not yet incorporated.

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**Disabled persons—taxi subsidy  
(Question No 701)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 18 October 2005:

- (1) What were the recommendations delivered from the review of the ACT Taxi Subsidy Scheme for people with a disability;
- (2) How will the introduction of a SmartCard system assist in reducing the administrative costs of delivering the scheme.

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

- (1) The recommendations from the review of the ACT Taxi Subsidy Scheme for people with a disability are:
  1. Review policies and procedures regularly for efficiency and consistency.
  2. Ensure access to all Taxi Subsidy Scheme documentation is user-friendly.
  3. Clearly articulate the eligibility criteria for membership to the Taxi Subsidy Scheme.
  4. Conduct ongoing quality improvements including evaluation to inform future planning and approaches in practice by taking into consideration different needs and perspectives of members of the Taxi Subsidy Scheme.
  5. Regularly review the effectiveness and adequacy of subsidies in assisting people with disabilities to access public transportation.
  6. Monitor annually the budget allocated to support the Taxi Subsidy Scheme.
  7. Collect accurate data on membership and forecast trends to enable future planning of the Taxi Subsidy Scheme.
  8. Monitor the membership of children and young people using the Taxi Subsidy Scheme.
  9. Ensure the Taxi Subsidy Scheme is flexible and in keeping with a commitment to acknowledge individual life circumstances.
  10. Continue to foster partnerships across Government and community sectors to provide broad transport options for people with disabilities in order to meet future demand.
- (2) No decision has been made on the introduction of a smart or charge card system.

**Children—disabled  
(Question No 702)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 18 October 2005:

- (1) What revision was undertaken by Disability ACT to the Local Area Co-ordination model to ensure the Department is working closely with community organisations and parents of children with disabilities in the ACT;
- (2) If the select tendering process has been concluded in relation to the Local Area Co-ordination, which community service providers have applied under the process and what financial support have they received.

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

- (1) On 21 May 2005, a Request for Tender was publicly advertised in The Canberra Times, Weekend Australian and on the ACT Government Internet Tender Information Service, 'basis on the net'. Tenders closed on Tuesday 14 June 2005 with no tenders received.

On 22 and 30 June 2005, the co-chairs of the Local Area Coordination Reference Group met with four non-government organisations that had expressed an interest in the program prior to or during the tender process.

Amendments were made to the tender specifications, based on the non-government organisations feedback. These amendments included identifying the timeframe and resources for the establishment phase of the project, identification of the implementation phase, and changes to terminology to better reflect the intent of the project.

- (2) On 12 August 2005, Disability ACT undertook a select tendering process. The following non-government organisations were invited to respond to the tender:
  - Belconnen Community Service;
  - Woden Community Service;
  - Gungahlin Community Service;
  - Northside Community Service;
  - Centacare; and
  - Communities @ Work.

The Tender Evaluation process is currently underway. No financial support has been provided to applicants.

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**Disabled persons—innovation projects  
(Question No 703)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 18 October 2005:

- (1) In relation to the Disability ACT Innovation Program, of the innovation projects that commenced in 2003-04, what projects are (a) complete, (b) now ongoing services and (c) still in pilot phase;

- (2) What links, if any, have been made with the business community to assist in the delivery of future innovation projects to assist people with a disability.

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

- (1) The five projects that commenced in 2003/04 have been completed.
- (2) Disability ACT convened a ACT BLITS (Business Leaders - Innovation, Thoughts, Solutions) Roundtable, including the Canberra business community in September 2005 to:
- Identify potential new concepts which enhance quality of life for people with disabilities;
  - Identify strategies to enhance perceptions of people with disability; and
  - Explore the business benefits of various forms of involvement of people with disabilities.

Twenty-one business leaders from small to large businesses, met in a facilitated forum (roundtable). This group discussed and identified ways in which people with a disability could increase their presence and participation, as customers and employers of businesses in the ACT.

The roundtable identified a number of ideas and concepts that could be further developed. The Department of Disability, Housing and Community Services will continue to engage with the business community to further develop these ideas.

### **Disabled persons—stepping stone project (Question No 704)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 18 October 2005:

- (1) How is the pilot project "Stepping Stones", funded by Disability ACT, progressing the assistance of Mature Carer families of people with a disability;
- (2) How (a) long will the pilot run, (b) many families are involved and (c) much funding has been awarded to the Stepping Stones pilot project.

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

- (1) The Stepping Stones project has engaged a coordinator who is supporting nine families to identify the future independent living goals for their family member with a disability, and the supports that will assist them to work towards these goals. These supports may include family, community, and specialist disability services. The supports are coordinated and governed by the Stepping Stones Focus Families.
- (2) a) The Stepping Stones pilot will run for two years, from July 2005 until 30 June 2007.  
 b) Nine families are involved in the project.  
 c) Disability ACT has provided \$50,000 a year for two years to fund the coordinator position.

**Disabled persons—services  
(Question No 705)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 18 October 2005:

- (1) How is the pilot project conducted by Disability ACT and Sharing Places, on the Consumer Family Governed Project progressing since funding was allocated in 2003-04;
- (2) What are the family governed service options that have been set up to support families with a member who has a disability to live more independently.

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

- (1) A consultant has worked with the participating families to develop policies and governance arrangements. Disability ACT is currently working with the participating families, the consultant and Sharing Places to review the policies and governance arrangements and to discuss implementation of the By All Means project.
- (2) Service options supported by Disability ACT are:
  - By All Means;
  - Stepping Stones; and
  - Getting a Life.

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**Public service—StudyBank scheme  
(Question No 706)**

**Mr Smyth** asked the Chief Minister, upon notice, on 19 October 2005:

- (1) During 2004-05, what amounts were spent by each department and agency, through the StudyBank scheme, on supporting staff who were undertaking study and how many staff were assisted by StudyBank in each department and agency;
- (2) What requirements are in place to ensure that all departments' and agencies' annual reports, when reporting on depreciation, use equivalent descriptions for similar assets or classes of assets and use a common basis for determining the useful lives of assets or classes of assets;
- (3) Why is depreciation determined on a straight line basis when there are alternative methods for calculating depreciation that provide a more suitable approach to identifying the utilisation of assets;
- (4) What requirements are in place to ensure that, when a department or agency advises of the correction of errors in an annual report, the corrigendum identifies both the matter that is being corrected as well as the corrected position;
- (5) What requirements are in place to ensure that financial information included in annual reports either ignores any cents in a financial amount or rounds any amount appropriately;

- (6) What requirements are in place to ensure that the balance of cash shown in the cash flow statement either is the same as the cash balance shown in the statement of financial position or that there are notes explaining how the two aggregates relate.

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

- (1) Not all agencies are able to provide data in response to this question. This is due partly to systemic issues associated with data capture, the capacity to calculate the full cost of study assistance (i.e. the cost of study leave time, rather than just the known costs relating to reimbursement of fees) and the devolved nature of the study bank scheme across agencies. Information provided indicates that there is considerable investment and support for staff undertaking professional development across the public sector;
- (2) It is assumed that all of the questions relate to the 2004-05 financial statements. As a result, in the answers provided, reference is made to the Australian Accounting Standards existing to 30 June 2005, and not the new International Accounting Standards, existing from 1 July 2005.

The Annual Report Directions require that departments and agencies include their audited annual financial statements in their annual report. The information requirements for the annual financial statements are determined by the Australian Accounting Standards. Australian Accounting Standard 36 (Statement of Financial Position) specifies the requirements in regard to classification and disclosure of asset classes in financial statements. To assist agencies with preparation of their annual financial statements the ACT Treasury has also developed Model Financial Statements. In accordance with Australian Accounting Standard 4 (Depreciation), departments and agencies are required to determine lengths of useful lives for assets relevant to their particular operating usage. The Model Financial Statements provide some indicative examples of possible lengths of useful lives for assets, but these are for guidance only, and each department and agency needs to take account of its particular usage patterns in determining relevant lengths of useful lives for its assets;

- (3) From the acceptable methods of depreciation calculation specified in Australian Accounting Standard 4 (Depreciation), each department or agency must determine the method, or methods of calculation, most relevant to the asset usage patterns for the assets. Should the Auditor-General consider that chosen method of depreciation calculation to be inappropriate, causing a material misstatement to the financial statements, the audit opinion for the financial statements would be qualified. No audit opinions for the 2004-05 annual financial statements were qualified in regard to the method of depreciation determination;
- (4) The next Annual Report Direction for 2005-06 (the Directions) will include this requirement. Should a correction be required to an annual report following its presentation to the Assembly, the Directions will provide advice of the need for a corrigendum that identifies the correction as well as the corrected position;
- (5) The level of rounding appropriate to the relevant annual financial statements is a matter for determination by each department and agency. Australian Accounting Standard 37 (Financial Report Presentation and Disclosures) does not specify a particular level of rounding, but requires that disclosure be made in the financial statements of the rounding used. The Treasury developed Model Financial Statements advise the most common form of rounding is to the nearest thousand dollars, however, for a very small entity a lower level of rounding may be appropriate;

- (6) It is a requirement of Australian Accounting Standard 28 (Statement of Cash Flows) for the annual financial statements to include a reconciliation of the amount of cash shown in the Statement of Cash Flows to relevant cash amounts included in the Statement of Financial Position. The Treasury developed Model Financial Statements provides an example disclosure of this reconciliation.
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**Public service—annual reports  
(Question No 707)**

**Mr Smyth** asked the Minister for Health, upon notice, on 19 October 2005:

- (1) What was the cost of preparing the 2004-2005 (a) interim and (b) final annual reports from the Community and Health Services Complaints Commissioner;
- (2) Were there any amendments made in the final report; if so, why have these changes not been identified; if not, why was there a need to produce the final or second report that Members received;
- (3) Why weren't Members of the Legislative Assembly informed that the original report they received was an interim report, pending the preparation of the final report.

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

- (1) The cost of preparing the 2004-05 annual report was \$11,609 (layout and editing - \$7,418 and publishing - \$4,191). Fifty printed copies for the purposes of distribution out of session were produced at a cost of \$579.70.
  - (2) After the printed copies were distributed out of session some small editorial changes were made in the later final proof process for publishing. No amendments were made to the Commissioner's account of the operations of the Office, apart from the most minor editing. Some minor changes were made to three illustrative case studies to ensure anonymity and to refine the narrative.
  - (3) The Commissioner produced an annual report and was unaware that the published copies of the annual report tabled in October must be exactly the same as the printed copies of the annual report distributed out of session.
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**Currong apartments  
(Question No 708)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 19 October 2005:

What was the purpose of the \$10 679 funding allocation to Northside Community Service in relation to the decommissioning of Currong Apartments.

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

The purpose of the funds was to provide support and assistance to public and community housing residents during the decommissioning of Currong Apartments.

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**Winnunga Nimmityjah Aboriginal community health service  
(Question No 709)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 19 October 2005:

- (1) In relation to Winnunga Nimmityjah Aboriginal Community Health Service, will the Housing Liaison Service for Aboriginal and Torres Strait Islander people receive further on-going funding from Housing ACT; if not, why not;
- (2) What benefits has the Housing Liaison Service provided to clients of the Community Health Service in relation to resolving accommodation issues.

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

- (1) Base funding of \$59,405 per annum for the Housing Liaison Service has been committed until 2007-08.
- (2) The Housing Liaison Service assists clients with access to appropriate housing options, supports clients with applications for Housing ACT and community housing, establishes links to various support services, and implements mechanisms for appropriate intervention to reduce the incidents of rental arrears and evictions.

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**Gugan Gulwan Aboriginal Corporation program  
(Question No 710)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services (redirected to the Minister for Children, Youth and Family Support) , upon notice, on 19 October 2005:

- (1) In relation to Gugan Gulwan Aboriginal Corporation Program, how much of the \$140 012 funding allocated over three years to the Youth Centre has been expended;
- (2) What benefits has Gugan Gulwan gained from the delivery of services through the Youth Centre to Indigenous youth with the assistance of this funding.

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

- (1) In 2004-05 the Government purchased Youth Centre services from Gugan Gulwan Youth Aboriginal Corporation at a cost of \$140, 012. This is the first year of a \$388,214 three year contract which runs from 1 July 2004 to 30 June 2007.

Schedule 2 of the contract specifies the services, outcomes, outputs, performance indicators and performance requirements under the terms of the contract. A copy of the contract can be found on the ACT Government Contracts register at:  
[www.basis.act.gov.au](http://www.basis.act.gov.au)

- (2) Gugan Gulwan Youth Centre provides a-drop in service for 30 hours each week and provides a regular outreach support for Indigenous young people who cannot attend the youth centre. A Young Mum's Group is held each Tuesday morning and includes a numeracy and literacy class and information sessions on topics such as domestic violence, nutrition and legal aid. A Young Women's Mentoring Group is held on

Wednesdays for young women aged 13 – 15 years with older girls who are mentors. The centre also provides holiday program activities.

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**Gugan Gulwan Aboriginal Corporation program  
(Question No 711)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services (redirected to the Minister for Children, Youth and Family Support), upon notice, on 19 October 2005:

- (1) In relation to Gugan Gulwan Aboriginal Corporation Program, how is the Education Youth Support Program progressing and how much of the \$111 155 funding allocated over three years to the Program has been expended;
- (2) What benefits has Gugan Gulwan gained from the Education Youth Support Program.

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

- (1) In 2004-05 the Government purchased the services of the Education Support Program from the Gugan Gulwan Youth Aboriginal Corporation at a cost of \$111,155. This is the first year of a three year \$308,202.59 contract which runs from 1 July 2004 to 30 June 2007.

Schedule 2 of the contract specifies the services, outcomes, outputs, performance indicators and performance requirements under the terms of the contract. A copy of the contract can be found on the ACT Government Contracts register at: [www.basis.act.gov.au](http://www.basis.act.gov.au)

- (2) The Gugan Gulwan Education Support Program provides support for Indigenous young people who are experiencing difficulties in the school system or in accessing further training or employment. It aims to provide an innovative and culturally appropriate education program. The program uses a case management approach to support young people to address educational, social, and emotional barriers to full participation in school, training or employment. During the period 1 January 2005 to 30 June 2005, the program supported 19 individual Indigenous young people.
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**Children—foster care  
(Question No 712)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services (redirected to the Minister for Children, Youth and Family Support), upon notice, on 19 October 2005:

Will the foster care services offered by (a) Barnardos Australia, (b) Galilee and (c) Marymead Child and Family Centre continue to be provided with funding assistance by the ACT Government; if so, will long-term contracts be awarded.

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

Yes. New Foster Care contracts were offered to a) Barnardos Australia, (b) Galilee and (c) Marymead Child and Family Centre and (d) Life Without Barriers on 1 July 2005. These contracts are for three years and are due to expire on 30 June 2008.

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**Housing—conflict resolution  
(Question No 713)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 19 October 2005:

- (1) If Housing ACT does not refer tenants to the Conflict Resolution Service (CRS), why is a Service Purchasing contract in place between the CRS and Housing ACT for \$21 725 over three years;
- (2) If the funding allocation is not specifically for conflict resolution, what is the Service Purchasing contract funding provided for.

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

- (1) Housing ACT does refer tenants to Conflict Resolution Service where appropriate.
- (2) See above.

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**Government shop front services  
(Question No 715)**

**Mr Pratt** asked the Minister for Urban Services, upon notice, on 20 October 2005:

- (1) Why were there problems in the operation of ACT Government shop front computer systems during the week of 26 to 30 September;
- (2) What services were affected at the shop fronts;
- (3) Did the problems affect all Government shop fronts; if not, what shop fronts were affected;
- (4) How many customers were affected by these problems;
- (5) What were customers told when it was realised that some services offered to them were not available;
- (6) What procedures were put in place to prevent customers from being unfairly treated by the relevant authorities due to the inability to issue drivers licenses and other products or services;
- (7) How long did the faults prevent the shop fronts from operating at their full efficiency;
- (8) Have these problems occurred before; if so, why have they occurred again;
- (9) What has been done to ensure that these problems do not occur again;
- (10) What is the estimated cost of repairs that were needed to rectify the problems identified and has everything been undertaken that is needed to guarantee the professional operation of shopfront services; if not, why not.

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

- (1) The technical difficulties appear to have derived from application server software changes made in the weeks prior to experiencing the problems. While the changes were fully tested in the development environment, problems did not emerge until the system was under full production transaction loads.

An additional specialist resource was brought in, from the firm that developed the original system, to assist in diagnosing causes of the problem. The system team was then able to put a solution in place, test it, and deploy a new system version, so that shopfront use of the system could resume.

- (2) All road transport services were affected, such as driver licensing, motor vehicle registration services and traffic infringement payments.
- (3) All five Government Shopfronts were affected.
- (4) 9,754 road transport transactions at ACT Government shop fronts were affected during the period 26 to 30 September 2005.
- (5) The Concierge at each shopfront informed customers that the motor transport computer system was not operating, and that we were not sure when full service would resume. Some transactions were able to be processed manually but customers were advised they may wish to return when full operations resumed.
- (6) Although shopfront staff were able to process registration and driver licence renewals manually, it was not possible to provide customers with vehicle registration labels or photographic licences. Instead customers were issued with a receipt showing the new registration or licence expiry date. The AFP were advised of the system problems so their members would be able to exercise discretion when dealing with a motorist who had paid for registration or a licence but was not issued a registration label or photographic licence.
- (7) The five full day period, 26 to 30 September 2005.
- (8) In recent months there have been sporadic instances of instability and slow performance, and instances of relatively brief outage of the RegoACT system. There appear to have been different causes for different incidents. In each instance, the particular fault has been detected and remedied. I have been advised that the specific problem during the week in question is not a recurrence of a specific previous cause, however, it may in a general sense relate to residual coding issues associated with implementation of new application server software.
- (9) A moratorium has been placed on any further changes to functionality of the RegoACT system, until additional diagnosis has been completed, to ensure minimal risk of any ongoing instability, and to allow the hardware platforms to be upgraded. The introduction of new servers will enhance business continuity capabilities for shopfronts, with a degree of replication of production capabilities for the RegoACT system between multiple centres.

An independent review of the system has also been commissioned to evaluate risks, examine current maintenance/support capabilities, and provide advice on any necessary changes.

- (10) The costs to resolve the problems in question were within the RegoACT system support budget allocation, with existing team members diverted to concentrate on resolving those issues. The only incremental cost was an additional input from the original development firm, involving less than a half-day of the time of one person.

**Waste disposal  
(Question No 716)**

**Mr Pratt** asked the Minister for Urban Services, upon notice, on 20 October 2005:

- (1) What methods are used to assess the charges applied to waste loads disposed of at ACT waste disposal locations;
- (2) On how many occasions have these methods been out of operation due to failure or other reasons, in (a) 2002-03, (b) 2003-04, (c) 2004-05 and (d) 2005-06 to date;
- (3) Why is the cost of tyre disposal charged at \$3 per tyre when in the "Waste pricing strategy for the ACT" which was the basis for the pricing guidelines states that tyres should be charged at \$2 to cover the cost of collection and transportation;
- (4) What facilities exist to process radioactive and other hazardous waste;
- (5) Why have charges increased for the disposal of radioactive and other hazardous waste to \$110 per tonne from \$33 per tonne, when the proposed new charges for disposal of these materials is only \$44 per tonne;
- (6) Why have charges increased for the disposal of commercial waste to \$77 per tonne from \$33 per tonne, when the proposed new charges for disposal of these materials is only \$44 per tonne;
- (7) Why has the minimum charge for commercial waste disposal increased to \$19.25 from \$16.50, when the proposed minimum charge in the "Waste pricing strategy for the ACT" is \$11;
- (8) How many complaints have been made regarding difficulties disposing of waste at the Mugga Lane and Mitchell waste sites for each of the years listed in part (2);
- (9) What are the reasons for these complaints;
- (10) What has been done to improve disposal services as a result of these complaints; if nothing has been done, why not.

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

- (1) The methods used to assess charges applied are:
  - Load sizes for non-commercial loads based on the size of the load with higher charges for larger loads.
  - Weight-based charges using weighbridge measurements for commercial waste and non-commercial loads over 0.5 tonne.
  - Specific unit charges for identified items such as computers, tyres and mattresses.

- (2) a) 2002-03 Nil  
 b) 2003-04 Nil  
 c) 2004-05 Once  
 d) 2005-06 Nil to date

(3,5,6 & 7) These questions all relate to fees and charges as proposed in the March 2002 "NOWaste Pricing Strategy for the ACT.

The Pricing Strategy proposed to continually move charges towards "full cost recovery". The increased fees reflect this strategy.

(4) The ACT has two licenced landfills located at Mugga Lane and West Belconnen (Stericorp) that accept and process radioactive and hazardous waste including biological waste and PCB oils.

- (8) Mugga Lane Landfill:
- |    |         |   |            |
|----|---------|---|------------|
| a) | 2002-03 | - | 21         |
| b) | 2003-04 | - | 34         |
| c) | 2004-05 | - | 18         |
| d) | 2005-06 | - | 17 to date |

Mitchell Resource Management Centre:

- |    |         |   |           |
|----|---------|---|-----------|
| a) | 2002-03 | - | 4         |
| b) | 2003-04 | - | 2         |
| c) | 2004-05 | - | 6         |
| d) | 2005-06 | - | 1 to date |

(9) The reasons for the complaints were as follows:

#### Mugga Lane Landfill

- Congestion at the landfill face,
- Issues around vehicles using the site, including condition of roads,
- Amount of litter around the site,
- Height of the transfer station wall,
- Inappropriate contractor staffing actions,
- Perceived lack of assistance with unloading,
- Phone message used when calling the site,
- Refusal of services for alleged unpaid debts,
- Alleged staff scavenging from waste,
- Amounts being charged, staff insisting on full amounts being paid and alleged overcharging,
- Delays at the weighbridge, queuing at the weighbridge and on approach roads.

#### Mitchell Resource Management Centre

- Difficulties in unloading,
- waste piling up,
- lack of facilities for disposing of paint,
- computer recycling and amount of litter at the site.
- Lack of explanation in charging procedures, and incorrect information being provided.
- Tip charges and inconsistency in applying charges.

- (10) Each complaint is investigated to ascertain any underlying reasons for the matter and to bring the complaint to the attention of the responsible organisation. Corrective measures include:
- The ACT NOWaste's education activities seek to explain the Government's policy regarding increases in fees and charges.
  - At Mugga Lane Landfill, the small vehicles weighbridge is opened when queues at the main weighbridge exceed the specified standard.
  - Minor changes and improvements are made to the infrastructure and maintenance undertaken to address specific concerns.
  - Staff are counselled regarding customer relations where appropriate.
  - Necessary improvements to specified service levels and procedures are noted for use in subsequent contracts.

### **Collins Park community-built bike track (Question No 717)**

**Mr Pratt** asked the Minister for Urban Services, upon notice, on 20 October 2005:

- (1) Why was a bike path demolished at Collins Park in Forrest that was constructed by several children that live in the surrounding area;
- (2) Were they given any notice as to the demolition;
- (3) Is the park in question nominated for heritage listing;
- (4) Were the children and any other users of the park offered any alternative options that would allow them to make use of a bike track;
- (5) Where is the nearest facility that can be classified as a "skate park" or "BMX park";
- (6) Is this an acceptable alternative facility given the distance that must be travelled;
- (7) How many (a) skate and (b) BMX parks are there in Canberra and where are they located;
- (8) Was a bicycle that was left behind by one of the children bulldozed over by the front-end loaders that were contracted to remove the bike track; if so, was the owner compensated and offered an official apology;
- (9) Has the Department of Urban Services demolished any other community built bike tracks; if so, where are they and what were the reasons for their destruction.

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

- (1) A routine inspection of Collins Park in Forrest found that approximately 6-8 bike jumps and holes had been constructed within the park. These holes and jumps were considered a safety hazard to the public because:

- The holes were at least 500-600mm deep with a diameter of around 1 metre and hence hazardous for pedestrians in the park, particularly walkers using the park at dusk;
  - The holes had the potential to fill up with water and harbor mosquitoes in the warmer months;
  - Some of the jumps were up to 1 metre high and also quite steep, creating potential safety issues.
  - The presence of the track had also led to degradation of the park's grass cover.
- (2) There was no notice given to the children, as it was not known who constructed the jumps and urgent action was required to make the area safe.
- (3) Yes.
- (4) The youth were not identified/sighted prior to the removal of the jumps and as such were not advised of alternative options.
- (5) The nearest park with skate equipment is in Telopea Park. The next closest multiuse facility is located in the City.
- (6) Major multipurpose skateparks are developed to serve a population of around 25,000 to 50,000 people, as is the case with district parks. The skatepark for Central Canberra is located in the City. Some users travel from all over the ACT and from interstate to use these facilities.
- (7) There are currently five multi-use skateparks within Canberra. The multi-use skate/BMX parks are located in: Belconnen, Gungahlin, Civic, Weston and Tuggeranong. There are further mini facilities at Charnwood, Holt, Dickson, Campbell, Telopea Park, Rivett, Stirling, Kambah, Fadden, Richardson and also the Glebe Park temporary facility. In addition to these parks, there are BMX Club operated tracks in Melba and Kambah.
- (8) No. The holes were filled in on the morning of 28 September 2005 using a front-end loader. The staff on site at the time reported that there was no bike buried or damaged during this operation. Following a Canberra Times article of 29 September 2005 concerning the matter, staff inspected the site and found the remains of an old bike, minus a wheel, pedals and seat partially buried in one of the old holes. These remains were removed from the site and impounded under provisions of the *Uncollected Goods Act 1996*. The remains are available for collection by the owner.
- (9) Three other tracks have been removed from park areas over the last year in Hughes, Theodore and Monash. However, the Department will allow BMX tracks to remain in place in appropriate locations if they are small and informal, do not pose a potential threat to other users of the area, do not damage vegetation and are not likely to hold water or be a potential erosion source. The abovementioned tracks were not in this category. Whilst recognising the efforts of young people to build BMX tracks, duty of care must take precedence in public areas. Unfortunately, damage often occurs to trees and unstabilised soil is subject to erosion. Deep holes constitute a potential hazard to other users of the parks, particularly those who may walk or jog through them when visibility is low.
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**Urban Services—ranger numbers  
(Question No 719)**

**Mr Pratt** asked the Minister for Urban Services, upon notice, on 20 October 2005:

- (1) Given that the Department of Urban Services annual report 2004-05 identifies that there are currently five full-time equivalent (FTE) rangers employed within the department however, in last year's annual report it was identified that there were 39.4 FTE Urban Services rangers, why has there been such a large drop in the number of FTE rangers within Urban Services;
- (2) Have these rangers been transferred to another department; if so, (a) where have they been transferred to, (b) how many were transferred and (c) why were they transferred; if not, have they been retrenched;
- (3) What effect will the drop in Urban Services rangers have on the operations that they had previously carried out;
- (4) What are the total savings that will be made for the Department of Urban Services due to this reduction in rangers.

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

- (1) Under Machinery of Government arrangements which was effected 21st December 2004 under Sections 15,16 and 119(2) of the Public Sector Management Act 1994, 31.4 FTE rangers transferred to the Chief Minister's Department. During the 2004/05 financial year, of the remaining 8 FTE, two ACT Forest Ranger positions were reclassified to GSO 5 (and hence did not appear under the "Ranger Classification" within the annual report and one Ranger position was transferred to Arts, Heritage and Environment in May 2005. The five FTE reported in the 2004/05 annual report was made up of one Forest Ranger and four Sportsground Rangers.
- (2) Refer to (1).
- (3) There is no effect on operations as the functions and the staff all transferred to Chief Minister's Department as outlined in (1) above.
- (4) Nil savings on a whole of government basis.

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**Policing—surveillance cameras  
(Question No 720)**

**Mr Pratt** asked the Minister for Police and Emergency Services, upon notice, on 20 October 2005:

- (1) How many times has the ACT Ombudsman recommended that the Australian Federal Police upgrade the video surveillance system at the city watch-house;
- (2) Why, after repeated calls to upgrade the surveillance system, has no action been taken to implement the upgrade;

- (3) Does the Government see the recommendations as unnecessary; if so, why; if not, why not;
- (4) Have any arrangements been made to upgrade the surveillance system at the city watch-house in the future; if so, what are the details of these arrangements and the expected cost.

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

- (1) The ACT Ombudsman has raised this matter for discussion approximately six times since 1997/98.
- (2) Action has been taken. ACT Policing has a limited capital works budget and has therefore been unable to fund the Closed Circuit Television (CCTV) cameras from within budget. A variety of funding proposals were put forward to finance the upgrade as part of the New Construction Proposals, Capital Works Program 2005-06. On 5 August 2005, the request for funding was considered by the Department of Justice and Community Safety Finance Committee and funds were approved from within the Justice and Community Safety Departmental Capital Upgrade Funding 2005-06 program.
- (3) No, the government does not see the recommendations as unnecessary. The ACT Ombudsman has been critical of the standard of existing CCTV coverage at the Watch House and has made recommendations for its replacement. These recommendations have been accepted by the government. The government accepts the need to upgrade the facility and has provided funding for the work to occur. The process is well underway.
- (4) Arrangements have been made to upgrade the CCTV system. ACT Policing has completed the project scope and technical specifications phase and is currently preparing a tender to go to market. ACT Policing is working towards having CCTV installed by June 2006.

The proposal involves a one-off capital allocation of \$250,000 to replace the existing asset. Depreciation has been estimated using a straight line projection at \$25,000 per annum over ten years. The ten year period represents an estimate of the useful life of the upgraded CCTV system. Recurrent cost of operation would involve annual maintenance charges, which have been estimated at \$5,000 per annum.

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### **Crime prevention—funding (Question No 721)**

**Mr Pratt** asked the Minister for Police and Emergency Services, upon notice, on 20 October 2005:

- (1) During the financial years (a) 2003-04 and (b) 2004-05 was any funding that was initially appropriated for crime prevention diverted into funding for new police officers or other areas;
- (2) If such funding was diverted away from crime prevention, how much was diverted and where has it been diverted to;

- (3) Is there a lack of funding for new police officers meaning that emergency funding must be diverted from other areas in order to provide a level of community policing that will meet the ACT's needs; if so, why;
- (4) Has any other funding been diverted from its appropriated areas for the (a) previous two financial years or (b) current year to date for policing services; if so, how much was diverted and where has it been diverted to.

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

- (1)(a) No.
- (1)(b) No funding appropriated for crime prevention was diverted into funding for new police officers. \$400,000 of the 2004-05 budget was identified, however, as part of the Department of Justice and Community Safety's efficiency dividend savings for that year.
- (2) See answer to (1)(b).
- (3) No.
- (4) No.

### **Crime—clearance rates (Question No 722)**

**Mr Pratt** asked the Minister for Police and Emergency Services, upon notice, on 20 October 2005:

- (1) Why has the clearance rates for many crimes recorded in the ACT Policing annual reports been so low over a number of years;
- (2) Is it acceptable that only around 30% of all crimes are cleared; if so, why; if not, what will the ACT Government be doing about improving these crime clearance rates;
- (3) Did all "cleared" cases result in the apprehension and conviction of an offender; if not, why not;
- (4) What verification and quality control systems exist in order to ensure that all reports of criminal activity are included into the PROMIS or other police databases.

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

- (1) There is a wide variation in the clearance rates for the various types of crime categories, and some variations over different years.

For example in 2004-2005

- Crimes against Persons recorded a resolution rate of 71.3% (the 2003-4 rate was 70.6%)
- Crimes against Property recorded a resolution rate of 13.6% (the 2003-4 rate was 15.6%)

- Drug Offences recorded a resolution rate of 97.4% (the 2003-4 rate was 90.6%)
- Offences against good order show a resolution rate of 91.0% (the 2003-4 rate was 81.1%)

Offences against the person are generally more likely to be resolved than property related offences because of the increased likelihood of offences being witnessed by third parties. Victims are often also able to identify offenders; in many instances offenders who are known to their victims commit offences involving violence.

This contrasts dramatically with property related crimes such as burglary, where the majority of offences occur away from public view and offenders go to significant lengths to avoid detection. There are often no witnesses to property offences and investigators are reliant on forensic or other evidence to identify perpetrators.

- (2) ACT Policing remains committed to working with the community to enhance its level of service and to meet community expectations.

ACT Policing is committed to continually refining and re-examining capabilities and processes to ensure that it maintain a capacity to anticipate and to deal with changes in crime trends and spikes in criminal behaviour.

Overall crime in 2004-2005 has reduced by 13.2 per cent. Significantly, crime reduction results in the past year were achieved after a reduction in crime in 2003-2004 of 7.9 per cent. ACT Policing has contributed to a consistent reduction in the level of crime every single year for the past five years.

Reductions in the total number of offences reported in 2004-2005 indicate that the strategies and measures adopted by ACT Policing have been effective. ACT Policing acknowledges the contributions that have been made by partner organisations within the community as well by a variety of governmental and non-governmental organisations within the ACT.

- (3) No. Resolution rates (clearance rates) refer to a case that has been cleared – by definition ‘offences cleared by arrest, summons, Voluntary Agreement to Attend Court (VATAC), charge before the court, diversionary conference, caution or otherwise resolved’. Convictions are dependant on a wide variety of factors not all of which fall within the control of police. It would be too resource intensive to detail the specific reasons why cases have not resulted in a formal conviction.

- (4) All ACT Policing members receive extensive training on the use of the Police Realtime Online Management Information System (PROMIS). PROMIS is the sole means used to record referrals for AFP action or investigative activity. It is also used to record information of intelligence or operational interest to the AFP, whether that information is generated within the AFP or externally. PROMIS is a secure site in which all activity is logged against the user - passwords must be changed at least every 30 days and there are strict security requirements for passwords.

When a report of criminal activity is received it is dealt with in one of two ways:

- a) The receiving member enters the appropriate details into PROMIS if it is unlikely that patrol attendance would locate any further evidence to assist an investigation.
- b) The receiving member employs the Computer Aided Dispatch (CAD) system to request a patrol to attend and investigate the report. It is then the responsibility of

the attending patrol members to ensure that all relevant information is entered into PROMIS in relation to the investigation.

All these PROMIS entries are checked by the Operation Support Sergeants to ensure that all the relevant information exists, and that no further investigation is required, prior to the case being marked as finalised. Operations Support Sergeants can utilise a number of report formats to help identify any missing data and then ensure that any data gaps are completed by the relevant members.

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**Community Advocate  
(Question No 723)**

**Mrs Burke** asked the Attorney-General, upon notice, on 20 October 2005:

What activities did the Office of the Community Advocate undertake that were consistent with the ACT Government's Indigenous Partnership Plan.

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

The government is currently developing an across-government policy framework in relation to Indigenous Affairs, and is looking to develop a draft Partnership Plan in collaboration with the ACT Aboriginal and Torres Strait Islander Community Consultative Council.

The Office of the Community Advocate (OCA) will review this plan, and, where appropriate, will ensure that the activities of the office are consistent with the principles of the plan. Additionally, in undertaking its current activities, the OCA provides best interests advocacy on behalf of adults with a disability, children and young people, an over-representative proportion of whom are Indigenous.

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**Housing—rent deduction service  
(Question No 728)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 20 October 2005:

Will the ACT Government be expanding the rent deduction service contract it maintains with Centrelink to assist in deducting rental payments for Housing ACT tenants who elect to do so; if so, how long is the standard procurement contract in place for.

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

There is no expansion planned to the rent deduction arrangements the Department of Disability, Housing and Community Services maintains with Centrelink. The current rent deduction scheme already caters to the needs of Housing ACT tenants. The contract with Centrelink is ongoing unless terminated by either party.

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**Housing—valuations  
(Question No 729)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 20 October 2005:

- (1) What is the duration of the Egan National Valuers (ACT) contract with Housing ACT for property valuations and market rent assessments that is understood to have commenced on 1 October 2003;
- (2) If it is an ongoing contract, how often is the contract reviewed.

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

- (1) The contract with Egan National Valuers (ACT) referred to above ended on 31 July 2004. It was an oversight that this detail was not included in the annual report.
- (2) It is not ongoing, see (1).

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### **Housing—marketing services (Question No 730)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 20 October 2005:

- (1) Does Housing ACT intend to re-negotiate contracts with (a) Ian McNamee and Partners, (b) Laurie Steele, (c) L.J. Hooker Tuggeranong, (d) Maloneys, (e) Raine and Horne Woden and (f) Raine and Horne Canberra City, for marketing services associated with the sale of Housing ACT properties;
- (2) If any of the contracts are not continued, will the process of selection of preferred service providers for marketing services associated with the sale of Housing ACT properties undergo a more streamlined select tender process; if not, why not.

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

- (1) No. Housing and Community Services intends to undertake a public tender for the provision of property marketing services.
- (2) The tender process will be undertaken in accordance with ACT Procurement Guidelines.

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### **Inanna—tenant support grants (Question No 731)**

**Mrs Burke** asked the Minister for Disability, Housing and Community Services, upon notice, on 20 October 2005:

- What is the purpose of tenant support grants provided to Inanna for (a) \$22 000 and (b) \$4 521.

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

The purpose of tenant support grants to Inanna was for the provision of head leasing for a number of clients. Under this arrangement Inanna provide tailored support packages and tenancy management to clients with high and complex support needs.

**Belconnen arts centre  
(Question No 733)**

**Mr Stefaniak** asked the Minister for Arts, Heritage and Indigenous Affairs, upon notice, on 15 November 2005:

- (1) Given that in the response to question on notice No 526 the Minister stated that \$43 048 was spent as at the end of 2004-05 on the Belconnen Arts Centre project, (a) why does the 2004-05 June quarter capital works progress report show that the end of year expenditure was \$3 000 and (b) what is the correct figure;
- (2) Will the \$500 000 allocated in the 2005-06 Budget cover construction of the new centre or will additional funds have to be allocated in the 2006-07 financial year for construction;
- (3) What work is still to be undertaken before all approvals can be given for the centre to be constructed;
- (4) What is the estimated total expenditure on this project.

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

- (1) a) The 2005-05 June quarter capital works progress report does not show the end of year expenditure on this project as \$3,000, rather it shows the figure as \$39,000.  
b) The earlier figure provided, \$43,048, includes GST.
- (2) As stated in the 2005-06 Budget Papers (see Budget Paper 3 page 214), the \$500,000 is for forward design. Additional funds will be required to complete construction of the Centre.
- (3) Completion of design for the Centre, allocation of funding for construction and lodgement of a development application will be required before approvals can be given for the centre to be constructed.
- (4) Estimated total expenditure will be finalised during the design process.

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**Capital works  
(Question No 734)**

**Mrs Dunne** asked the Minister for the Environment, upon notice, on 15 November 2005:

- (1) What is the current status of the capital works project, listed in the 2004-05 June quarter capital works progress report, titled Restoring and Enhancing Tidbinbilla Nature Reserve-Non Urban Study-Stage 2;
- (2) Was this project completed in October 2005 as proposed in the 2004-05 June quarter capital works progress report; if so, when was it completed and when will the study be released publicly; if not, why not and when will it be completed.

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

There are three components to this capital project. The first component is the construction of a Nature Discovery Playground at a cost of \$900,000. The playground is currently under construction and is due for completion in January 2006.

The second component provides \$100,000 towards the upgrade of the water reticulation system within the Reserve. The design for the water reticulation upgrade is being finalised and construction is due to be completed by August 2006.

The third component is the re-development of the wetlands at Tidbinbilla. This project has been amalgamated with the Nature Discovery Centre project and forms the centrepiece of the new development. The project completion date for the Nature Discovery Centre project is mid 2008.

The 'Non-Urban Study' in the project title refers to the project's relationship with the ACT Government's Non-Urban Study, commissioned after the bushfires to identify opportunities for enhancing non-urban lands in the ACT. There is no study funded with this capital project apart from standard design works.

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### **Capital works (Question No 735)**

**Mrs Dunne** asked the Minister for the Environment, upon notice, on 15 November 2005:

- (1) Why has none of the \$150 000 allocated to *Building Energy Efficiency Upgrade Program Stage 1* in the 2004-05 capital works program been expended at the end of the 2004-05 financial year;
- (2) What was the project designed to achieve;
- (3) Is the project still on target to be completed by the end of November 2005;
- (4) Have the funds for this project been rolled over to the 2005-06 financial year or has the project been cancelled.

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

- (1) The terms of the contract did not require payment until the delivery of reports. As there were several audits being undertaken at once, the final reports were not completed until after the 2004-05 financial year.
- (2) This program provides energy efficiency audits for ACT Government buildings. The Audits identify the most effective energy efficiency improvements for these buildings including detailed strategies and practices that will significantly reduce the amount of energy consumed by Government operations in the buildings audited.

Relevant agencies are responsible for implementing the recommendations of the audits. The aim is to reduce greenhouse gas emissions and save the Government money on power bills.

- (3) All draft audit reports have been received and should be reviewed by the end of November. A summary and evaluation of the project will follow.

- (4) The funds have been rolled over to the 2005-06 budget.
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**Development—Quamby site  
(Question No 786)**

**Mr Stefaniak** asked the Minister for Children, Youth and Family Support, upon notice, on 17 November 2005:

- (1) What plans are set in place for the future use of the site currently occupied by the Quamby Youth Detention Centre after the new centre is opened at Mitchell, ACT;
- (2) If plans have been established, are they available for public scrutiny and comment.

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

- (1)/(2) When an ACT Government agency ceases to have further use for a property, it is returned/transferred to Property ACT, a unit of the Department of Urban Services, which is responsible for determining the further use of that property.
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