



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**SIXTH ASSEMBLY**

**14 FEBRUARY 2008**

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**Thursday, 14 February 2008**

**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.

## **Petitions**

*The following petitions were lodged for presentation:*

### **Tharwa bridge**

*By Mr Pratt, from 40 residents:*

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

1. This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that the community of Tharwa are suffering financial and emotional effects as a result of the Stanhope government's failure to:
  - a) provide immediate, safe access across the Murrumbidgee River;
  - b) expedite the refurbishment of the existing Tharwa Bridge;
2. Your petitioners therefore request that the Assembly act to ensure that the Stanhope government give assurances to the community of Tharwa that:
  - a) they move immediately to restore the existing bridge structure at Tharwa to at least light traffic capability.

### **Tharwa bridge**

*By Mr Pratt, from 167 residents:*

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that the public safety and security of residents of Tharwa has unduly been put at risk by the closure of the Tharwa Bridge.

Your petitioners therefore request that the Assembly act to ensure that a formal request is made immediately to the Commonwealth government for assistance in the installation of a temporary low level crossing at Tharwa.

### **ACTION bus service—security**

*By Mr Pratt, from 42 residents:*

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that the safety and security of patrons and staff at Bus Interchanges and on ACTION buses is a serious issue.

Your petitioners therefore request that the Assembly act to ensure that adequate safety and security measures are put in place at the City, Woden, Tuggeranong and Belconnen Bus Interchanges, and all ACTION buses as a matter of urgency.

*The Clerk having announced that the terms of the petitions would be recorded in Hansard and a copy of each referred to the appropriate minister, the petitions were received.*

## **Standing orders—suspension**

Motion (by **Mr Stanhope**) agreed to, with the concurrence of an absolute majority:

That so much of the standing orders be suspended as would prevent notice No 3, Executive business relating to the reaffirmation of the Assembly's apology to Indigenous Australians, being called on forthwith.

## **Apology to Indigenous Australians**

**MR STANHOPE** (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts) (10.32): I move:

That this Assembly:

- (1) reaffirms its apology made in this place on 17 June 1997 to the Ngunnawal people and other Aboriginal and Torres Strait Islander people in the ACT for the hurt and distress inflicted upon any people as a result of the separation of Aboriginal and Torres Strait Islander children from their families;
- (2) once again assures the Aboriginal and Torres Strait Islander peoples of this Territory that the Assembly regards the past practices of forced separation as abhorrent and expresses our sincere determination that they will not happen in the ACT;
- (3) reaffirms its commitment to a just and proper outcome for the grievances of Aboriginal and Torres Strait Islander people adversely affected by those policies;
- (4) further, notes the historical significance of the Rudd Labor Government which yesterday moved a formal apology in the Parliament of Australia which marks the beginning of true reconciliation with the Indigenous population of Australia, and a significant point in the process of healing for those Aboriginal and Torres Strait Islander peoples who were victims of those policies; and
- (5) commends the Prime Minister for his leadership on this matter.

On a normal weekday at 8.00 am, the pedestrian pathway on Commonwealth Avenue Bridge is a busy strip of concrete and most of the traffic is heading north. Cyclists, walkers, joggers and people in their cars head to Civic, to their showers, desks, phones and emails. Yesterday, at about 8.00 am, something happened on that familiar bridge spanning our beautiful lake in this most beautiful and liveable of cities: the traffic flow reversed; the laws of physics were suspended.

It was a weekday but Canberrans were heading out of the city, away from their desks, shops and mobile phones. They were on their way to their national parliament, on foot, on their bikes and in their cars. They were on their way to be a part of history. They were on their way to play their small part, their roles, in a moment of national healing. They were on their way to hear one word said. They heard it said not once but again and again, for there was more than one wrong to be made right, more than one hurt to be healed, more than one need to say sorry.

I believe that those Canberrans who gathered in Federation Mall did not just come to hear the word said but to hear it said in their name, on their behalf and from their hearts. So, too, it is appropriate that today in this place we reaffirm the apology to the stolen generations first offered more than a decade ago by the then government of Mrs Carnell. In solidarity with those from all sides of politics who yesterday asked for forgiveness of all families and communities wrenched apart by the policies of the past, today we stand by their shoulder and reaffirm that we, too, are sorry—still sorry.

There are images and thoughts that best belong in nightmares, not daylight. One of those for any parent is the prospect of losing a child. One of these for a child is the loss of a parent. It is a dreadful and mordant irony that our dominant white culture, which preaches so feelingly about the supremacy, even the sanctity, of the family as the social unit of most meaning and most value, could not see, during those long decades in which removal occurred, the contradiction in its actions as it set about the deliberate, purposeful destruction of family after family.

You have to think—you almost want to believe—that there was some mass social disconnect at work here, something in the water. You want to believe that those who wrote and implemented those policies of removal must have believed in their hearts that Indigenous parents did not love their children with the same passion as white parents. They must have believed that the love of a black parent was less enduring, that the grief of separation would be less intense and less lasting. For how else could they—how could we—have perpetrated upon these particular Australian families something that, if perpetrated upon our own families, those of our neighbours or our workmates, would have sickened us to our souls?

Let us be clear about the magnitude of these policies. Between 1910 and 1970, somewhere between one in three and one in 10 Indigenous children were taken from their families and communities. From Cape Barren Island in the south to the Torres Strait and the Kimberleys in the north, they were taken. Especially vulnerable were those with paler skins, including children with one white and one black parent. Some of those taken would go on to have their own children taken away from them in their turn—an intergenerational horror, the corrosive effects of which are dreadful to contemplate even in nightmares.

There are still some, perhaps many, among us who protest that it is not our place to apologise for things that occurred in the past. To argue this is to insist that an object dropped into an ocean will sink without displacing water, without setting in motion the expanding ripples of consequences that, at their worst, can sink an ocean liner—ripples that will persist long after the object has settled onto the seabed. The ripples, the legacies, of the social policies of our shared past are still disturbing the smooth surface of Australian life. Thirty years after the last child was removed, Indigenous Australians can still expect a lifespan cut short by almost two decades. Thirty years after removal of children by our governments, our churches and our charities officially ceased, many Indigenous Australians remain displaced, sore of soul and dispirited. Others remain angry.

Yesterday's apology will not dissipate all that anger or heal all those spirits, but it will start a process. I do believe that, in time, the issue of compensation will need to be debated. I do not say that compensation is necessary; I say that conversation is necessary, for we are here talking about reparation. International legal principles established over the long decades since humanity first recognised the need for such global standards insists that apology, acknowledgement linked to apology, is the first step. Beyond apology, those affected will require a guarantee that the past will not be repeated. Beyond that is restitution, the return of what was taken, which here in Australia imperfectly and grudgingly has begun in the form of native title. Step 4 is rehabilitation. Here, too, we are acting haphazardly, haltingly, progressing by trial and error, with small successes and a frustrating lack of speed. The fifth step is compensation. We need to have the discussion.

It was a Canberra historian, Peter Read, who first introduced into our vocabulary the phrase "stolen generations". It was also here in Canberra 13 years ago that the then federal Attorney-General, Mr Michael Lavarch, asked the Human Rights and Equal Opportunity Commission to conduct the inquiry that resulted in a report titled *Bringing them home*. Not a single Indigenous Australian who gave evidence to that inquiry indicated that they wanted or expected non-Indigenous Australians to feel guilt for what had occurred. Most of all, they wanted the truth to be known and they wanted their experiences to be acknowledged as the truth.

I am convinced that, before the publication of the *Bringing them home* report, most non-Indigenous Australians were probably relatively oblivious to the policies of removal that had been quietly eroding the ancient cultures and communities of their fellow Australians for most of the 20th century. Sadly, I can say with some certitude that, more than a decade after an apology was offered in this chamber, some oblivion persists.

Perhaps, as the head of our education department, Dr Michele Bruniges, alluded to on radio yesterday, our school curriculum will remedy that for the next generation at least, and perhaps our children will teach us. This is not the teaching of black armband history nor white blindfold history, but the shades of grey that, in the end, constitute an approximation of what happened, how it can be remembered and how it can be retold. But today is not a day for greys; today we say sorry to those members of our ACT community whose lives have directly or indirectly been affected by policies of removal based on skin colour and parentage. In the spirit of reconciliation, we again say sorry and pray for forgiveness.

Mr Speaker, I ask the members present here to support this motion of reaffirmation in the spirit in which the original apology was tendered in this place more than a decade ago.

**MR SESELJA** (Molonglo—Leader of the Opposition) (10.42): I am pleased to have the opportunity to speak in favour of this motion. Yesterday was indeed a historical moment—a moment well overdue but, more importantly, an opportunity to start afresh, a time to rebuild lives and an opening for true reconciliation.

I have followed this debate for many years, first as a law student, then as a father and husband and now as a member of parliament. I have listened to all the arguments and made judgements about what I believe to be true. But while I have weighed up the legal, social and financial ramifications of making an apology to the stolen generation, one point continued to resonate louder than any other—that this is the right thing to do. It is the human thing to do. When we see people hurt, our natural response is to tell them we are sorry.

The *Bringing them home* report makes for shocking reading. It shocked our collective consciousness as a nation. As a territory, we took an important first step with an apology led by the then Liberal leader and Chief Minister, Kate Carnell, in 1997. There is no doubt that there has been dispute over why and how such things were ever able to happen. Today is not the day to dwell on this but simply to acknowledge that great injustices have occurred, that many children were taken from their families and that many of these were taken simply because of their race. That was wrong. Those actions caused profound sorrow, distress and anguish for those involved. To them, we say sorry. To their parents, we say sorry. To their communities, we say sorry.

As a parent, it is impossible for me to imagine the anguish of parents who had their children forcibly removed from them. As a son, it is impossible for me to imagine the trauma of a child taken from their parents. As a human being, it is not difficult for me to see how these experiences would leave an indelible mark on those subjected to it. The word “sorry” does not seem too much in these circumstances; in fact, it seems the least that can be done.

There are those in the community who would say: “Why should this generation take responsibility for the wrongful acts of the past? It’s not my fault.” While it is true that individuals of this generation are not personally responsible, it is also true that we in this generation enjoy the benefits of what was put in place by previous generations. It is therefore reasonable for our generation to choose also to take ownership of the bad things in our past. It is time for us to take responsibility.

It is worth highlighting a couple of statements which encapsulate the pain of separation which past policies and practices have caused. Confidential evidence 139 reads as follows:

When I first met my mother—when I was 14—she wasn’t what they said she was. They made her sound like she was stupid, you know, they made her sound so bad. And when I saw her she was so beautiful. Mum said, “My baby’s been crying” and she walked into the room and she stood there and I walked into my—I walked into my mother and we hugged and this hot, hot rush from the tip

of my toes up to my head filled every part of my body—so hot. That was my first feeling of love and it only could come from my mum. I was so happy and that was the last time I got to see her. When my mum passed away, I went to her funeral, which is stupid because I'm allowed to go see her at her funeral but I couldn't have that when she requested me. They wouldn't let me have her.

She was removed in 1967, and the witness's mother died two years after their first and only meeting. The following quote was read in the national parliament yesterday; it spoke to me and I think it is worth repeating. It is a quote from Faye, who was taken when she was eight:

It was very hurtful to leave Dad. Oh it broke my heart. Dad said to me, "It's hard for daddy and the authorities won't let you stay with me in a tent on the riverbank. You're a little girl and you need someone to look after you." I remember him telling us that, and I cried. I said, "No, but Dad, you look after us" ... But they kept telling us it wasn't the right thing.

As the father of an eight-year-old son, reading this breaks my heart. These are only two examples of a heart wrenching saga and, dare I say, a blight on our national historical landscape. That is why the right thing to do now as a nation is indeed to say sorry to the stolen generation. This is the Australian thing to do.

It was right for the Assembly to say sorry in 1997. It was right that our national parliament said sorry yesterday. It is right that we as an Assembly now reaffirm our apology. While we as a nation have much to be proud of, it is right that we acknowledge parts of our past which were wrong. The policy of removal of Aboriginal children was part of a broader attitude of racism reflected in the White Australia policy, and all that it entailed. We should not forget that it was only in the 1960s that Indigenous Australians were given the same legal rights as non-Indigenous Australians. They were finally recognised as Australians.

We cannot run away from that. We should, however, acknowledge that we have grown as a nation. We are no longer the nation of White Australia. We have learned, and we must continue to learn, from our mistakes. We must move forward. An apology is part of that process. Offering an apology also reflects how far we have come as a nation. There is more to this apology than simply saying sorry.

I do share the views of Noel Pearson, when he argues that, while saying sorry is crucially important for those of the stolen generation, it is imperative that we see substantive and practical outcomes delivered for, and by, Indigenous Australians. Saying sorry, by itself, will not address the scourge of substance abuse in Indigenous communities; nor will it rectify the poor health outcomes of many Indigenous Australians; nor will it provide meaningful employment for Indigenous fathers to enable them to provide for their families.

As community leaders, we need—in fact, we must—see this apology as an initial step, and a mechanism to allow us jointly to move positively forward and to work together with our Indigenous people and, once and for all, to leave the past behind. Saying sorry must translate into meaningful action and a series of substantive outcomes to address Indigenous disadvantage. If this does not occur, saying sorry will become a piece of political theatre with no real, substantive foundation.

There is also one very important element to saying sorry. Apologising for past wrongs acknowledges unconditionally that white Australia has meted out a great injustice to our Indigenous people, particularly those of the stolen generation. I cannot for one moment imagine what it must feel like to be taken from your family at a young age; nor can I imagine the anguish of a parent having their children taken away from them. In offering an apology, we also ask Indigenous Australians for forgiveness. As Noel Pearson says:

Too many will be condemned to harbour a sense of injustice for the rest of their lives. Far from moving on, these people—whose lives have been much consumed by this issue—will die with a sense of unresolved justice.

I pray that this will no longer be the case for many. May yesterday's apology, and today's reaffirmation, allow members of the stolen generation to be freed and to move on. Whether to forgive or not is a matter for Indigenous people corporately and individually. It is not something which can be demanded. We cannot say to the person removed from their parents at the age of three that they must forgive. However, where forgiveness is freely granted, it will allow true reconciliation to occur.

It is my heartfelt wish to see our Indigenous people truly free of the burden of the past. That is why saying sorry is the right thing to do. I long to see the children on the streets of Alice Springs in school and their fathers in meaningful employment. I long to see organisations like Mount Theo, in the outback of Alice Springs, and FORWARD in Darwin fully funded and powering on in their groundbreaking work for Indigenous people. I long to see the drug and alcohol rehabilitation services of Goori House in Cleveland, Brisbane continue to achieve their 60 per cent outcomes in drug and alcohol treatment for Indigenous men. I want to see the lot of our local Indigenous community in the ACT continue to improve. But while I am no doubt an optimist, I am also a realist. I know all too well that more needs to be done and we must, as elected representatives, take today's apology and turn it into substantive outcomes for our Indigenous people.

In conclusion, this is a momentous occasion. We must, however, now build on it. It is true that for all members of the human family there is no substitute for home and family. We removed both home and family from those of the stolen generation. It is therefore timely, following yesterday's national apology, that we reaffirm our apology as an Assembly and as a community. I will finish with these simple words: on behalf of the Liberal Party in Canberra, I say sorry. I ask for forgiveness and I pray for healing and true reconciliation for our nation.

**MR PRATT** (Brindabella) (10.51): Mr Speaker, I seek the House's indulgence to speak now because I have to attend an urgent medical appointment. I rise today to add my voice to those here today in offering a reaffirmed apology to the Ngunnawal people and, indeed, Aboriginal and Torres Strait Islanders of Australia. I acknowledge that Indigenous Australians have been subject to distress and pain over previous generations and that this must not occur again. I also stand here today to support the Prime Minister's apology and "sorry" statement in its entirety.

Yesterday's apology was a momentous occasion. It was symbolic and, even more importantly, deeply spiritual. While some commentators will and have said in recent

weeks that you cannot separate the symbolic or, as I would call it, the spiritual from the practical, I disagree. Yes, there is a plethora of practical matters that go to the heart of good governance regarding how we as a nation look after our Indigenous people and there are urgent debates that I feel strongly about, but these are matters for another day. These debates about the practicalities should not be allowed to confuse or qualify the very important occasion this week—this momentous occasion when it has been necessary to say sorry to the stolen generations in particular, and to Aboriginal society in general, for some things that happened in our history. Yesterday's occasion was an important circuit breaker in how this country moves forward in addressing some very important issues.

I am sorry that various commonwealth, state and territorial authorities decided that it was good policy to separate Indigenous children from their mothers and fathers—and in most cases their siblings too—and their communities, to have them raised in white society. The attitude was that this was the way to do things. I am sorry that, through this part of our history, such officials sought to exercise some form of so-called assimilation, which seemed to have been aimed, at least in the minds of these officials, at transporting Aboriginal society into a white Western society, to the exclusion of an ancient society that had clearly stood the test of time over at least 40,000 to 50,000 years.

I was pleased to see the federal Leader of the Opposition stand in concert with the Prime Minister yesterday, in a bipartisan fashion, to deliver the “sorry” statements. While his statement was controversial in some respects—and there has been some debate about that—it was at least an important start by the Liberal Party of Australia in moving to the next phase which must follow this most important “sorry” message occasion.

I remind you, Mr Speaker, that the ACT opposition were firmly of the view that an apology had to be made to the stolen generations and stated their intention clearly in this place in 1997. The *Bringing them home* report at that time was a sobering reminder of generations of pain and suffering.

I look forward to participating in the territory and, indeed, national debate about where we as parliaments, governments and oppositions should go in ensuring the very urgent and practical initiatives that must start to happen in order to reverse the decades of neglect of this country's Aboriginal management.

I am a great fan of Noel Pearson. I vigorously support his views on what needs to be done to arrest the ongoing deterioration of Aboriginal communities right across the country. He is right when he says that saying sorry will not be enough; nevertheless, the “sorry” statements made in the last 48 hours have been very important.

In conclusion, I repeat: I say sorry on behalf of my society to the Aboriginal communities for what has happened at times in our Australian history.

**MR HARGREAVES** (Brindabella—Minister for Territory and Municipal Services, Minister for Housing, Minister for Multicultural Affairs) (10.56): I rise to support the Chief Minister's motion. It is timely that we reaffirm what we said as a community in 1997, and I applaud the Chief Minister at the time for bringing that motion forward. I

would also like to share the joy that I felt when the Prime Minister led the country in expressing, I think quite eloquently, the way we all felt yesterday.

A member of the federal parliament was quoted in the paper this morning as saying, “In the morning nothing will change.” I think that member was very, very wrong. Many things changed in this country this morning because of the way in which the Prime Minister said, simply, sorry to all of those people who had had such evil perpetrated upon them for all those years.

I do not subscribe to the notion that children may have been better off. I do not subscribe to the theory that the policy was for the benefit of Aboriginal children. This policy was a pogrom. This was a policy designed to eliminate the Indigenous peoples of Australia; this was a policy to eliminate the longest continuous culture in the history of mankind; and this was a policy to finally conquer this land.

Even if my understanding or my appreciation of it is not acknowledged by others, I think we all need to acknowledge the mother’s pain in the wrenching of her children from her breast. The arrival of police to kidnap children never to be seen again is a horror only to be imagined. It is a national tragedy and a national shame. History is written by people who would rather have a rosy visage about it, but there is nothing.

I can recall marching with many people expressing concern—personal concern. I can remember talking to people who were the stolen generation people. Mr Speaker, I have had this feeling in my heart for quite a long time, but I did not have a picture in my mind’s eye when I closed my eyes. I will tell you the picture that I had the day before yesterday, Mr Speaker. I had a picture of three young girls going home—from the film *Rabbit Proof Fence*. For me, that film put reality around the feelings that I had. I can now close my eyes and see it. And I have other images now, and the images are of yesterday. This is a magnificent piece of history and I am very glad to be part of it.

I want to clarify what is in my view the reason why we needed to make an apology and why our political leaders needed to say, “I’m sorry.” We all know that Indigenous people—along with people from Africa, north Africa, Europe, America and all the other continents—have a notion of family. Consider, if you will, the notion of family guilt and family responsibility. What happens quite frequently around the world—it happens here in Australia and it happens particularly in Indigenous communities—is that, once an evil is perpetrated on a member of that community, the family of the perpetrator bear the responsibility as much as the actual perpetrator does until such time as atonement is made. Atonement can be made in a number of ways. It can be by the family dealing with the perpetrator. But if no atonement is made, the responsibility for that evil is carried onward for generation after generation after generation.

People can say, “Well, I was not there. It had nothing to do with me. I wasn’t born then. Why should I apologise?” The reason why one should is that the family bears the responsibility and it is a family responsibility for that atonement. The Prime Minister apologised to the Indigenous community on behalf of the family of Australians and now, I hope, has gone a long way to reuniting us all—or at least uniting us all, because we were not united before: uniting us all as a family. The Prime Minister has now started the process—really started the process—of atonement.

We saw gestures of reconciliation with the return of sacred lands to people; we have seen the way in which we have had conversation with the Indigenous community. But we have not atoned for all of the atrocities from 1788 onwards, the most heinous of which was the removal of children from their parents. That, I can only imagine, would be worse than death itself for those parents. Now we are at a position where we can say, "I am sorry for that."

The role of political leaders is the same as that of family elders. In our Indigenous communities, the elders' voice speaks on behalf of their clan or their tribe. We are elected representatives. We are the elders of the family that constitutes the ACT—we here. The federal parliament is the elders of the family of Australians generally. It is up to the elders to atone for the atrocities of previous generations. That is why I applaud the Prime Minister, I applaud the Chief Minister and I applaud the former Chief Minister for doing this.

I would also like to applaud the Leader of the Opposition, Mr Seselja, for a comment which I think has needed some underscoring. He said, "We ask the Indigenous peoples for forgiveness." We can say "I am sorry" for ever, but we have to humbly seek their forgiveness. We should not expect it; we will not get it if we expect it. If we humbly seek their forgiveness, the expression "I am sorry for these wrongs of the family" will have meaning for these Indigenous people—and it will have meaning for us. Whilst our pain does not come within a skerrick of the pain felt by Indigenous peoples, the feeling of guilt weighs very heavily on a lot of people's hearts. I believe that the humble and genuine request for forgiveness will go a long way to alleviate that guilt. But we have to atone for these evils.

I am particularly pleased to support this motion. I think it is wonderful that we will have such a multipartisan approach.

**DR FOSKEY** (Molonglo) (11.05): Let me, too, start by repeating the word which finally made it onto the political agenda yesterday but which, sadly, has not made it into this revised version of the motion. I refer to the word "sorry". Sorry, sorry.

Yesterday a whole nation said sorry. Yes, the word was uttered even on behalf of those who fed on Howard's politics of resentment and who, in righteous anger, apparently blitzed the shock jocks on talkback radio yesterday. Like the vandals who painted racist comments on Gugan Gulwan youth centre a few weeks ago, such people are already sounding simply ungracious and emotionally dwarfed, unable to make the leap that will be just as good for their healing as for the Indigenous people of this country.

Under the politics of resentment, the idea prevailed that if someone was given something—even if it was just empathy expressed in a word—there was going to be less for someone else—even if that was just empathy. But yesterday, as we saw, the dominant discourses changed, leaving behind the Pauline Hansonites who believe that they suffer when compassion and empathy towards original Australians is expressed. Brendan Nelson realises this; even Mal Brough acknowledges it.

The journey of healing for the stolen generation of Aboriginal people has begun. Those of us who sat on Parliament House's lawns yesterday realised that this is a journey that we are all on to our mutual benefit.

Let me consider some of those benefits today. A couple of years ago I was given the privilege of looking at the Barmah forests with Monica Morgan of the Yorta Yorta people and hearing the stories of how people lived richly on and by the river that we know as the Murray but that was called variously by the peoples who lived along it the Mobilong, the Millewa, the Murrundi or, as the Yorta Yorta themselves call it, the Dhungalla. Of course, I could not see it through Yorta Yorta eyes, but this was enough to give me a sense of how people can live sustainably in their environment for tens of thousands of years.

Because I have lived for many years near landscapes whose theft from Aboriginal owners was more recent, I have had the privilege of walking over lands marked by few settler steps. I know what it is like to look towards Mount Kosciuszko and see nothing but mountains and valleys in between, all forested. This land is not kind to people who like straight bitumen roads or a morning cafe latte—even Radio National and good TV reception. But judging by the axe heads and other tools to be found in those parts, it was home to many people over a long, long time.

Yet the story told by the second generation of white settlers in our valley was that there were not ever any Aboriginal groups living there. It was sorry country, they said, though I am sure they did not use those words. The old-timers said that this was country where, if Aboriginal people were there, it was because they had been banished from their groups—sent there as punishment: a kind of solitary confinement, which is surely the harshest punishment available apart from death.

The people who told these stories did not feel at all sorry—not by a long shot. One Sunday I, with my children, attended the 100-year anniversary of the establishment of the first school in the area. The families built it with their own hands, of course, and then they attracted a teacher. That is really commendable; that is the pioneering spirit of which we are so proud. But what were that school, those cleared lands and those roads built on the backs of? It was chilling to hear the old tales of conquering the wild land and getting rid of the stubborn savages, told as a white pioneering history.

Howard told a similar story in a more sophisticated way. He left out the nasties, but I never caught an iota of self-doubt in his judgements—this unempathic man in his comfortable mansion on the most expensive real estate in Australia looking over the bays of Sydney, bays which once teemed with fish and birds. And on the land, there were plants in myriad forms and animals plentiful enough that they could be caught with tools of wood and stone. Beautiful forests, streams and seascapes. As an Aboriginal friend said to me, “Where you see beauty, I see food.”

Today, due to the goodwill and empathy of Kevin Rudd and his government, we as a nation have the collective opportunity of saying sorry. I considered amending the motion to explicitly incorporate that word, but realised it would be churlish to do so. But if we are sorry, we should say so.

In the literal sense of the word, we are sorry for the earlier practice of taking children away from their families. This racist policy—potentially, and perhaps deliberately, genocidal—was excused by Howard and his ilk as “carried out with the best of intentions”. Few of these removals—or thefts, as Sir Ronald Wilson—called them,

could be justified as objectively proven child protection. The evidence from the stories is that only some of those children had good and fulfilling childhoods; others were slaves, doing domestic and other work in the homes of others and in the institutions which were supposedly caring for them. Beatings, rapes, fractured families and that loneliness and the amputation of separation were felt as an aching in the belly which never goes away, even for those who were lucky enough to locate their mothers before their mothers died—or the children, brothers, sisters, any remnant of precious family.

While “sorry” will not cure the broken hearts and the dislocation, it is a recognition that there is material reason for that pain—shifting it from the personal to the social and political, where it belongs. “Sorry” is bigger than that, though. When I say sorry, I think of the way that Aboriginal people have been ripped away not only from their families but also from their country—the country that we have been shown over and over again in the paintings that our art market prices so highly, country that can be traced on Aboriginal skins. Our forebears moved these people out of their country; our contemporary politicians and bureaucrats move them out again—from Redfern, for instance—right now. They are moved from the town camps to the outstations and back again.

While we set up a system for land rights, it is of little use to most Aboriginal communities. Even before it was drenched by the bucketloads of extinguishment of Wik, the politicians and lawyers made it necessary for peoples whose boundaries were fluid to claim exclusive ownership over their neighbours and co-tenants while proving a material connection of continuous habitation.

Thus the Yorta Yorta, whose land management principles could save the dying Barmah forests, were denied entitlement to their lands. To this point, the contribution that they and other Aboriginal peoples of the Murray-Darling Basin could make to the sustainable management of the rivers, wetlands and woodlands of the ailing basin has been rejected. Saying sorry has to mean sorry for stuffing up your country, for damaging it without asking for permission.

I believe that we must say sorry to Aboriginal people and rethink the intervention which treats Northern Territory Aboriginal people as second-class citizens. Just this week, many found that their vouchers—a system set up with the best of intentions to quarantine part of Centrelink allowances for food—could not be spent in Canberra’s Woolworths. They did not have any money, because they are not allowed to have it. What is this but a restriction on travel, a kind of mandatory detention?

There is a lot of work to do. Rudd’s government must now talk with Aboriginal people about the best ways to go forward together. We have lost ATSIC. What should replace it? Along with my Senate colleague Bob Brown and the Chief Minister, I believe that compensation is essential and that money should be set aside while its method of delivery is considered. Health, education, housing and employment—there is a lot to do and now we can get on with it.

I am proud to be part of a parliament that said sorry a decade ago. I am especially proud that Greens MLAs Lucy Horodny and Kerrie Tucker were the original instigators of the apology. They worked with Marian Reilly of the ALP to persuade an

initially reluctant Liberal government to move it. But Mrs Carnell did do it. As Chief Minister, it was right that she did, on behalf of ACT residents—as it is right that Mr Rudd should, and did, on behalf of all Australians.

**MS MacDONALD** (Brindabella) (11.14): In addressing this motion, I cannot help but draw on my own experience of life, as others have done here today. Next Tuesday is a significant day for my family: my mother turns 70. In spite of the difficult relationship with my mother, I cannot imagine what my life would be—where I would be—without my mother. I also cannot imagine growing up having been ripped away from the love of my brother and my late father—and my nana, my oma, my uncles and aunts, my cousins.

For the policy of separation of previous governments, for the ongoing pain that has been caused, I am deeply sorry. The policies were wrong, whether they were done with best intentions or whether they were done to try to deal with—and I quote—“the problem of the Aboriginal population”. For those who claim that the separations occurred because of good intentions and to improve the living conditions of the children, I would say that you cannot improve a child’s life by ripping them away from all of their history, all of their culture and all of their family. I would even suggest that the policy borders on genocide.

I am sorry to say that this country, from time to time, has a racist vein that runs through it. I remember many years ago, when my father was still alive, we were visiting my uncle and aunt in Gulargambone in western New South Wales. My father and uncle went to the local pub and my father could not get served because he was standing in the Aboriginals bar. He was told that if he wanted to be served he would have to move into the white persons bar.

I hope and pray that the Prime Minister’s apology yesterday is the beginning of the healing process and that the first people of our country can accept this apology in the spirit that it is meant. We have a long path to walk, but I now have hope that the Australian people, Indigenous and non-Indigenous alike, can walk it together in peace and healing.

**MRS DUNNE** (Ginninderra) (11.17): I am pleased to join with the Chief Minister and my colleagues in support of this motion today. Wednesday, 13 February was a historic day when, on behalf of all Australians, the Prime Minister said sorry—when the Prime Minister apologised to Aboriginal and Torres Strait Islander people for the policies of separation and assimilation, policies which brought the terrible notion of the stolen generation into our lexicon.

There was another historic day, Mr Speaker, and that was 17 June 1997, when this Assembly became the first jurisdiction to apologise in response to the *Bringing them home* report, a report which had been published only two months before. I am proud to be a successor of those Liberal politicians and the Liberal Chief Minister who brought forward that motion—at a time when there was much less appreciation in the community of the need for that apology than there is today.

The clear message that came from yesterday’s outpouring of emotion is the impact that these policies—this policy of bringing about stolen generations—had on families:

on mothers and fathers, sons and daughters, sisters and brothers, grandmothers and grandfathers, aunts, uncles and cousins.

When I came into this place, I said this in my maiden speech:

... most people know ... that I am the mother of five splendid children who are the centrepiece of my life. I come into this place with an abiding belief in the primacy of the family in our society, and the pressing need to elevate the idea of family, to make it a prism through which policy can be viewed and evaluated.

I went on to say:

As long as I am here, I will work to ensure that the family is at the centre, not the periphery, of the political process.

The message that came home to me over the years, through the discussion about whether or not there should be an apology, is that there needs to be an apology because of the impact that these policies—however well intentioned they may have been or however well intentioned people may have thought them to be at the time—have had: an enormous and terrible impact upon Indigenous families in Australia.

I am certain that much of what has happened to Indigenous people—as the Chief Minister has said, the fact is that Indigenous people still have a life expectancy 20 years less than their white counterparts and Indigenous families still struggle with low employment, low educational outcomes, substance abuse and bad health—is in many ways a direct result of the impact of these policies and the breakdown of families that has been brought about by these policies of assimilation and separation.

I am proud and humbled to be part of the Assembly, an organisation which so early in the process took the step of apology. I am pleased—to again use the words of the Chief Minister today—in the spirit of that original apology, to restate that apology here today. To Indigenous people in my community, in Canberra and across Australia. I apologise for the impact that this has had on their families; I am sorry for the impact that this has had on their families. To reflect the words of the Leader of the Opposition, I seek the forgiveness of the Indigenous community so that we together will be able to bring about true reconciliation and a true improvement in the life and the lot of our Indigenous brothers.

**MR MULCAHY** (Molonglo) (11.22): I welcome the opportunity to speak in support of this motion. This is an issue that has caused a great deal of angst amongst the general community and in relation to which we have seen some serious tensions.

Like Dr Foskey, when we received the proposed wording yesterday I was a little surprised that the word “sorry” did not appear. I would have liked to see a resolution that was more collectively inclusive and a resistance to the temptation to identify one side of the politics at the end of the resolution. As Mr Pratt said earlier, whatever resistance there might have been, the Leader of the Opposition spoke yesterday, the leader of the Greens spoke and the Democrats spoke. In the spirit of the occasion, we ought to be doing our best not to turn this into a passing affair in any way; from the sentiments that I have heard today, I am sure that this Assembly will resist that as much as possible.

It is times like these when we see the importance of symbolic gestures and the controversy they can cause. It is perhaps one of the great ironies of working in this legislature that some of the most controversial motions do not involve substantive changes to law or government policy at all, while some of the most sweeping legal changes go relatively unnoticed. It is my sincere hope that this week's apologies to the stolen generation can allow us to put some of the sorrow and anger to rest and look forward to the substance of problems that still afflict a great many Aboriginal people being addressed.

Members of the stolen generation were removed from their families by agencies of the governments of Australia and by church missions under various acts of parliament which made these Aboriginal children wards of the state. This practice began in the late 19th century. In 1886 the Victorian parliament enacted an amendment to the Aborigines Protection Act which allowed the removal of half-caste children from Aboriginal reserves. This amendment became known as the half-caste act.

Whilst questions about the reason for their removal remain controversial, it is certainly clear that many of these children suffered great emotional trauma as a result of their removal from their parents. This is hardly surprising; indeed, it would be more of a shock if being removed from their parents had not produced significant anguish. In recent days we have heard numerous stories broadcast in the media citing examples of people's recall of some of these terrible experiences.

It is clear from the historical record that Aboriginal children forcibly removed from their parents were removed under the authority of child protection laws emanating from the various Australian parliaments. Decisions to remove children were made by government officials acting within laws set by those parliaments, and it was the members of those parliaments which empowered the governments of the time to act in this manner. It is therefore ultimately the responsibility of parliament to ensure that it holds the executive government in check and to ensure that the actions of government officials do not destroy the lives of those that they purport to protect.

Instances of forcible removal of children show us the dangers inherent in government power and attempts to use force against a person "for their own good". Such instances of forcible removal and the trauma that has followed from them should give us pause at the awesome power wielded by governments and the harm they cause with their interventions into people's lives.

This debate on the stolen generation has given rise to important discussions on the topic of so-called intergenerational responsibility. The Prime Minister touched briefly on this topic in his speech yesterday, but I would like to make a little more mention of it today because I think it is important to know exactly who is responsible for what and who is apologising.

It is legitimate for members of Australian parliaments to apologise on behalf of the parliament itself as a continuing political entity. But in apologising on behalf of the parliament, there should be no suggestion that current generations of Australians are responsible in any way for wrongs committed by others in the past, whether those others had the same race or occupation as people today or not. People who attempt to

confuse this debate are doing a disservice to the sentiments that stand behind the very important decision that has been taken nationally and that will be taken today in this legislature. In endorsing these apologies on behalf of the legislature, it is very important that we not allow people to confuse this with some issue of guilt in relation to current generations of Australians.

It is important that we look to the future as well as dwelling on the past. There are a great many challenges that we have to face here and now and a great many challenges that we will have to face in the future. It is well known that there are ongoing problems with Aboriginal health and that there are also ongoing problems of violence and lawlessness in some Aboriginal communities, particularly the communities in the Northern Territory that have become the subject of so much discussion in the last few years. These are the problems that have to be faced if we are interested in more than just acts of conspicuous compassion.

While symbolic statements are important in showing the philosophical outlook of the parliament, we must ensure that we also engage in discussions of substance about the real problems affecting Aboriginal people today. If we do not have that—I am not often inclined to quote journalists in this place, but I recall hearing Jack Waterford say this on the radio this week—then, without these other elements, these initiatives can often be simply an empty or a hollow gesture.

I am not one who is advocating that the answer to every problem is a large amount of cash. What I do want to see in this country, though, is less talk and more results in terms of improving the life expectancy of Aboriginal people. An Aboriginal male person is expected to live 17 years less than a non-Aboriginal member of our community. It is a scandalous state of affairs that that occurs in this country in 2008. These are issues that, as a young political activist, I remember we were talking about it in 1970—38 years ago. We cannot let this situation continue for another generation and say, “Well, we tried this and we tried that.” This is a challenge for governments; it is a challenge for all of us to actually put some real meaning behind gestures such as the one we are embarking on today.

I have had a long interest in matters affecting the Aboriginal community, despite growing up in the state of Tasmania, where knowledge of the needs of that community was pretty well unknown when I was a young person. One of the most profound experiences I have had was 28 years ago when I worked for the Premier of Victoria. We had a reception for leaders of the Aboriginal community. I heard two people whispering behind me, “Don’t drink any alcohol; they’ll think we’re drunk.” I have never forgotten those words. I thought, “Imagine going through life with that level of pressure even in a pleasant social setting.”

I have been to Arnhem Land to talk to leaders of the Aboriginal community about alcohol problems. I did it without fanfare and without any recognition. There were no taxpayer funds involved. I have seen at first hand some of the devastating impacts that have occurred, particularly in relation to alcohol. Decades later, we still see many of the same problems affecting those communities. We have many experts who do not understand the concerns in those communities but who are proclaiming from Canberra what is best.

I appeal to my colleagues—I know it is an appeal that will not find any resistance—that, as we go forward, even in this community of Canberra, we must start looking at substantial and genuine ways to improve life expectancy and help the communities and families that have suffered this stress—whether it is from the afflictions of alcohol, drug abuse or violence—and ensure that we bring the Aboriginal community in Australia into a position where they can enjoy all of the things that every other Australian is entitled to enjoy and are able to do that with respect, without discrimination and without hostility, knowing that they are fully embraced and accepted into the Australian community.

I am pleased to support this motion.

**MR SMYTH** (Brindabella) (11.32): In the introduction to the *Encyclopaedia of Aboriginal Australia*, Galarrwuy Yunupingu, chairman of the Northern Land Council, wrote:

For too long we have only had a non-Aboriginal perspective on history, but now we are getting another view ... Now with the *Encyclopaedia* all Australians and people all over the world can find out about things that have been hidden.

And it is this nature of things that were hidden that I refer to. When the Chief Minister refers to the *Bringing them home* report, what he refers to is an opening up of knowledge for all Australians to understand what had happened in their country—and many of us had no idea—and if they remain hidden like an infection or a wound, they fester. And to heal a festering wound you must draw the poison because you cannot have complete and true healing if something remains in that wound. I think yesterday was not symbolic. I think yesterday was an incredibly important stepping stone in a path to true healing, and I hope that healing began yesterday.

In this place it began 10 years ago. I congratulate all members of the Assembly 10 years ago when they said, on behalf of the people of the ACT, “We are sorry. We acknowledge what happened.” The fact that it occurred so quickly after the *Bringing them home* report was tabled says that they understood then that it is not a symbol, that it is real and that, without it, healing and, indeed, forgiveness cannot occur.

When I got home last night my wife, Robyn, was sitting on the couch and we watched the highlights of the news for the day. At 7 o’clock, when she was feeding our baby, the story came on and some of the women were telling of how their babies were ripped from them, and she said, “You cannot imagine it. I cannot imagine someone coming into my house, my abode, and taking my child.” I do not think any of us can imagine at all the emotional and psychological damage that was done.

Following on from that, in a personal way, I would like to say sorry that, probably for half my life, I did not know; and I am sorry that I did not ask; and I am sorry that I did not find out. For me, a real turning point in my life was a book by Geoffrey Blayney called *Triumph of the nomads*. Here is an eminent Australian historian saying these people were triumphant, and he outlines the way in which they triumphed over their environment, over adversity, over what they did not have, to form a culture that, as many here have said, has perhaps been going for as long as 60,000 years, if not longer.

As so eloquently put by the Leader of the Opposition, sorry has now been said and the apology has been made. For apologies to be truly effective, they must be accepted and forgiveness must be given. And my hope is that the Aboriginal people and the Indigenous people of Australia and the Torres Strait Islander people of Australia can find forgiveness for what was done so that we can, without ever forgetting it, put it behind us so that we can move on together as a community.

I think the genuine problem that is encapsulated in the saying of sorry yesterday was the total emasculation of the Australian Aboriginal and Torres Strait Islander people from our history for probably 150 or 160 years since first settlement. It is almost like they did not occur and they did not exist, and that is why so much that has happened has been allowed to happen and has continued to happen and has not been acknowledged, because we simply did not know. If you grew up in the 1960s in Sydney, like I did, and you went to the local school, all we were taught about the Aboriginal people was they had boomerangs, we brought them God and flour, and were they not lucky that we were here.

We had no idea of the struggle or the work of Pemulwuy, Kalkadu Man, Windradyne or Yagan or what they actually did to defend their land. Out of that total emasculation of their presence from our history is the ignorance that underlies some of those who would still not accept today what occurred in our past. I think that the real answer is yes, issues like health and housing are incredibly important, but at the heart of the path forward is education—education of Indigenous people in this country and education of non-Indigenous people in this country as to what truly happened. If you do not know what happened, you cannot even begin to conceive the place that many Aboriginal and Torres Strait Islanders have been condemned to at the bottom of our socioeconomic structure that has become Australia.

It is interesting that, at the heart of the removal, was the concept that Aboriginal people could not care for their own and, in particular, could not care for their children. It is also put around that they did not resist. I cannot say it any more eloquently than a man called Fred Maynard, who in 1925 set up the Australian Aborigines Progressive Association. Fred was Aboriginal, and this is what he said in 1925 about what was going on in his country. The encyclopaedia says:

Using his own finances, he travelled the north coast of NSW, publicly speaking out for the rights of Aboriginal people and their wish to integrate with society. He believed that their family life should be held sacred and free from invasion and that children should be left in the control of their parents.

Many of the Aboriginal protection boards in the states were fostering the removal of children. He goes on to say:

The board's response to the AAPA's actions relied on the assertion that Aboriginal people were incapable of handling their own affairs. Maynard replied, "I wish to make perfectly clear on behalf of, our people, that we wish to accept no condition of inferiority as compared with European people. Two distinct civilisations are represented by the respective races ... That the European people by the arts of war destroyed our more ancient civilisation is freely admitted and that by their vices and diseases our people have been decimated is also patent, but neither of these facts are evidence of superiority. Quite the contrary is the case. Furthermore, I may refer, in passing, to the fact that your present scheme—

and this is in 1925—

of Old Age Pensions was obtained from our ancient code, as likewise your Child Endowment Scheme and Widows Pensions. Our divorce laws may yet find a place on the Statute Book. The members of this board have also noticed the strenuous efforts of the Trade Union leaders to attain the conditions which existed in our country at the time of the invasion by Europeans—the men only worked when necessary—we called no man “Master” and we had no “King”.

What we need to do is educate ourselves about what has occurred because, without a full understanding of the past, we cannot build a future together in this country. For the people of the ACT, that commenced 10 years ago, when 17 voices, speaking as one, said sorry. For the nation, it commenced yesterday when the federal parliament, on behalf of the people of Australia, said sorry. I hope that the bipartisan approach continues but my hope is that everything is based on an acknowledgement of the truth and that education is at the heart of the path forward. I commend the Chief Minister for bringing this motion on today. I commend the speech of the Leader of the Opposition. I thank you all for the words that you will impart today.

**MS PORTER** (Ginninderra) (11.40): I am happy to support the Chief Minister and everyone else in this place on this important motion today. Indeed the Prime Minister, Mr Rudd, is to be commended for the leadership that he demonstrated yesterday by moving a formal apology in the parliament of Australia. No-one could fail to be stirred by this moving moment in our nation’s history when all members of our nation’s parliament were of one voice in uttering the important word.

It has been a long time coming, I am sure members will agree. I heard many people say beforehand that they did not think that they would live to see the day. But the day finally arrived and how magnificent it was to hear that word “sorry”, not once but, as the Chief Minister and others have said, over and over. As this motion says and others have said this morning, this is not an end in itself but it marks the beginning, the beginning of true reconciliation with the Indigenous population of Australia and a significant point in the process of healing for those Aboriginal and Torres Strait Island people who were victims of those policies which saw the creation of the stolen generations.

I, and my children who grew up in Arnhem Land, are celebrating with the rest of the nation today. However, for me the celebration is tinged with a sense of regret. My regret is that which stems from the fact that I cannot run away from the fact that I worked for and was part of a system that oppressed a people. As I said yesterday, as a young woman, I arrived as a newly graduated nursing sister in Oenpelli in the Northern Territory in the early 1960s. Little did I realise what was awaiting me. I touched on it yesterday when I mentioned that all people, Balanda and Yolngu, were required to speak English and that Aboriginal people were addressed by their English names. In fact, I did not even know the names of the people that I worked with; I did not know that they had Indigenous names in that place.

One of my most vivid memories is that in the morning every young child was brought by their grandmother to a building near the bush hospital where the children were stripped of their clothes by the Indigenous, so-called nursing assistants and put

through showers. Then they were seated, naked, on low benches, fed porridge, which often ended up all over them in the ensuing chaos. Then afterwards they were herded back through the showers, dressed and returned to the care of their grandmothers.

We also handed out powdered milk and other quite unnecessary so-called rations, as their mothers were not encouraged to keep feeding their babies at the breast as they, the mothers, were needed to work on the missions, not to feed their babies. As you can imagine, the practice of feeding the babies and toddlers in this way led to continued episodes of illness.

Fortunately, by the time I reached Milingimbi and Yirrkala, practices were more enlightened but continued to be paternalistic. It was not until my family was leaving to come south in the early 1970s that the Aboriginal people were experiencing self-determination.

I only tell you this story to highlight the environment in which these policies, these policies that we are saying sorry for today, were enacted and in which they thrived. It is not an excuse to say we did not know any better. I was caught up in this system, knowing it was terribly wrong but not knowing how to fix it. So yesterday was a healing day for me too and for my children.

Today I stand in this place and say sorry, sorry that I was part of that system. I join with you all in this place and say sorry in reaffirming the Assembly's apology.

**MR STEFANIAK** (Ginninderra) (11.44): Might I join with everyone who so far has spoken in favour of this motion. I agree very much with the sentiments and comments made by everyone and, indeed, with some personal stories in there by people as well.

Apart from Mr Speaker, I am probably the only member of the Assembly who was here back in 1997 when we passed an historic, unanimous motion after the *Bringing them home* report. It is worthy perhaps in this debate to read out some paragraphs of that. The Assembly on that occasion, on 17 June 1997:

(1) apologises to the Ngun(n)awal people and other Aboriginal and Torres Strait Islander people in the ACT for the hurt and distress inflicted upon any people as a result of the separation of Aboriginal and Torres Strait Islander children from their families;

(2) assures the Aboriginal and Torres Strait Islander peoples of this Territory that the Assembly regards the past practices of forced separation as abhorrent and expresses the Assembly's sincere determination that they will not happen in the ACT;

(3) affirms its commitment to a just and proper outcome for both the grievances of Aboriginal and Torres Strait Islander people adversely affected by those policies and the recommendations of the *Bringing Them Home* Report;

(4) acknowledges that the Government is negotiating a Regional Agreement with the Ngun(n)awal people in relation to the Ngun(n)awal Native Title Claim in the ACT; and

(5) by this resolution seeks to take an important step in the healing process, which is fundamental to reconciliation between Aboriginal and Torres Strait Islander peoples and the non-indigenous members of the ACT community.

That was an historic day. I also remember very clearly that it was the only time members of the public have addressed the bar of the Assembly. We heard from members of the stolen generation. I do not think there was a person here, staff of the Assembly or members, who was not deeply moved by what was said there.

Today, yesterday and what happened 10 years ago is a very important milestone along the road that started 40 years ago when the first step was taken. On that occasion, on 27 May, a referendum was passed, with over 90 per cent of the people voting yes, which gave the commonwealth power to make laws for Indigenous people and for the first time allowed Indigenous people to be counted in the national census of this country. That is not all that long ago. It amazes me that it was only in 1967 that this country first accepted that Indigenous people should be counted in a national census.

I am pleased to see that we have moved on a lot from that day. But I remember that day clearly as a young person of 15. I can actually recall where I was. I think I must have appreciated the historical significance of that. I remember my parents coming home from voting, coming home to Narrabundah, after voting as part of that 90 per cent. Since then there have been a number of milestones, and today is another milestone for us here in the territory. It is a natural, right and proper extension of that very first historic step.

What occurred prior to that in their history is indeed abhorrent—people taken because of race. And we have heard many harrowing stories in relation to this. Mr Hargreaves mentioned the *Rabbit proof fence*. That was a movie I cried in. I found that particularly moving, particularly poignant and particularly relevant to saying sorry.

Even today there was something I did not realise. It was reported in the *Canberra Times* that Evonne Goolagong, one of the most brilliant tennis players this country has ever produced, as a little girl, would hide under the bed because of a fear of being taken. These are poignant stories, I think, which bring home to us all the abhorrent nature of what occurred. Indeed, no child should be taken from their parent unless it clearly is for their own safety, and certainly no child should ever be taken for racial reasons. Indeed, as a couple of speakers have mentioned, our Aboriginal and Torres Strait Islander brothers have been caring for their families most successfully for 40,000 years, and that is probably more than any other people who live on this earth.

I remember also some of the Aboriginal people I have known and some of the trials and tribulations they have suffered. I was honoured to have as a family friend the late Captain Reg Saunders who lived a street down from where we lived in Narrabundah. Reg is quite famous. My mum was very friendly with his mother. His son and daughter went to Narrabundah with me, albeit in different years.

The Reg Saunders story, I think, is very poignant in terms of the discrimination suffered by Aboriginal and Torres Strait Islanders not all that long ago. Reg was a war hero. He and his brother joined the Australian army in World War II. He was

commissioned, the first Aboriginal member of the Australian defence forces to be a native commissioned officer, in 1944.

Reg could not get a drink in a pub when he got back from active service. Reg had an impeccable war record; he would not have been commissioned otherwise, in extraordinary circumstances at that time because of prejudice against Aboriginal and Torres Strait Islander people. Reg went on to become a captain. He fought in the battle of Kapyong, one of the greatest victories of Australian armed forces in any war. Yet this great Australian soldier was not allowed, because of his race, because of his colour, to drink in a pub. I think that says a lot.

We have moved a long way since then. Much more work still needs to be done. It needs to be done by the commonwealth, the states, territories, local councils and individuals in our local communities—by all of us, whatever race, colour or creed we may be.

Saying sorry today is still not the end of it. It is an important, historic step; it is something that has to be done; it is something that is right and proper to be done; it is something all of us here today are saying unreservedly; and it will go a long way in terms of the healing process. But it is not the end of it. It is a critical step along the road to true and real reconciliation. There is much more we as a nation and a community and as individuals need to do, but this is another milestone in doing what is right and proper. I wholeheartedly join in supporting this most important motion.

**MRS BURKE** (Molonglo) (11.51): I was not born in this wonderful country, of course, and I have not grown up with the full history of what happened in the early days of white settlement. I cannot pretend to now fully appreciate what went on. I think Mr Smyth was quite right: we all need to get a deeper appreciation of what went on in order that we can move forward. I only heard stories of what went on and they increased over these weeks and months leading up to what the now new federal government promised that they would do.

What I do know is that in my compassion for the Aboriginal community I am deeply sorry—deeply sorry to the many Aboriginal friends that I have, whose company I enjoy and learning about their culture. I give particular recognition to two people who have become very close to me and they are Ngunnawal elder Don Bell and Mrs Ruth Bell. I would like at this stage to congratulate their granddaughter Melissa Bell for her wonderful achievements at St Francis Xavier school.

Yesterday was indeed a momentous occasion in the history of this great nation. We, collectively, finally said sorry to our Indigenous people and in doing so asked for forgiveness for a time that we should never forget but, more importantly, a time we must learn from and positively move forward from. As Noel Pearson said, there are many issues to this apology. It was and is most certainly about the injustices meted out to the stolen or separated generation, or what other terminology has been used in the last while.

However, it should also touch the hearts of all Indigenous Australians, not just Aboriginal Indigenous Australians. For me this apology is about all Indigenous

Aboriginal Australians because in many ways we need to apologise to them all for our political bigotry and failure to address the wrongs of the past. This, therefore, is a moment of great reflection and a time when I believe we can truly build upon and fully experience true reconciliation.

Unlike some people I know, I have not walked the streets of Indigenous Aboriginal communities in Alice Springs or Darwin; nor have I raised millions of dollars for Indigenous drug and alcohol rehabilitation services; nor do I dare, not for a moment, stand here and proclaim that I or this parliament have all the answers. I do know one thing, though: this apology was the right thing to do in order that we can allow the Aboriginal communities around Australia to move on to a better and brighter future full of hope.

The spiritual and cultural significance of saying sorry cannot be underestimated. As we reflect on past injustices and apologise for the wrongs, now is the time to roll our sleeves up. This is when the work begins, to place our political differences to one side and in a bipartisan way substantively address the issues that face our Indigenous people. I for one am not prepared any more to focus on the negatives. This will do little to restore broken lives. I am delighted that the federal government has now apologised to our Indigenous people and I agree with Mick Dodson when he said yesterday:

The apology to Indigenous Australians is not about dwelling on the past, it's about building a future.

As has also been said, we now have a blank page inserted into our historical text. It is important that the opening paragraphs are drafted well and with the future in mind. A solid foundation must be crafted to ensure that all future policy for our Indigenous Australians is enabling, not disabling, and that we empower Aboriginal people in areas such as health, education and employment.

We must also be cognisant of the fact that, for this apology to bear fruit, we must with humility ask for forgiveness. Indigenous Australians will also need to forgive those who have meted out these injustices. In forgiving those that have wronged us, we importantly set ourselves free. None of us can, nor should we, stay bitter. This is why this apology was so important and so right. It now allows us to break the shackles of bitterness and constructively work together and move forward.

As the pomp and ceremony and media frenzy move away, we are left with a real sense of responsibility. It is almost like after a death. There needs to be a time now where we gather around all members in our community of Aboriginal heritage to support them. When the activity has died down, this is when people are going to need us, need our support, need our encouragement, need us as a legislature to work towards assisting them in any way that we can.

What happened was terribly wrong and no amount of justification can resolve us from that very fact. However, as both Mick Dodson and Noel Pearson alluded to, let us together, white and black Australia, now start building the future.

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (11.57): It is a great honour to join with all other Assembly members in support of this motion. I think a new era has dawned in Australian society as a result of yesterday and I think it is important that we all join together and move forward from this point.

I echo the comments of Mr Smyth and Dr Foskey on two very important aspects that have been raised in this debate. One is that as a society we can extend empathy, friendship and inclusion without detracting at all from any other people within our society. I hope that what the federal parliament began yesterday will be a new era of inclusion in Australian society; that people who have been at the margins of our society will be brought into the mainstream and will be considered fully part of the Australian community. What the federal parliament started yesterday is something that we should see through all aspects of Australian life: extending the hand of friendship, of inclusion, of welcome, is something that can be done without causing grief to others.

Mr Smyth is spot on, though, in his point—and the Chief Minister raised it in his speech—about the importance of education. That is certainly not lost on me as education minister for the ACT. Whilst the ACT has performed well, there is still a long way for this territory to go in bridging the gap in education performance between Indigenous and non-Indigenous students, and we will continue to work with Indigenous communities to ensure that that gap is bridged. The support of the federal government in achieving that will be significant and we look forward to working cooperatively in our community to ensure that we play our part in bridging the gap.

I believe what we have seen today in this chamber and yesterday in the federal parliament is the best of Australian society and what we can offer collectively to improve the lot of all people in Australia. It warms the heart to see just what can be achieved and I look forward to working with all those in this chamber and with our federal colleagues to ensure that, in the areas of education in particular, we are able to make a significant difference here in the ACT. On behalf of my family, I say sorry, and I join with everyone here in acknowledging the importance of yesterday's apology. I thank members for what has been a magnificent debate this morning.

**MS GALLAGHER** (Molonglo—Minister for Health, Minister for Children and Young People, Minister for Disability and Community Services, Minister for Women) (12.00): I will just rise briefly. I think it is wonderful when the Assembly works like this and we have people from all across the political spectrum coming together. It is a rare event in the Assembly but it is always lovely when you see it.

It was also nice yesterday to see an event that stopped the nation and that was not a sporting event, for once. It was a truly humbling experience to look at the TV footage and the reports today of people coming together and huddling around a TV set or going to events everywhere across Australia, and, of course, the huge events here in Canberra, to watch what was truly a remarkable point in our history.

My daughter, and I imagine many children across Canberra, watched this at her school and understood—at a much younger age than I did, following on from what Mr Smyth said this morning—what happened as part of the history of our country. To

have eight-year-olds and nine-year-olds talking openly about an event that I certainly did not understand until much later in my life, and understanding that it was wrong and in a way not understanding how a policy like that could have ever been seen to be right, I think shows the maturity of our country and the fact that future generations would not walk down the path that previous generations have. That is a sign of the recovery journey that this country has kicked off.

It was a remarkable day yesterday to see the outpouring of emotion not just from Indigenous people but from many non-Indigenous people who had been waiting for years for an event like this to occur. The thing that also struck me yesterday was how easy it was to say sorry and how an event that had been long wished for and desired went so smoothly and so easily, and I imagine that for many people it will play such an important part in their recovery.

The Prime Minister led the nation on a very proud day yesterday and everyone I have spoken to was right behind him. Even for those people who have not understood the depth of despair and the dislocation that was caused by the stolen generation, yesterday brought it to the forefront for every single Australian and that in itself is an important step on the journey to recovery.

Question resolved in the affirmative.

## **Planning and Development Legislation Amendment Bill 2008**

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

Title read by Clerk.

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (12.04):  
I move:

That this bill be agreed to in principle.

The planning system reform project announced by this government is near completion. After extensive consultation with industry and community stakeholders, the Planning and Development Act was passed in August 2007. A draft restructured territory plan has been approved by government for consideration by the Assembly and I will be tabling the associated regulations next month.

The amendment bill before us is chiefly about putting in place relatively recent developments and government policies in the area of housing affordability and compliance. The amendments are also to ensure procedures for public consultation on minor plan variations and minor development proposals are practical and effective. Some amendments are also to ensure clarity and consistency of language.

Since the release of the government's affordable housing action plan in April of last year, the government has moved quickly in a number of areas to implement the 63 recommendations in the plan. For example, the government has already increased

the supply of land, including major en globo releases to the private sector, and increased resourcing to the ACT Planning and Land Authority to ensure planning runs well ahead of demand; reduced stamp duty for first-home buyers under the home buyer concession scheme at a cost of \$1.5 million annually; deferred stamp duty for eligible purchasers at a cost of approximately \$300,000 per year; budgeted for \$4.3 million to Housing ACT to construct or purchase approximately 17 two-bedroom units over the next year; adopted new planning codes to permit compact housing blocks in new estate areas; and, most recently, provided a \$50 million loan facility to Community Housing Canberra.

The housing affordability action plan also included recommendations for streamlining procedures for the release of land for housing. In particular, the action plan foreshadowed the development of procedures for over-the-counter sales of housing blocks. A number of amendments in this bill are designed to implement these measures.

The bill is further evidence that housing affordability has the highest priority for this government. The amendments achieve these measures in three main ways. Firstly, they permit over-the-counter sale of leases for single dwellings. This will enable ACTPLA or the LDA to sell leases for single dwellings over the counter without first having to obtain approval from the minister or the executive.

Secondly, the bill includes measures to help ensure that land allocated for housing is in fact used for this purpose and is not left undeveloped. The measures are intended to ensure that land that has been released is developed in a timely manner and therefore is effective in fulfilling the strategy and purpose of its release. The new sections 298A and 298B establish a framework to better manage issues around non-compliance with building and development provisions in respect of the starting and completing time frames. They also create a clear disincentive to not develop land in a timely manner or to engage in land banking.

Thirdly, there are a number of process matters. When the government's housing affordability action plan was released in April last year, there was insufficient time to settle the detail of these measures anticipated in the action plan prior to the passage of the Planning and Development Act in August. It was important to get the detail with these matters right, and as these amendments are significant and extensive it is also appropriate that they are made available for further scrutiny by the legal affairs committee as well as by other Assembly members.

I now turn to the provisions in the bill concerning the power of inspectors to enter private premises to take compliance action. ACTPLA is responsible for ensuring compliance with planning legislation and the territory plan and for responding to complaints. In order to investigate complaints and take appropriate action, the authority's inspectors must be able to enter relevant premises. As the Planning and Development Act stands, entry to private premises can only be made with the consent of the occupier or under the authority of a search warrant.

These options will often be of little use because the occupier is absent or refuses consent. A search warrant is only available for the investigation of a particular offence and not for the investigation of complaints or verification of compliance with an order.

A third option for entry is therefore required. The bill establishes a new process to permit entry in the absence of consent and provides for a new type of court order to permit entry. The amendment bill refers to these new orders as monitoring warrants and rectification work orders. If an inspector seeks entry to check whether a controlled activity is occurring or to check whether a compliance order has been followed, the inspector may enter with the consent of the occupier. This consent may be sought in person or following a written two-day intention-to-enter notice.

If a written notice is issued and consent is not given, or the occupier is absent, the inspector may apply to the court for a monitoring warrant. If granted, the monitoring warrant will permit the inspector to require entry and complete the required inspections. In some cases an inspector may seek entry with an authorised tradesperson for the carrying out of rectification work. This step may be required where ACTPLA has issued a written notice, called a rectification direction, to the occupier or lessee requiring work to be done—for example, to remedy an unlawful development—and the direction is ignored. In this case, as a last resort the authority may engage a tradesperson to complete the required work. Again, the inspector and the authorised tradesperson may seek entry for this purpose, with the consent of the occupier, and, if granted, the order will permit the inspector to require entry to enable the rectification work to be done.

Clearly, monitoring warrants and rectification work orders permit a level of intrusion into private homes in some circumstances. However, this level of intrusion is necessary if inspectors are to be able to take effective compliance action to ensure the integrity of the planning legislation and the territory plan. Because the measures are intrusive, the amendments include a number of checks and balances. Importantly, an inspector will not be able to obtain entry without consent except under a court order. There are safeguards, checks and balances in the legislation to ensure that the procedures do not unreasonably intrude on the right to privacy as articulated in the Human Rights Act.

In conclusion I note that it was not practical to include these matters with the government amendments in the debate on the Planning and Development Bill in August last year. This was because matters were still under development. It is also desirable to proceed with these matters through a separate amendment bill to permit consideration of these matters by the Standing Committee on Legal Affairs.

I now turn to the remaining amendments in the bill. Clause 12 of the bill replaces section 152, which established the requirements for public notification of development applications. Under the existing Planning and Development Act, the procedures for public notification vary according to the type of development application. A development application in the code track does not require public notification, while applications in the merit and impact track require notification in some form. Some merit track applications require letters to neighbouring lessees, and more significant applications require both letters to neighbours and a notice in the newspapers, plus a sign on the property. In other words, a letter to neighbours is the minimum consultation required for merit track matters.

When the Planning and Development Act was debated in August last year, the methodology for public notification was a matter for some discussion. I indicated at

the time that I would ask ACTPLA to re-evaluate the effectiveness of the proposed notification procedures. The amendments in clause 12 of the bill result from this reconsideration. The main approach to consultation remains unchanged. No notification is required in the code track; notification is required in all cases in the merit and impact tracks.

The amendment refines this model by permitting some merit track applications to be notified by notice in the newspaper and the sign on the property, rather than through letters to neighbouring lessees. This alternative form of notification will only be possible for types of development applications identified in the regulation as suited to this method of notification. For example, the regulations will be able to permit development applications for approval of estate development plans in new estate areas to be notified by newspaper notice and a sign on the land. In this case notification of neighbouring lessees is impractical because it is a new estate area. I would like to emphasise that this amendment is not about removing the requirement for public notification. Instead, it is about ensuring that the required method is practical and effective.

Clause 8 of the bill also touches on public notification procedures for some minor variations to the territory plan. The amendment recognises that there are some territory plan variations for which additional public consultation serves little or no purpose other than to create unnecessary delay. Correction of formal errors does not warrant fresh public notification, because there is no substantive change involved. Similarly, changes to bring the territory plan in line with the national capital plan are needed simply to reflect the legal supremacy of the national capital plan.

Minor changes to zone boundaries to reflect more detailed survey work or to achieve a more accurate alignment with a lease boundary are similarly minor changes. There are also variations that must be made with new land releases following the approval of estate development plans for a new estate area, and in this case the territory plan must be varied to reflect the new zone boundaries for the estate and any other ongoing matters approved following public consultation on the estate development plan.

Further public consultation at this juncture is not necessary because there is no discretion as to the variation. It must be completed for the new estate area to proceed, so to require further public consultation at this point would only cause unnecessary and unacceptable delay to the release of land for new housing.

This bill makes a number of other amendments including provisions to modify the requirement for ACTPLA to make requests for further information on development applications within 10 days. ACTPLA must make its decision to require information within 10 days of lodgement. If a decision is made within this time, the time allowed for completion of the assessment is extended by the time it takes the proponent to supply the information. This extension still applies if the decision is communicated to the applicant some time after this 10-day period.

The bill also permits the territory plan to reference external documents, notwithstanding that the documents change from time to time, provided the documents are identified in regulation. The bill also permits the regulation to reference standards notwithstanding that standards change from time to time. I commend the bill to the Assembly.

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

## **Standard Time and Summer Time Amendment Bill 2008**

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

Title read by Clerk.

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (12.16):  
I move:

That this bill be agreed to in principle.

Mr Temporary Deputy Speaker, the Standard Time and Summer Time Amendment Bill 2008 will provide an extra four weeks of daylight saving to the ACT by starting daylight saving on the first Sunday in October and ending on the first Sunday in April. Members may recall that last year the ACT, New South Wales, Victoria, South Australia and Tasmania formally agreed to harmonise daylight saving arrangements from April 2008. The ACT's agreement was made on the proviso that New South Wales agreed to change its daylight saving starting and finishing times. The New South Wales parliament subsequently passed its amending legislation in October last year.

In accordance with the agreement, the New South Wales legislation extends the daylight saving period so it will start in each year on the first rather than the last Sunday in October and end on the first Sunday in April rather than the last Sunday in March in the following year. The New South Wales legislation also provided for a transitional arrangement that the current daylight saving period would commence on 28 October 2007 in accordance with existing arrangements and end on 6 April 2008 in accordance with new arrangements.

In the ACT the Standard Time and Summer Time Act 1972 is the act that establishes standard time and summer time periods. Currently the act provides that daylight saving starts on the last Sunday in October and ends on the last Sunday in March each year, unless the responsible minister declares a different daylight saving period. On 27 August 2007, in order for the ACT to give effect to the agreed transitional arrangements, I declared a notifiable instrument, the variation to the 2007-08 summer time period, to provide that it commences on 28 October 2007 and ends on 6 April 2008, consistent with the New South Wales arrangements.

Mr Temporary Deputy Speaker, this bill provides for a permanent arrangement for the harmonisation of daylight saving periods and delivers on a long-held desire by this government to bring daylight saving in line with most other states in Australia. I commend the bill to the Assembly.

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

**Sitting suspended from 12.20 to 2.30 pm.**

## Questions without notice

### Indigenous community

**MR SESELJA:** My question is to the Chief Minister. It follows on from this morning's debate. Chief Minister, yesterday Prime Minister Kevin Rudd, in his apology speech, said:

The nation is calling on us, the politicians, to move beyond our infantile bickering, our point-scoring and our mindlessly partisan politics and to elevate this one core area of national responsibility to a rare position beyond the partisan divide ...

Let me take this one step further and take what some may see as a piece of political posturing and make a practical proposal to the opposition on this day ...

I therefore propose a joint policy commission, to be led by the Leader of the Opposition and me, with a mandate to develop and implement, to begin with, an effective housing strategy for remote communities over the next five years.

Chief Minister, will you establish a joint bipartisan strategy led by you and me to address continuing issues facing the local indigenous community?

**MR STANHOPE:** I thank the Leader of the Opposition for his question and his interest in the wellbeing of the ACT indigenous community. There are significant differences between issues facing urbanised indigenous communities and issues faced by remote communities. Nevertheless, as we all know, there are a range of indicators that show the distance yet to be travelled in relation to achieving a genuine equality of opportunity for indigenous people within the Canberra community.

I look forward very much to a bipartisan approach to indigenous issues and affairs within the Australian Capital Territory. It would be refreshing. In that instance, we would not, for instance, see the very puerile and shallow point-scoring engaged in by Mr Seselja in relation to the government's decision to give consideration to the establishment of an indigenous-specific drug and alcohol rehabilitation facility in Belconnen. Mr Seselja, in the interests of a genuinely bipartisan approach to reaching the best possible outcomes for indigenous people, might have restrained from the constant attacks on the prospect or notion of establishing the de facto drug facility at Kama in the Molonglo Valley.

That is the sort of puerile, petty politics that has infected issues in relation to indigenous affairs for so long. It would be a refreshing, new approach by Mr Seselja were he to put aside the inclination to play politics with issues in relation to indigenous affairs. I would not hesitate. I give an absolute and categorical undertaking to give very serious consideration to the ways in which we in this place can genuinely engage in a bipartisan way in furthering the interests of indigenous people within the Australian Capital Territory, and indeed throughout Australia.

In that sense, I will give real consideration to the development of some joint policy positions in relation to issues around the intervention in the Northern Territory that Mr Seselja might wish to join me in, as well as in a range of other policy-specific

areas. I look forward to working with you in a genuinely bipartisan, cooperative way in furthering issues for indigenous Canberrans.

### **Legislative Assembly—carpet replacement**

**DR FOSKEY:** My question is to you, Mr Speaker. It concerns the replacement of carpet in the Assembly. You would be aware that the replacement of carpet in the building has necessitated the disposal of several skip loads of material. I have been advised that much of the replaced carpet appeared to be in virtually new condition, although other parts are worn or damaged. I know there would be many community organisations who could have made good use of the better bits.

You may also be aware, Mr Speaker, of the existence of carpet supply and recycling businesses that ensure that all floor coverings they use are reused or recycled when replaced. Could you please advise the Assembly of the efforts that were made to ensure that the carpet replacement project was undertaken on a sustainable basis and whether the processes echo those used across government?

**MR SPEAKER:** Thank you, Dr Foskey, for the question. I received some advance notice that you were going to ask this question. I have not been able to put together a complete answer, so much of it I will take on notice and come back to you in the normal way.

Can I say that, over the years, on environmental questions we have taken a number of initiatives to improve environmental sustainability and how it comes across in this organisation. We have engaged a consultant to commence a series of audits about how we manage our environmental sustainability in the Assembly building. They will provide us with some baseline information upon which to act and build for improving our environmental sustainability over the coming years. It will focus on things like energy usage, water usage and waste management, a category which this carpet falls into.

My understanding is that the carpet is about 13 years old. That is about right. As you say, some of it was quite badly worn and has been the subject of interest and complaint by some members in recent times.

My preliminary information on the subject is that the contractors that installed the carpet and removed the old stuff advise that they used to recycle it by sending it to Japan but it became uneconomic to do so. That practice has long since ceased.

We will be seeking some further details from the contractors and I will provide you with a fuller answer once I have all that information together.

**DR FOSKEY:** A supplementary question. What assurance can you give the Assembly that there are no health and safety risks, including possible release of toxic material, associated with the installation of the new carpet?

**MR SPEAKER:** Of course, contractors who work here are required to comply with the Occupational Health and Safety Act in the ACT. I presume, at this point, that contractors comply with the requirements of that act when they are working in the

Assembly building. Similar to the earlier part of your question, I will follow that up with the relevant people in the Secretariat and will have a complete answer for you to consider in due course.

### **ACT Policing—numbers**

**MR SMYTH:** Mr Speaker, my question is to the Minister for Police and Emergency Services. Minister, yesterday in this place you said, and I quote:

... once you say something it does not mean that it is always true forever and a day.

Minister, in relation to policing numbers, you said in the Assembly yesterday that for ACT Policing since 2004 the net increase is 107 extra officers. Minister, on ABC Radio on 28 January this year, the Acting Minister for Police and Emergency Services said:

Over the last three years, we've employed an additional 120 police within the ACT ... These are extra police ... this is 120 extra police.

Minister, how many sworn police officers are there in ACT Policing?

**MR CORBELL:** 690.

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

**MR SMYTH:** Minister, what confidence can the community have in its government if it provides information that is not always true?

**Mr Corbell:** Can you repeat the question?

**MR SMYTH:** Minister, based on your quote yesterday, what confidence can the Canberra community have in this government if it provides information that is not always true?

**MR CORBELL:** That is not what I said yesterday, Mr Speaker. Again, the opposition seem to be failing to grasp the fairly fundamental concept, which is that you make decisions based on the information you have before you. If that information changes subsequent to that decision, obviously your decisions may change. It is not a difficult concept to grasp.

But, Mr Speaker, perhaps it is worthwhile providing some further advice to Mr Smyth in relation to the police numbers question that he seems so interested in. In response to a question that I took on notice yesterday, I am very pleased to advise Mr Smyth that the net increase of ACT Policing positions funded by the Labor government since it came to government in October 2001, and delivered its first budget in 2002, is 122 extra funded positions, the final 10 of which, while funded in a previous budget, are due to come on stream at the commencement of the 2008-09 financial year.

Mr Speaker, ACT Policing is expected to maintain a workforce over a year that at least averages the agreed full-time equivalent level. Currently the ACT has purchased through its purchase agreement a total of 868 full-time equivalent positions. That is the number that we purchased, Mr Speaker. As of 24 January this year, the actual number of ACT Policing personnel working in the ACT is 925, which is 6.5 per cent more than the actual number required under the purchase agreement.

ACT Policing also determines the ratio to which it employs sworn to unsworn personnel, and the respective numbers of sworn and unsworn personnel are 690 sworn officers and 235 unsworn officers, totalling 925 as at 24 January.

Mr Speaker, those figures speak of a government committed to providing an effective level of policing here in the ACT and a massive increase of over 122 extra funded positions since we were first elected in 2001.

**Mr Pratt:** Do you still maintain that that's a net increase?

**MR CORBELL:** Yes, that is the increase. That is the net increase.

**Mr Pratt:** Got that, Smythie?

**Mr Corbell:** Extra.

**Mr Pratt:** Good, right. Put that down.

**MR SPEAKER:** Mr Pratt, cease interjecting and cease discussing things across the chamber. Mr Corbell, do not encourage him.

### **Hospitals—emergency department**

**MRS BURKE:** My question is to the Minister for Health. Minister, your own Chief Minister, in a keynote address to the ACT ALP conference, said, "We will be judged not just on what we pledge but on how well we have delivered on pledges made before." Minister, the recent Productivity Commission report into government services highlighted:

'Emergency department waiting times' is an indicator of effectiveness of access to public hospitals ...

Minister, the Productivity Commission figures for 2005-06 show the performance of ACT emergency departments to be the worst of any jurisdiction in terms of patients being seen in triage category time frames. I acknowledge category 1 at 100 per cent at this stage, which it should be, and category 2 improvements. However, information I have been provided from ACT Health under FOI shows that performance at the Canberra Hospital particularly in categories 3, 4 and 5, year to date—

**MR SPEAKER:** This is getting to be something of a lengthy—

**MRS BURKE:** I am coming to the question; I just had to give that so that the minister knows what I am talking about. The information shows that performance at the

Canberra Hospital particularly in categories 3, 4 and 5, year to date, is getting even worse under your leadership. Minister, how do you explain these worsening figures in three out of five triage categories, given your claims that things are improving?

**MS GALLAGHER:** I should say that the comments I have made recently about the improvements in the triage categories are correct. The information that Mrs Burke gets under FOI is several months old by the time she gets it. In fact, I think the latest data you have is probably for September last year—

**Mrs Burke:** No, November.

**MS GALLAGHER:** November?

**Mr Smyth:** Well, table the up-to-date stuff.

**Mrs Burke:** You can table the up-to-date one, though.

**MS GALLAGHER:** Well, we do provide that information.

**Mrs Burke:** No, you don't.

**MR SPEAKER:** Order!

**MS GALLAGHER:** As the minister, I am briefed weekly on the performance of our public hospital system. I am briefed extensively about all the areas of the public hospital system, so it is not that unusual that I might have more up-to-date figures than Mrs Burke has available at her fingertips—

**Mrs Burke:** No, you play with the figures. You use figures when it suits you.

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

**MS GALLAGHER:** while those figures are finalised. As people would be aware, the data that is used in health goes through several processes, to ensure the data is correct, because it is provided to national bodies.

The areas of improvement in the emergency department over the past couple of months, despite again continued levels of demand being placed on it, are pleasing to me. There are improvements in category 2 and there are improvements in category 5, but categories 3 and 4 remain the challenge for us. There is a whole range of measures that we have put in place to improve timeliness in these categories.

Anyone who stands here needs to be honest and say that these things take time, and I have said that time and time again. The level of demand in categories 3 and 4 and our ability to meet timeliness in those categories will not change over one month or two months; they will change over time.

We have a number of areas where improvements will be seen in the ED. We have more staff coming. In fact, recently we have had staff come from overseas, which is increasing our doctor numbers, which will make sure that more patients are seen. As

members will be aware, it has been a real area of need for us in terms of staffing our emergency departments. In fact, I think we have had just over 50 per cent of our doctors positions filled because we have not been able to find emergency practitioners to work in them.

**Mrs Burke:** I wonder why they won't work. What about the culture?

**MS GALLAGHER:** We are in the process of having a significant improvement in the number of emergency positions in place. The triage categories are improving. The Productivity Commission report data is two years old.

*Mrs Burke interjecting—*

**MR SPEAKER:** Order! Mrs Burke, cease interjecting.

**MS GALLAGHER:** But I am not going to stand here and say that our timeliness in categories 3 and 4 is where we want it to be. We will continue to see improvements, but the improvements that I have been seeing in recent months, along with the implementation of the fast-track program in the emergency department, the way that MAPU is working across the hospital—and we are looking at extending MAPU in the next budget into another area because of the success in getting people out of the emergency department and into the hospital—means that real change is happening in the emergency department and that real change will improve patient flow not only through the hospital but in terms of access into the emergency department as well.

The things that we have put in place over a number of years are starting to bear fruit in the ACT health system. As much as Mrs Burke talks it down and talks down the health professionals and talks down the management in ACT Health, constantly talking down management in ACT Health—

**Mr Smyth:** You're the one who said it's getting better. The minister said it was the best system in the world.

**MS GALLAGHER:** In fact, in every single press release Mrs Burke puts out she bags management across the ACT health system. What she fails to realise, of course, is that 100 per cent of the managers at TCH are health professionals, working every day in a health system, and that you cannot separate your criticism of the two. But what we are seeing are genuine improvements in terms of our capacity to deal with the demand we are seeing in the emergency department. We will see improvements in the triage categories. We will not see them in a month.

*Mr Smyth interjecting—*

**MR SPEAKER:** Mr Smyth, cease interjecting!

**MS GALLAGHER:** We will not see them in two months. But they will come and they are already coming.

**MR SPEAKER:** Supplementary question, Mrs Burke?

**MRS BURKE:** Thank you, Mr Speaker. Minister, given the Chief Minister's statement that we will judge him and his ministers on their ability to deliver on pledges, how can you expect Canberrans to take you seriously on your ability to deliver on your own pledges to fix the public hospital system emergency department? Will you now table this up-to-date information that you have referred to?

**MS GALLAGHER:** That information will be tabled in accordance with the requirements that we have. There are places—

**Mr Smyth:** Table it then.

**Mrs Dunne:** Be open and accountable like Jon Stanhope said you would be.

**MS GALLAGHER:** There are arrangements in place to table that information. I see no reason to make that available to the opposition to misconstrue and bag the public hospital system any earlier than they will get it. The one thing the Canberra community believes in is that this government can manage health, that this government has a plan for the future. The only thing they do know is not to vote like their lives depend on it for that team over there. They promised 100 beds without anywhere to put the beds, without any patients to put in the beds or staff to look after them.

**Mr Smyth:** You couldn't even manage a car park. You couldn't manage a car park.

**MR SPEAKER:** Come back to the subject matter of the question, please.

**Mr Pratt:** Why don't you table the information? Why are you hiding the information?

**MR SPEAKER:** Mr Pratt, cease interjecting.

**MS GALLAGHER:** It was around pledges and your ability to deliver a health system for the people of the ACT. We have increased our expenditure on health by 60 per cent since coming to government.

**Mr Smyth:** And you couldn't run a car park.

**MR SPEAKER:** Mr Smyth, I warn you.

**MS GALLAGHER:** We have 147 new beds after you guys cut 114 of them. We have regained administrative area in the hospitals—which you turned into admin area—to create wards and capacity for patients to be seen. We have increased the number of doctors. We have built an ANU medical school. We have settled every single industrial agreement without dispute, which is something that you guys could not do. We have funded \$34 million of elective surgery to deliver 3,000 more procedures a year than you guys ever did. We have filled the gap which was left when the commonwealth money which propped up your government ran out in 2001 under the cuts program. We have filled that. We have opened two new operating theatres. We have extended operating hours. We have invested in the emergency department. We are dealing with numbers of separations and presentations to the hospital that you

guys could never have even dreamt of dealing with when you were in government. These are the things that we have done. These are the things we manage every single day.

Not only do we manage the day-to-day reality of running a health system: we actually have a plan for the future of the ACT health system. It does not involve spaceships, Mrs Burke. It does not involve sending patients into outer space for treatment.

**Mrs Burke:** Through the chair.

**MR SPEAKER:** Direct your comments through me, please, minister.

**MS GALLAGHER:** It deals with the future needs of our community; it should be embraced by those opposite, not bagged by those opposite.

### **ACTION bus service—routes**

**MR MULCAHY:** My question is to the Minister for Territory and Municipal Services. Minister, during recent consultation sessions with the Curtin community a considerable number of residents have raised with me concerns about changes to the bus system. I understand that in addition to bus routes 30 and 32 the express service from Curtin to the city has been removed. This service, bus route 37, was, I understand, well patronised by many residents who work in Civic.

Also a level of dissatisfaction has been raised about the quality of the consultation that occurred. I understand, for example, that consultation occurred in December at a time, I am advised, when many residents who normally use the service were not at work and was mainly conducted online on the ACTION website.

Minister, on what basis was the express service between Curtin and Civic cancelled? Was consideration given to the submissions of Curtin residents?

**MR HARGREAVES:** Thank you, Mr Speaker. I thank Mr Mulcahy for the question. Firstly, the routes to Curtin that you talk about have not been changed yet. The changes were proposed as part of the original redesign of Network 08. The reason why they were put out into the community was to receive just the sort of feedback that we have received from the residents of Curtin. If my memory serves me correctly—and please do not hold me to the route numbers, we have received quite a lot of representation from the people of Curtin about route 30 and 32.

The consultation process included not only online information, but also included advertisements in the paper seeking to have people put their views into the ACTION hotline to the developers of the network. We received quite a few representations from there. Also I received my own representations from these people. In each case I have arranged for an officer from ACTION to talk directly to the constituent who has raised the issue.

All of the routes in the old Network 06, as amended, because we put on another 100 or so, were wiped and a new network advised to the general public. The changes were based on patronage, as we understood those patronages to be. We had limited

information, remembering that the government has approved the installation of a new ticketing system because the current ticketing system did not provide us with the data to properly judge what the routes would look like, and that is why we needed the people who were travelling on those buses. Of the 48 or so bus routes that people were concerned about, we received sufficient information to revisit about 10 or 11 of them. Curtin is one of them. We will be revisiting the issue around that particular Curtin bus route, taking on board the information that people have given us.

I go back to the point my colleague Mr Corbell made just a minute ago. You take decisions according to certain amounts of information that you have and you do the best you can about getting that information in a quality format which makes for good decision making. Then, through community consultation, you go out and get more information, and that causes you to revisit the original decision. Of course, in these particular cases, about 10 or 11 of them, the actual product at the end of the day will be considerably different from that presented to the newspaper and to the community.

I have to say with respect to the consultation process that it was not just done online. I know that there were presentations by senior ACTION officers to all of the community councils across town. There were public information sessions at the town centres where people could go and actually discuss these things. This has been, in my view, the widest and most comprehensive consultation process that I have ever heard of. It has been very, very good to the extent that at the moment I am criticised by those opposite because we have not fixed it. Well, we are still talking to the community about that. We are still receiving that information. Now that the deadline is over our schedulers are going to work to develop the timetable so that you will know that you are getting more frequent services down, say, the streets in Curtin, but you do not know what time of day yet. It will go out into the community when we can work out the domino theory of timetabling.

We know that we will be increasing most of the services around town in terms of frequency. I hope that responds to Mr Mulcahy's question. Again, if there are specific people who have specific issues, we are quite happy to have ACTION people talk to them directly. The time for changing things around has ceased, but bus services are revolving things. There will come a time in the future when we will need to change it again. We need to have the feedback from our travelling public each and every time they do it if they are willing to do so. We are happy to receive any number of them.

## **Dragway**

**MR STEFANIAK:** My question is to the Minister for Tourism, Sport and Recreation. Minister, at the 2004 election the Stanhope government pledged to build a dragway within 18 months. That pledge is now almost two years overdue. The Chief Minister said to an ALP conference:

We will be judged not just on what we pledge but on how well we have delivered on pledges made before.

That is a noble statement. However, the only action taken so far has been to allocate \$8 million in the 2004-05 budget, which still remains in the 2007-08 budget, and to spend \$165,000 on feasibility studies, according to answers you gave me last month to

questions on notice. Minister, is the Stanhope government still committed to the construction of a dragway in the ACT and what progress has been made to identify a suitable site?

**MR BARR:** I thank Mr Stefaniak for the question. Members would be aware, as a result of previous questions on this matter, that the government undertook an extensive consultation, survey and environmental assessment process in relation to the two sites that were identified in the Majura Valley and found that those did not meet the environmental standards as set out. So it became apparent that a dragway could not be constructed on those sites and we would then need to look at alternative sites.

Last year, I wrote to the former federal government—to the territories minister, the minister for finance and the Minister for Defence—seeking possible alternative sites that were currently commonwealth-owned land. Minister Lloyd responded reasonably quickly, within about two months of my original letter, indicating that, yes, the commonwealth may have alternative sites, and asked his department to liaise with mine around investigating possible options. I think it took between six and nine months to get responses from Senator Minchin, the then finance minister, and Brendan Nelson, who was then the defence minister, indicating that, no, they did not have further sites. The specific question I had asked in relation to the possibility of the commonwealth returning the original dragway site for use was specifically ruled out by the previous federal government.

I then undertook, upon the change of government, to write to the new ministers. I have received a response from Minister Debus, indicating similar advice to that provided by Minister Lloyd—that there are a couple of sites, the same sites that Minister Lloyd provided, but unfortunately they are not suitable for a dragway. They are either closer to households in north Canberra than the previous two sites or they involve a former defence site which I understand is contaminated and has unexploded ordnance—a range of issues that make it unsuitable. At this stage I am still waiting to hear back from Minister Tanner and the new defence minister, Minister Fitzgibbon, as to whether there is any change in the commonwealth's position in relation to land that may be held within those portfolios. The government provided money in the 2004-05 budget, and continued to roll over that money to make it available for a dragway. But until a suitable site can be found, it is not possible to expend that money.

**MR SPEAKER:** Is there a supplementary question?

**MR STEFANIAK:** Thanks, Mr Speaker. Minister, I reiterate: is your government still committed to the construction of a dragway? What other expenditure has been apportioned to the dragway and how much of that \$8 million remains for actual construction of the dragway?

**MR BARR:** I reiterate the position I have just put: should a suitable site be located, the government has allocated \$8 million. Mr Stefaniak, in his initial question, indicated—and I believe the figure to be correct—that \$165,000 had been expended on the various studies around sections 51 and 52 in the Majura Valley. That is the only money that has been expended out of the \$8 million. The remainder of that money remains available should a suitable site be found.

**Health—territory and federal responsibilities**

**MS MacDONALD:** My question, through you, Mr Speaker, is to Ms Gallagher in her capacity as Minister for Health. Minister, could you please update the Assembly on the responsibilities of the ACT government and the commonwealth government in relation to private and public health care in the territory?

**MS GALLAGHER:** I thank Ms MacDonald for her question. The answer that I will be providing to this question is particularly for the benefit of my opposition spokesperson who, in the adjournment debate, again indicated her lack of understanding of how the private and public health systems interact and their separate areas of responsibility.

In fact, in a recent article in the *City News*—an extremely flattering article, I thought, in the *City News*—Mrs Burke said that her job is to simplify health so that people can understand it. I think it has got a little too simple or maybe a little too hard. But I am going to make it quite simple so that that message can then get out to the Canberra community because I think maybe we have made it too simple.

If we start at the beginning, the principles which underpin the current arrangements in our national health system have been in place since 1983, which has given us around 24 years to get a handle on things.

**Mr Pratt:** You keep hiding that information.

**MR SPEAKER:** Mr Pratt, I warn you.

**MS GALLAGHER:** The first Medicare agreements began in 1983 and, while the names have changed—they are now called the Australian health care agreements—the principles remain the same. Under the agreements, all Australians are guaranteed free access to public hospital services. This includes inpatient, outpatient and emergency department. This access is based on clinical need only. There are no tests and there is no capacity for a public hospital to refuse access to care for anyone who needs it. We uphold that part of the bargain, and the commonwealth provides some funding to support our hospital services.

But these agreements do not cover visits to your GP or visits to a specialist working in their private practice. The name of the insurance which covers GPs and some non-admitted medical services is known as Medicare. This is totally different to the notion of a public patient within the public hospital system.

Medicare was first introduced as Medibank, under the Whitlam government, in 1974 and subsequently reintroduced in 1983. Medicare provides financial support to Australians who need to access services from clinicians operating in private practices, whether or not these clinicians provide services at public hospitals.

In short, GPs and specialists working in their own private practice are private providers. They are not subject to the ACT's public health authorities. They are free to accept or decline to see patients. Members of the public can visit these specialists

and if some or all of the fee is not covered by Medicare the patients must pay the private fees themselves.

Importantly, Mr Speaker, just because they are members of the public, that does not mean that they are public patients. It is only when a patient is referred to a public hospital or another public health service for care that they can be classified as a public patient. This includes inpatient, outpatient and emergency department services within a public hospital.

**Mr Smyth:** Put down the speech and explain about the—

**MS GALLAGHER:** If the patient were to be seen by a specialist clinician in an outpatient clinic at a public hospital, then that patient would be—

**Mr Smyth:** Show us you are across the board.

**MR SPEAKER:** I name you, Mr Smyth. You were on a warning and you got plenty of advice.

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

That Mr Smyth be suspended from the service of the Assembly.

The Assembly voted—

Ayes 10

Noes 7

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

Question so resolved in the affirmative.

*Mr Smyth was therefore suspended at 3.08 pm for three sitting hours in accordance with standing order 204, and he accordingly withdrew from the chamber.*

**MR SPEAKER:** Ms Gallagher's time has expired. A supplementary question, Ms MacDonald?

**MS MacDONALD:** Thank you, minister. As well as finishing the question, could you also give an example of how a constituent might navigate around the health system?

**Mrs Dunne:** If you've got a cheat sheet from the minister, it might be done like this.

**Mr Seselja:** Don't read it this time Katy; don't read it this time.

**MS GALLAGHER:** I have to read it because I have to go step by step.

**MR SPEAKER:** Members of the opposition, cease interjecting or you will join Mr Smyth.

**Mr Hargreaves:** Ha, ha, ha.

**MR SPEAKER:** Mr Hargreaves, discontinue your antics.

**MS GALLAGHER:** If I miss out an important ingredient, Mrs Burke will not understand it and she will make a fool of herself, as she did last night when she spoke in the adjournment debate.

Let us start again. A patient is referred to a public hospital. It is only then that they can be classified as a public patient. A GP cannot determine whether a patient is a public patient or a private patient. The patient at that point is simply a patient. The patient can exercise choice about whether they are a public or private patient only at the point that hospital services are offered. That may be in the private rooms of a private specialist who says, "You require this treatment" and then asks, "Do you have private health insurance or not?" The patient then exercises the choice by saying, "I would like to be seen as a public patient." That is where the public-private patient choice can be realised.

The other issue that seems to be slightly blurred is the role of VMOs. VMOs are private doctors who have a public contract to perform some public work, whether that be in an outpatients clinic—

**Mrs Burke:** Point of order Mr Speaker: is this an answer to a question on the notice paper regarding VMOs?

**MS GALLAGHER:** No, it is not.

**Mrs Burke:** There is a question on the notice paper.

**MR SPEAKER:** Can you point me to the question.

**Mrs Burke:** It is on the notice paper.

**MR SPEAKER:** The question was: how does a person navigate the health system? I do not know of a question of that nature on the notice paper. Unless you can point me to it, I will ask the health minister to continue.

**MS GALLAGHER:** Mr Speaker, I will be very careful not to go to the heart of the question on the notice paper. It is not a quota system whereby they have a public contract which means that, if someone turns up to their private rooms and says, "I'd like to be seen as a public patient," it is the responsibility of the private specialist to perform that work; the contract exists in the public system only.

For example, if a patient visits a GP for an appointment and his private GP assesses him as requiring the attention of a specialist, he will write a referral for the patient and bill him privately. He will then take the referral to a private specialist, who may or

may not elect to see him. If his books are particularly busy, he may recommend he see another specialist. If he does see him, he will charge him a fee, which the patient will need to pay out of his own pocket, regardless of whether the person wants to be seen as a public or private patient at that point.

The patient, as an alternative to seeing a private practitioner, may be able to access the public system as an outpatient or via the emergency department at a public hospital. If she or he does, and they have a need to, they will have access to a doctor at the hospital. This doctor may be a VMO, who is sometimes a private specialist working in a public capacity, or it may be a public doctor employed as a staff specialist at the hospital. It depends who is on the clinic for that time. It is only at the entry to the public system that the patient will be treated and seen as a public patient. That is where the patient makes that choice.

For example, the scenario provided yesterday by Mrs Burke in the adjournment debate had a number of errors in it. I hope I have cleared up those errors for you. I hope you now understand that the information at some point given to this patient was incorrect. I hope that we have a way forward with this patient. I understand that we do and that the patient will be seen as a public patient.

But the public patient can be seen only at the public hospital, regardless of what was said or what was not said, or an appointment declined or agreed to in a private capacity. Yesterday Mrs Burke was really suggesting that the government should be responsible for and control the behaviour of all doctors across the ACT system, regardless of whether they are public or private specialists.

**Mrs Burke:** I never said that.

**MS GALLAGHER:** That is what you were saying. Essentially what you are asking for is a socialised health system, Mrs Burke—

**MR SPEAKER:** Order! Order! Direct your comments through me, please.

**MS GALLAGHER:** And it is not one that we have or intend to have in the future. It may be something that you will promise as part of the election campaign.

**Mrs Burke:** Touchy.

**MS GALLAGHER:** I am not touchy Mrs Burke; just get the story right. She is an embarrassment.

**MR SPEAKER:** Order! Deputy Chief Minister.

### **Emergency services—FireLink**

**MR PRATT:** My question is to the minister for emergency services. Minister, the FireLink mobile data and vehicle location system was deemed by your government to be an urgent operational necessity which had to be rolled out by no later than bushfire season 2004-05. A search of *Hansard* for FireLink over the life of this Assembly indicates that the dumped \$5 million project was mentioned more than 100 times. The great majority of these mentions—

**Mr Hargreaves:** Ninety-eight of them were you.

**MR PRATT:** The great majority, Mr Hargreaves, relate to deep concern over the efficacy, operability and constant delays in the final rollout of FireLink—all this during the two years prior to your unceremonious dumping of the project.

Minister, yesterday in question time you said that there is a capacity in human minds to absorb new information.

**Mr Seselja:** It takes a while.

**MR PRATT:** That was a groundbreaking comment, I thought.

**Mrs Dunne:** Some people take a while to do their thinking.

**MR SPEAKER:** Order, members!

**MR PRATT:** Minister, will you now explain why it took you so long to absorb the new information, along with the two years worth of old information, that FireLink was not working—information which was readily available in the form of scrutiny, feedback and constant warnings from the opposition and operational users—before making your decision to dump the project?

**MR CORBELL:** I find it remarkable that the opposition criticise the government for implementing the FireLink project and then criticise us for dumping it. It would seem to me that their position is one where it does not matter what we decide to do: they will find some fault with it.

**MR SPEAKER:** Order! Come to the subject matter of the question, Mr Corbell.

**MR CORBELL:** This is the subject matter of the question, Mr Speaker. It is about the decision making of the government around the decision to discontinue the FireLink project.

It is quite extraordinary that the government, having been in receipt of information from an independent consultant—indeed, two independent consultants—on the efficacy or otherwise of the ESA's information and communication technology projects, having made a decision based on that information that the projects, and one particular project in particular, FireLink, should not continue, having made the decision in accordance with that advice, should be criticised given that the opposition claim that they believe the project should have been dumped all along. I find it extraordinary that we get criticised for implementing the project and being urged to dump it, and, when we do dump it, we get criticised for dumping it. That is the opposition for opposition's sake that we have from those opposite.

I am on the record repeatedly on the steps the government took and the issues it canvassed in deciding whether or not to continue with that piece of technology for the ESA. I have answered numerous questions on that. They are all on the public record. That amply answers the questions that Mr Pratt has asked.

**MR SPEAKER:** Supplementary question, Mr Pratt?

**MR PRATT:** Minister, why did you ignore the signs that FireLink, which was deemed urgent for rollout no later than bushfire season 2004-05 and which then missed subsequent new deadlines, was a failure for so long?

**MR CORBELL:** I think I have answered the question, Mr Speaker.

### **Alexander Maconochie Centre**

**MR GENTLEMAN:** My question is to the Attorney-General. Minister, can you please update the Assembly on the government's progress to recruit staff for the Alexander Maconochie Centre and what the benefits of this recruitment will be?

**MR CORBELL:** I thank Mr Gentleman for the question.

**Mr Seselja:** Another Simon attack. Tell them to send Andrew out!

**MR CORBELL:** He did not even mention you, Mr Seselja. I am amazed you are so touchy. I think Mr Seselja is walking around with a big red dot on his back. It is either Brendan, or it is Richard, or it is somebody.

**MR SPEAKER:** Come back to the subject matter of the question, Mr Corbell.

**MR CORBELL:** Thank you, Mr Speaker. It has obviously got into his psyche there already. Mr Speaker, around 75 new custodial officers will be recruited for the Alexander Maconochie Centre. In addition to redesigning their recruitment material and application processes, ACT Corrective Services has hooked up with the live in Canberra campaign, and we have seen a series of information stalls run as part of that campaign promoting the employment opportunities at the new prison.

In addition, new promotional material has been presented in advertisements in a range of newspapers interstate and even overseas in New Zealand. In response to this, over 250 telephone inquiries have been received, and about 50 of those have been from New Zealand. There has been a roadshow around regional New South Wales. In particular, information evenings have been held in Yass, Young, Cootamundra and Wagga Wagga. A very excellent response to those has been achieved.

Of course, Mr Speaker, this is all about helping those people who rely most on the services of government. If we make sure that we properly recruit and train custodial officers for the prison, it means we can deliver those services that are most important to those people who are incarcerated for committing crimes. Mr Speaker, this program has proven to be extremely successful, and it will mean, of course, that we will have a significant increase in employment in this particular area here in the ACT.

The first course of 20 officers commenced training on 15 October, and I was very pleased to be at their graduation ceremony which occurred on 20 December last year. Another course of eight officers is underway right now and will finish on 29 February. A third course is scheduled to start on 3 March and to finish on 9 March. There are another 37 applicants selected for this course. Another course will start in May.

Mr Speaker, not only have we been successful in attracting a sufficient number of people in a very tight labour market to undertake this training, but we have also been successful in improving the economic activity in the territory. Unlike those opposite who profess one thing and then say another when it comes to the prison, we are serious not only about the benefits associated with the prisoners from providing our own correctional facility, but also about providing improved investment in the economy.

The \$20 million that is associated with the running of both the remand centres and the payments to New South Wales—that is in 2003 dollars—will be translated into \$20 million being spent here in the ACT economy. Mr Speaker, once again, that is a very important investment in the ACT economy supporting local jobs, supporting local shopkeepers, supporting local human resource companies, supporting local food companies. All of those companies that need to provide food—

*Members interjecting—*

**MR SPEAKER:** Mr Corbell, resume your seat, please. Members from both sides of the chamber are continuing conversations across the chamber. There continues to be interjections, which I will not tolerate. Mr Corbell.

**MR CORBELL:** Thank you, Mr Speaker. This really does highlight the government's commitment to providing a facility that we can be proud of, that we can take responsibility for and get the benefit from, not only in terms of its rehabilitative services, which is, of course, its most important objective, but also the side effects of investing in the local community through the economic activity that is generated. I would have thought that would be something that an opposition leader would be interested in—improved economic activity for the region and more jobs locally, especially lower paid jobs. These are not top-of-the-end jobs; these are lower paid jobs, but they are, nevertheless, important jobs. Where is his support for that? Where is his professed interest in the families of those correctional officers who will be employed as a result of the new prison? Where is his professed interest in the support for those disadvantaged people who will take—

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

### **Schools—closures**

**MRS DUNNE:** My question is to the Chief Minister. Chief Minister, I refer to your answer yesterday regarding school closures. In it you referred to Mr Pratt's press release of 11 August 2004 as evidence that Ms Gallagher had been up front on the issue of school closures when she was the minister for education. Are you aware that the next day, on 12 August, a spokesperson for Ms Gallagher categorically ruled out any school closures in the next term of the government, in response to Mr Pratt's statement? This statement, Chief Minister, has never been repudiated.

In addition, Ms Gallagher on 13 October, three days before the 2004 election, issued a press statement claiming that it was in fact the Liberal Party's agenda to close schools. Mr Speaker, I seek leave to table Ms Gallagher's press statement of 13 October 2004 headed "25 jobs to go and schools to close: Libs costings tell the story".

Leave granted.

**MRS DUNNE:** I table the following paper:

School closures—25 jobs to go and schools to close: Libs costings tell the story—Copy of media statement by Ms Gallagher, 13 October 2004.

Given that your government went on to announce 23 school closures after the election, when you said there would be none, will you now, in the face of overwhelming evidence, acknowledge that the community was misled by your government and your minister on the issue of school closures?

**MR STANHOPE:** No, I will not. I have answered this question. It is interesting how, stung into an acknowledgement that it was Liberal Party policy prior to the last election—indeed consistent with a press release released by Mr Pratt, which the minister was referring to, on that date in October that the member refers to in her question—the Liberal Party election position, expressed by Steve Pratt, that, yes, schools would have to close. That Liberal Party position is precisely the position that the minister stated, three days prior to the election. It is now raised in the question by Mrs Dunne as—shock, horror!—that the minister said, three days before the election, that it was actually the Liberal Party. Yes, that is true, true again; everything you say is true. That is true. It was the Liberal Party that said they would close schools.

**Mrs Dunne:** You never repudiated the comment “we won’t close schools”.

**MR STANHOPE:** It was the Liberal Party, who now, of course, ever since then—

**Mrs Dunne:** “We categorically rule out closing schools in the next term of the Stanhope government.”

**MR STANHOPE:** have tried to pretend that they will not ever close schools, and indeed we have the new Leader of the Opposition—

**Mrs Dunne:** Your spokesman said it.

**MR SPEAKER:** Order, Mrs Dunne! I’ve called you to order several times—no more.

**MR STANHOPE:** I think in his first interview post his accession to the leadership, insisting, “Well, yes, if we are elected next October, we will reopen schools.” Their education policy apparently consists of “Oh, well, we will consider opening some of the schools that were closed. We will give it serious consideration.” At this stage the only policy expression that we have from the Liberal Party in relation to education is “Oh, we will reopen some of the schools that the government has closed.” Despite, of course, this very clear expression that the Liberal Party intend to close schools, they will not accept or agree to the closure of any schools other than the ones that they themselves will close and their policy position in relation to education is actually to open schools which the government of the day has closed.

**MR SPEAKER:** Come back to the subject matter of the question. It was whether or not the community had been misled, so come back to it, please.

**MR STANHOPE:** The answer is no.

**MR SPEAKER:** A supplementary question from Mrs Dunne.

**MRS DUNNE:** That was a masterly intervention, Mr Speaker. Thank you for that. Chief Minister, are you truly embarrassed by the failure of your ministers and your ministers' spokesmen over 2004 and 2005 to come clean with the community about your government's plan to close schools?

**MR STANHOPE:** I am not a bit embarrassed by any of my ministers or by their performance. Indeed, after three days of sittings this week, any objective dispassionate observer of proceedings in this Assembly would actually understand why I would not have any embarrassment. Indeed, in the context of comparisons that it is simply impossible not to make in terms of calibre and capacity between my colleagues and those on the opposition benches—

**Mr Pratt:** I raise a point of order, Mr Speaker. The Chief Minister is way off message in terms of the question. He is gallivanting on another drama. Could he come to the substance of the question?

**MR SPEAKER:** Mr Pratt, Mrs Dunne asked the Chief Minister whether he is embarrassed. He is informing the Assembly why he is not embarrassed. It is pretty straightforward.

**MR STANHOPE:** I think actually the reason that I am not embarrassed was just encapsulated in that little performance by Mr Pratt. I do not have a tinge of embarrassment and never will.

**Mrs Burke:** I raise a point of order, Mr Speaker, under standing order 118 (a). Can the Chief Minister give a concise answer, please?

**MR STANHOPE:** My case continues to be made.

*Opposition members interjecting—*

**MR SPEAKER:** Order! I will not tolerate points of order which are meant to upset the speaking rights of members. The Chief Minister was answering a reasonable question: was he embarrassed? He is explaining why he is not.

**MR STANHOPE:** The case continues to be made for me as we progress down the conga line. I await the typical and now to be expected brittle response from a very brittle and fragile Leader of the Opposition in relation to any suggestion that he might not actually have a grasp of things. I have no embarrassment at all. I am proud of our performance. I think that my pride will continue to grow as the year progresses.

### **Schools—proposed schools authority**

**MS PORTER:** Mr Speaker, my question, through you, is to the minister for education. Can the minister please update for the Assembly his proposal for an ACT Schools Authority?

**MR BARR:** Thank you, Mr Speaker. Can I say from the outset that maintaining and improving high education standards across ACT schools is a very important priority for the ACT government. Ms Porter—and I thank her for the question—would be aware that earlier this month I released a discussion paper for an ACT School Standards Authority. This paper establishes a framework for a community debate about how we can establish and monitor standards in our education system.

The discussion paper sets out a number of proposals about how the functions of the Board of Senior Secondary Studies could be expanded to oversight education standards from preschool to year 12. The paper also explores how the government could best provide objective evidence of student achievement. It also examines how we might support and strengthen standards in the teaching profession, the curriculum and schooling generally. The ACT already has one independent statutory authority, the ACT Board of Senior Secondary Studies. The BSSS currently accredits year 11 and 12 courses and ensures that school based assessments for year 12 qualifications are valid and fair.

The proposed authority would be an evolution of the BSSS, expanding on the excellent work that this body has done and integrating a range of quality assurance and standards processes. The authority would potentially be responsible for registering teachers, maintaining and reviewing curriculum frameworks from preschool to year 12 and registering non-government schools and students for home education. The authority would also be responsible for managing year 10 and year 12 qualification processes and managing the program of national student assessments.

The authority would provide advice on education outcomes on a whole of jurisdiction basis. It would have the advantage of consolidating into one body a number of important functions, including the registration of non-government schools, which can give rise to a perceived conflict of interest when undertaken by a government department.

Establishing such an authority at this time would coincide with changes that have arisen due to new national developments in areas such as national curriculum, teacher standards and national assessment. Developments nationally around teaching standards and the national assessment program mean that now is the right time to discuss whether or not the introduction of an authority with responsibility across public and non-government schools is of value. The authority would make it easier to align ACT schools with important national initiatives, including the 2003 national framework for professional standards of teaching and the national assessment program which will, for the first time, provide a standard measure for assessing student achievements across the country. These initiatives cross both public and non-government sectors. Oversight of these areas would potentially be most effective if undertaken by a body that is independent of any one sector.

With the discussion paper I aim to build on the consultation that has already occurred in relation to teacher registration and to open up discussion about the possibility of an ACT School Standards Authority. I am interested to learn the views of the community on the merits of establishing this authority. I ask parents, carers, principals, teachers and members of the wider community to read the discussion paper and provide their thoughts on the value of establishing such a body in the ACT.

I believe that the different education stakeholders will be keen to consider and discuss this proposal, which builds on the extensive work and wide consultation carried out as part of the teacher registration project. The discussion paper was circulated electronically to a wide range of relevant stakeholders in the education sector. It has also been placed on the department of education's website. The community has until 14 March to provide comment and feedback on the proposals. After this point an analysis of the feedback will determine if a further consultation process will be undertaken on the possible models for the authority.

Should there be a positive response to this initial round of consultation, I will prepare a further community consultation paper with a range of different models. If the community supports the establishment of an ACT School Standards Authority, I would expect it to be in place by 2011.

I conclude by saying that this drive by the ACT government to seek the community's views on the possibility of establishing a School Standards Authority is further evidence of the government's commitment to excellence in education—the same commitment that has seen this government invest more in education than any other government in the history of self-government in the ACT, the same commitment that leads this government to continue to ask the questions: “How can we make our great education system even better? How can we deliver more for ACT students?” This is the same commitment that contrasts with the lack of policy development by the opposition, the non-existent policy of those opposite who believe that investing money in education is throwing good money after bad.

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

## **Paper**

**Mr Stanhope** presented the following paper:

Ministerial travel report—1 January to 31 December 2007.

### **Budget 2007-2008—midyear review Paper and statement by minister**

**MR STANHOPE** (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts): I present the following paper:

Budget 2007-2008—Mid-year review.

I seek leave to make a statement.

Leave granted.

**MR STANHOPE:** Mr Speaker, I present to the Assembly the budget midyear review 2007-08 in accordance with the Financial Management Act 1996. The review updates

the estimated financial position for the current year and budget estimates for each of the three forward years. This review confirms and reinforces the strong economic position of the territory. It justifies and rewards the government's prudent financial and economic management. At a time when national and international risks loom, it insulates us from shocks. It provides us with security to address ever-increasing demands on our public health system. It gives us as a community and as a Labor government committed to public health the capacity to do what has to be done to meet and satisfy those demands. It allows us to plan for the future in an orderly and considered manner.

These are the priorities of the community: protection from unanticipated or uncontrollable shockwaves from beyond our borders and a preparedness to meet those challenges we can foresee, rather than leaving that task to the cost of future generations and future governments. Our history has been, until recently, one of unfairly putting off the costs to future generations. That has been our mistake as a territory, perhaps because, at first, we resented self-government being imposed upon us and, later, because we became accustomed to drawing down our assets to pay our bills. No more.

Mr Speaker, economic activity in the ACT remains frenetic. The residential and commercial property markets are strong. The volume of non-dwelling construction undertaken in the ACT was the highest on record. A strong demand for labour has resulted in an unemployment rate low unmatched in our nation's history. We not only enjoy virtually full employment, but we also have the highest participation rate in the country. This does, however, pose challenges for businesses poised to grow and for those seeking to fill vacancies, challenges which we are addressing through initiatives such as our work with the Skills Commission and the live in Canberra campaign.

The good news is set to continue. The midyear review forecast is for the economy to grow at a solid rate of 3.5 per cent in 2008-09. Of course, the strong economic activity of the past year has had a positive impact on the territory's financial position. The general government sector estimated budget outcome for 2007-08 has improved in the midyear review from a budgeted net operating surplus of \$103 million to a revised net operating surplus of \$196.2 million, an improvement of \$93 million. Perhaps more importantly, thanks to the sustainable path upon which the government has embarked, the picture beyond 2007-08 is turning around. The territory's projected surplus has improved to \$159.9 million in 2008-09, rising to \$213.8 million in 2010-11.

The strong performance in the current year reflects the impact of several things. As members will be aware, we have enjoyed increased GST revenue due to the Australian government's larger than expected GST revenue pool and an increase in the ACT population. If even the federal government, the collector of those taxes and the one who calculates their distribution according to population, could not anticipate this additional revenue, there was equally no way the ACT government could have done so.

Other factors have contributed to our better than expected result. Land sales have boomed, a sign of our robust economy, and, as a consequence, taxes and tax equivalent payments, along with dividend returns from the Land Development Agency, have risen. Similarly, the territory has enjoyed strong conveyance returns, a

result of the continuing strength of the housing market. We have also revised upward our interest revenue, driven in part by an increase in interest rates from 6.25 per cent to 6.75 per cent—again, something that could not be confidently anticipated. Mr Speaker, we are comfortably placed, and that allows us the latitude to invest in the community.

The numbers I read out today are the numbers that will put the Deputy Chief Minister and Minister for Health, Katy Gallagher, in the enviable position where she can bring to cabinet her proposals for an investment in health infrastructure unparalleled in our history. These are the kinds of numbers that allow us to say to Canberrans that theirs is a government that has the capacity to invest in tackling climate change, that can give their children state-of-the-art schools and the best paid teachers in the country. These are the kinds of numbers that will allow us to invest in the roads, the parks, the ovals, the community facilities, the car parks and the urban forests that go to the quality of our lives. They are the numbers that allow us to open a new school every year between now and 2013: Harrison primary school this year; the West Belconnen P-10 school in 2009; the Gungahlin secondary college in 2010; the Kambah P-10 school in 2011; and, almost certainly now, another new high school in Gungahlin in 2012, maybe 2013.

Mr Speaker, in addition to looking forward to strong surplus results, the ACT continues to maintain a strong balance sheet. Our AAA credit rating is a mark of our economic sustainability. The AAA rating is supported by key financial indicators, such as negative net debt, a low level of net financial liabilities and significant net worth. The midyear review forecasts improvements in these indicators.

The figures I table today are ones of which the government is justly proud. The government's record of investment in the territory's physical and social infrastructure is unparalleled. The forecast surpluses will allow us to make more targeted, prudent investments that make a difference in people's lives. They will give us the capacity to resist the things we cannot control, including decisions made at other levels of government that will unavoidably affect a town like ours. Of course, they give us the capacity to buffer our community against the shocks that may be ahead courtesy of the Howard-Costello inflation genie. Mr Speaker, I commend the 2007-08 budget midyear review to the Assembly.

## **Financial Management Act—instruments Papers and statement by minister**

**MR STANHOPE** (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts): For the information of members, I present the following papers:

Financial Management Act—Pursuant to section 16B—Instruments, including statements of reasons, authorising the rollover of undispersed appropriation—

ACT Planning and Land Authority, dated 4 February 2008.

Department of Territory and Municipal Services, dated 5 February 2008.

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

Leave granted.

**MR STANHOPE:** Madam Temporary Deputy Speaker, section 16B, rollover of undispersed appropriation, of the Financial Management Act allows appropriation to be preserved from one financial year to the next as outlined in instruments signed by the Treasurer. As required under the act, I table a copy of authorisations made to roll over undispersed appropriation for 2006-07 to 2007-08. The appropriation being rolled was not dispersed during 2006-07 and is still required in 2007-08 for completion of projects identified and instruments provided.

These rollovers have been made as the appropriation clearly relates to project funds required where commitments have been entered into but the cash has not yet been used, for example capital works projects or initiatives for which the timing of delivery has changed or been delayed or outstanding contractual or pending claims exist.

The first instance authorises the rollover of \$11.937 million in capital injection for the Department of Territory and Municipal Services. Significant rollovers include: \$1.2 million for the International Arboretum due to a review of the strategic basis of the project; \$1.9 million for the National Convention Centre due to a timing difference between completion of works and the receipted invoices; \$1.7 million for expansion of the speed camera network due to longer than anticipated onsite testing and evaluation as well as the delayed shipping of equipment; and \$1.7 million for action safety and security measures.

The second instrument authorises the rollover of \$411,000 in government payments for outputs for the ACT Planning and Land Authority for the sustainable transport initiative stage one. Details for AUBs and the remaining rollovers are provided in the instrument, and I commend the papers to the Assembly.

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

**MR STANHOPE** (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts): For the information of members, I present the following paper:

Financial Management Act, pursuant to section 26—Consolidated Financial Report for the financial quarter and year-to-date ending 31 December 2007.

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

Leave granted.

**MR STANHOPE:** Madam Temporary Deputy Speaker, I present to the Assembly the December quarter 2007 financial report for the territory, as required under section 26 of the Financial Management Act. At the end of December 2007, the net operating

balance for the general government sector was a surplus of \$125.7 million. As foreshadowed in the 2007-08 midyear review, the outcome for the December quarter year to date was \$50.9 million higher than the budgeted surplus of \$74.8 million. The result was mostly due to higher levels of conveyance revenue and stamp duty on shares and marketable securities.

The strong year-to-date general government sector performance reflects, in part, the ACT's continuing strong economic performance, continued strong conveyancing returns as a result of the ongoing strength of the ACT residential housing and commercial property markets, the upward revisions to interest revenue resulting from higher investment balances and an increase in interest rates, and a record low unemployment rate due to high labour demand.

The December year-to-date outcome highlights the confidence in the territory's economy and rewards the government's commitment to prudent financial and economic management. Such outcomes give the government the capacity to plan ahead, to prepare for the future, to provide world quality service in areas of greatest priority for the people of Canberra and to invest in our city's physical and social infrastructure. I commend the report to the Assembly.

## Papers

**Mr Corbell** presented the following papers:

Australian Crime Commission (ACT) Act, pursuant to subsection 51 (5)—  
Australian Crime Commission—Annual Report 2006-07, dated 5 December 2007.

Education, Training and Young People—Standing Committee—Report 5—  
*Inquiry into the Eligible Voting Age*—Revised Government response, dated December 2007.

## **Dangerous Substances Act Occupational Health and Safety Act Papers and statement by minister**

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations): For the information of members, I present the following papers:

Occupational Health and Safety Act, pursuant to subsection 230 (3)—Review of Act—Report, dated February 2008.

Dangerous Substances Act, pursuant to subsection 224 (2)—Review of Act—Report, dated February 2008, including a copy of the Discussion Paper: Review of the Dangerous Substances Act 2004 (including fireworks), Australian Federal Police Statistical Tables and Research on the ACT's Consumer Fireworks Regime.

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

Leave granted.

**MR BARR:** The Dangerous Substances Act 2004 provides a modern statutory framework for the regulation of dangerous goods and hazardous substances, including asbestos, explosives and fireworks. The act contains a provision that requires it to be reviewed as soon as practicable after 30 June 2007 and for a report on the review to be presented to the Legislative Assembly. The review of the Dangerous Substances Act began in September 2007 with the release of a discussion paper that invited people who had an interest in or experience of the act to make a submission.

There was a three-month period to make submissions. Some 45 submissions were received. Most of the submissions were from members of the public, several were from animal welfare groups, and five were received from other stakeholders, such as the Australian Federal Police and the fireworks industry. Only two submissions addressed the general operation of the Dangerous Substances Act; the rest focused on the operation of the Dangerous Substances (Explosives) Regulation and particularly on the sale and discharge of consumer fireworks.

The community was also consulted specifically on the issues around the availability of consumer fireworks. A market research consultant was engaged to develop and deliver an appropriate community engagement strategy. The consultant developed an online survey featuring a number of questions on consumer fireworks which invited members of the community to have their say and which attracted 1,202 participants. The consultant also conducted the telephone survey involving a representative sample of 1,000 adult Canberrans. The report includes the main findings of these surveys.

In addition, two public meetings were held in November 2007. At these meetings a panel of representatives from agencies and industry led discussion on the pros and cons of the availability to the public of consumer fireworks. A range of opinions were expressed, and they were fairly evenly divided for and against. Some 58 community members attended the first meeting and 56 were at the second meeting. It would be fair to say that no clear majority view emerged from this process.

The report notes that, as a follow up, focus groups will be brought together shortly to discuss the options for future regulation of the use of fireworks by the public in the ACT. These focus groups will consist of randomly selected members of the ACT community. Importantly, though, there will also be one focus group convened of members of the fireworks industry only. The consultant will provide a final report following these focus groups. The government will then be in a better position to make a decision on the future regulation of consumer fireworks in the territory following the conclusion of the focus groups.

Depending on the outcome of the focus groups, I intend to be in a position to bring a bill to the Assembly on this matter in 2008. I have said previously that the government will attempt to make any changes on the use and sale of consumer fireworks before the 2008 Queen's Birthday long weekend, and this may include, for example, changes to the sale period or discharge time for fireworks. However, should the government decide to ban the use of fireworks by members of the public altogether or on other changes that may affect the constitution or ordering of consumer fireworks, these will not be affected until the 2009 fireworks period.

## **Justice and Community Safety Legislation Amendment Bill 2007 (No 2)**

### **Revised explanatory statement**

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services): For the information of members I present a revised explanatory statement to the Justice and Community Safety Legislation Amendment Bill 2007 (No 2). This revised explanatory statement is presented in response to matters raised by the scrutiny of bills committee.

### **Community safety in Canberra Discussion of matter of public importance**

**MADAM TEMPORARY DEPUTY SPEAKER** (Mrs Dunne): Mr Speaker has received letters from Mrs Burke, Mrs Dunne, Dr Foskey, Mr Gentleman, Ms MacDonald, Mr Mulcahy, Ms Porter, Mr Pratt, Mr Seselja, Mr Smyth and Mr Stefaniak, 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 Mr Pratt be submitted to the Assembly, namely:

Community safety in Canberra.

**MR PRATT** (Brindabella) (3.51): I welcome the opportunity to speak again on the very important issue of community safety. This is an issue that is increasingly on the agenda in this place, and quite rightly so. The ACT community deserve to feel safe as they go about their business. It could be a matter of feeling safe to walk the streets, do their job, catch a bus or a taxi, go out with friends on a Friday or a Saturday night without fear of being assaulted or subjected to other antisocial and criminal activity; it could involve the elderly who are trying to live in their homes in peace and quiet, tend to their gardens and not see their properties vandalised; it could involve families who live in quiet streets who do not wish to see their 50-kilometre-per-hour streets used as rat-run drag strips for young people who want to perhaps take a few shortcuts; or the feeling of being safe that could come from the knowledge that our community is adequately prepared for bushfires and other natural or manmade disasters.

Despite the Stanhope government's constant refrain that we are safe, and should feel safe to catch a bus or a taxi, unfortunately, the feeling in the community at the moment appears to be that most of us do not always feel safe, particularly when catching public transport. At the outset I would have to agree that Canberra city is certainly a safer city than many in Australia, and when it is rated against the larger provincial towns on a proportionate basis, we are fairly safe. But it certainly does not allow us to suggest that, because we compare reasonably well with cities around the nation or, indeed, with other like-minded societies around the world, we should ever give up stopping a deterioration in standards.

Right across Australia, we believe there is a deterioration in community safety standards. It is the responsibility of government to ensure they have in place the procedures and systems—the emergency management systems, the community safety systems—so that we maintain the highest possible standards. After all, the objective

of community safety policy is to ensure that our community is comfortable, safe and to allow all of our residents to achieve their full potential, to live comfortably and to make a contribution.

It is also important that our younger Canberrans feel that when they grow up they will realise their full potential, knowing that they need not look over their shoulder to see whether they are having a safe day or an unsafe day. That is the problem that exists in other places. We do not want that to occur here, and that is the objective of community safety policy.

Recently we had a roundtable discussion. The Leader of the Opposition talked in some detail about that this week. It was his roundtable. It was a good roundtable. It addressed what has been fairly clear in the press in recent months: safety concerns around Civic on Friday and Saturday nights, and around Manuka and Kingston to a lesser degree. Clearly, in the roundtable coordinated by Mr Seselja, which I attended, there were differences of opinion. There were differences of opinion on just what level of safety there is in Civic. There was certainly a hell of a lot of press coverage indicating that things are not so safe at all.

We have to respect the views put during the opposition's roundtable. Some of the stakeholders who were present did not feel that things were any worse than they have been for some years. For the record, I will say this here: in their view, a lot of the picture painted was a media beat-up. That is what a number of quite notable stakeholders said. They have a right to say that, and the opposition have taken those comments on board.

Be that as it may, a majority of the participants at that roundtable still felt there were significant problems that needed to be addressed. They were in some agreement that we do not have a crime epidemic in Civic and Manuka and that things have got somewhat better. We in the opposition think that things have got a little better, too. But, by God, there is still a long way to go, particularly seeing as it is the nation's capital. The nation's capital needs to be seen as a showcase city. We should show the rest of Australia that we are very proud of our city. It is a clean and safe city, and we in the opposition think that a lot more can be done to that end.

In that roundtable conference that was held 12 or 14 days ago, as well as outside that forum, taxi drivers, taxi owners and more senior members of the taxi industry have continually indicated they are concerned that security matters in Civic are not being properly addressed. I know that the taxi industry is currently in negotiation with the government to do something about that.

When taxi drivers avoid providing a service in Civic on Friday and Saturday nights—that is, market-rich environments for taxi drivers—and when they are not going to Civic in significant numbers, clearly something must be wrong. If they are saying they feel that when they park in Alinga Street, and in and around the bus interchange, the environment is not particularly safe and that they are having fare evasion problems and those sorts of things, I think we must listen very closely to what they are saying. When other observers are backing those observations, we must take note.

I do not want to go into detail on other issues that the opposition feels ought to be looked at in relation to that area with respect to public transport, but I will say we do hear that bus drivers are also saying they are concerned about security around the bus interchange and Alinga Street on Friday and Saturday nights. Owners of large properties around the centre of Civic are also backing these concerns. They see a lot of evidence in this regard; their properties are damaged so often as to indicate there are major challenges. ACT police have certainly been able to increase their patrols in town, but they need assistance, and the assistance has to come from having a broader community safety policy that addresses the whole mosaic of intertwining issues that go to the heart of this question about that part of town.

I want to refer to bus interchange safety. Concerns have been expressed for two years that none of the bus interchanges are safe places for the bus-catching community, transport officers and bus drivers. Woden interchange and Civic interchange have been particularly highlighted in the feedback that the opposition has received from both the roundtable meeting and individual responses from bus drivers and frustrated ACTION transport officers. We have talked about that in this place. The government have said they are going to do something about the CCTV system. I do not believe the interchanges have been significantly upgraded since the middle of 2007, when this matter was debated here in some detail.

I will be very happy to stand corrected today by Minister Corbell or Minister Hargreaves and to hear that they have now embarked on putting a number of CCTV cameras into the interchanges. The minister for police indicated this week that they have commenced the CCTV implementation in and around some parts of Civic. That is fine, and we well understand the need for the government's quarter-of-a-million-dollar program to get things rolling on the citywide CCTV system. That is a start, but it would still seem that the bus interchanges have been bypassed.

There are significant security problems in these two areas in particular—Woden and Civic bus interchanges. We should have had a full CCTV system implemented in these two priority areas, and we have not. I would lay London to a brick that we do not yet have complete CCTV systems in the four bus interchanges, particularly Woden and Civic, and I would be very glad to be corrected this afternoon, and to know that some measures have at least been taken to provide better security for patrons and bus drivers.

The situation at the interchanges is of quite serious concern. We are continually told that police patrols are not getting into Woden interchange often enough. We were told in May 2007 that the number of ACTION staff would be increased so that the interchanges are manned by more than one person after last light. We have all heard in this place about the number of incidents that have occurred—knife attacks on bus drivers, the kicking down of doors and the assault of ACTION officers in their bus interchange offices. We have heard those stories, and there have been too many of them for us to ignore the fact that there are clearly weaknesses in the security system.

I would love to know whether all of those areas have been completely addressed or whether we are simply partway into analysing them. If we are only partway into

analysing those particular areas of concern, after eight months of those matters being raised continually in this place, the opposition would be severely disappointed in the government. Again, we are happy to put the question on the table now, and we are happy to be told that we are incorrect and that these matters have been addressed. That is why we are debating this, and we want to hear the answers.

The vandalising of bus interchanges is quite extensive, and the incidence of graffiti and broken toilets around the interchanges is clear. Mr Speaker, I seek leave to table photographs of two out of three broken toilets in Civic interchange.

Leave granted.

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

Civic—Public toilet—Copies of photographs (4).

I am reliably told that, on the day that these photographs were taken, the third toilet at the Civic interchange was also broken. So 100 per cent of toilets were broken on that day. Bus drivers indicate that this is a regular occurrence. I think I have said in this place before that you would not want to allow your wife, sister or mother to use those particular toilets.

A principle of community safety is the broken windows theory. The broken windows theory is that, if you cannot sort out the graffiti, the vandalism and the broken toilets, you do not have safe environments. Where those environments exist, violence comes next. I call upon the government to work from the ground up in terms of community safety. Look at the theory; look at the principles of the broken window theory.

We have talked about taxi rank safety. I want to finish by looking at general suburban safety. Over the last six years, I have been concerned about hooliganism. I talked earlier about people driving at speed in 50-kilometre-zone streets. I refer particularly to streets where families with children are in the majority, and kids like to use streets to play in. In a number of them, particularly in Chisholm and Gowrie, these are major concerns that are reported quite often.

While I welcome the new suburban ownership program that the police are now exercising, and it would appear there is a stronger community policing strategy in place, there still seems to be a police presence problem. I have received an email from a resident of Conder that was written to me on 14 February. He talks about rocks being thrown through the roof of his house; he says that there are frequent occurrences of urinating on his front doormat; frequent break-ins through the roof of his house when it is vacant; and numerous calls to police and ACT Housing have come to naught. These issues need to be addressed in terms of community safety.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services) (4.06): I thank Mr Pratt for putting this MPI on the program today. I begin by stating clearly that the government firmly rejects attempts to sensationalise the issue of community safety in Canberra. It can be very easy to use the individual experiences of those who have been victimised—to turn the spotlight on incidents that occur in a late-night entertainment area, for example—and to characterise these as the

norm, to create a perception that these events are likely to occur to all in the community, if not today then more likely tomorrow. Tabloid reporting is no substitute for balanced, compassionate, evidence-based public policy when it comes to community safety.

There is ample research that shows that this sort of sensationalist reporting and commentary may lead to raised but misplaced fear of crime, especially amongst the more vulnerable in our community, such as the elderly and the very young. Fear of crime, when it is misplaced, is debilitating. It keeps vulnerable people indoors, afraid to venture out. It depopulates public places and public events, and in the ACT it is simply uncalled for.

I would like to talk briefly about a range of issues that the government is investing in when it comes to providing for a safer community. The first area I would like to talk about is the area of services for victims of crime. Services for victims of crime is one of the highest priorities of this government, and we will continue to deliver in this area. In November last year, I launched Victim Support ACT, which is a new agency within the Department of Justice and Community Safety, creating a "one-stop shop" for victims of crime. Victim Support ACT brings together the counselling and recovery team from the former victims services scheme and staff from the Victims of Crime Coordinator's Office to support victims in the justice system, ensuring victims receive a more cohesive response. It is about making it easier for victims, their families and those affected by crime to access the full range of services that are available to them. The government has also signalled legislative reform for victims on its agenda, and work has begun in this area.

I would like to think that, as a government, we take a balanced view on matters of community safety, whether it is in regard to crime prevention, responding to crime, legislative reform or broader issues of safety in relation to emergency management and ambulance and fire services. Yesterday, I told the Assembly what the government had put in place to respond to the recent publicised and, it could be said, sensationalised incidents in Civic and Manuka. Our response has been broad and multilevel and includes elements of law enforcement, such as a review of liquor licensing regulation, the introduction of on-the-spot fines for certain types of street offences, expansion of the use of CCTV throughout the city, providing additional security on taxi ranks, implementation of the Nightlink service, and working with the taxi industry to move people more quickly from late-night entertainment areas. I will not go into those again. I will focus instead on the crime data and what it tells us about community safety.

Crime data which will be released in the Assembly in March this year as part of the December 2007 quarterly ACT criminal justice statistical profile indicates that, over the long term, crime in Canberra is generally trending down. The release of the December 2007 report indicated that the trend for offences, including assaults, sexual assaults and property damage offences, remains steady. The five-year trend indicates that decreases are apparent for crimes such as burglary, break and enter, motor vehicle theft and weapons offences. Increases are apparent for robbery, extortion and related offences.

Although the crime data indicates that many types of crime in Canberra are generally trending downwards, we all know that crime trends have peaks and troughs, sometimes reflective of seasonal changes or the heightened activity of a few recidivist offenders who may have been released from prison. It is well documented that a relatively small number of recidivist property offenders are responsible for the majority of crime in the ACT. The research clearly demonstrates that, where the criminal justice system can identify and target those high-volume offenders, to stop or reduce their offending behaviour, such action has the ability to have a real impact on overall crime rates. I should stress that I am not complacent about crime trends. At the individual level, the impact of crime on victims, their families and friends can be catastrophic.

I turn to the issue of property crime. The government is addressing the problems of property crime with much success. We are addressing domestic violence and sexual assault with innovative approaches and legislative reform. The ACT property crime reduction strategy is a whole-of-government, multi-agency response to reduce property crime, with a particular focus on burglary and motor vehicle theft. The targets used are based on reducing levels of crime from the 2003 base, using ABS annual recorded crime data.

Burglary data is showing a reduction of 10.8 per cent, which is 3.3 per cent above the strategy's December 2006 target of 7½ per cent. Motor vehicle theft data is showing a reduction of 17.3 per cent, 2.7 per cent below the strategy's December 2006 target of 20 per cent. These are good figures and show that rates of property theft, burglary and motor vehicle theft are all going down in Canberra.

Late last year, the government provided extra funding for the extension of the engine immobiliser program and the installation of motorcycle anchor points. This scheme provides \$965,000, which equates to over 5,000 immobilisers over 18 months, to target motor vehicle theft in the ACT. In research conducted by the National Motor Vehicle Theft Reduction Council, 55 per cent of Canberra citizens expressed concern about being the victim of motor vehicle theft. To address this problem, the government has expanded the engine immobiliser program. It will be delivered in two phases. Phase 1 will assist the most vulnerable people—that is, low-income workers, recipients of a Centrelink benefit and full-time students. To qualify for this phase, you need to be the holder of a health care card. This phase will provide over 2,000 engine immobilisers by way of a \$200 voucher for the installation of the immobiliser, and that meets the full cost of the purchase and installation.

In July 2008, phase 2 will commence. This expands the scheme to cover all ACT citizens who drive an older vehicle which is not fitted with an immobiliser. This phase will deliver 1,050 vouchers, with a subsidy of \$100, or 50 per cent of the cost. This will involve, obviously, a small commitment of funds from the recipient. Phase 2 will also deliver an additional 1,700 immobilisers, with the full subsidy, to the original target group.

The government is also trialling methods of anchoring motorcycles in a number of public car parks to tackle motorcycle theft in the ACT. Motorcycles are becoming an increasingly popular form of transport because they are easy to park, they have a lower environmental footprint than a car and they are very efficient in terms of fuel.

**Mr Gentleman:** And they are just fun.

**MR CORBELL:** And, as Mr Gentleman says, they are just plain fun. I am not sure whether I agree with that, but anyway the trial will allow riders to chain up their motorcycles to an anchor point which acts as a deterrent to thieves. The government is working closely with industry, the ACT Motorcycle Riders Association and agencies to bring about an innovative initiative which provides practical measures to address motorcycle theft in public car parks. This is a project in which we are leading the nation, and I look forward to seeing its results.

I now turn to the issue of sexual assault. Our sexual assault reform program is well underway. It is a major interagency initiative involving victims agencies, groups such as the Canberra Rape Crisis Centre, child advocates, the police, prosecutors, courts and the broader legal profession. Consultation has informed this reform initiative. Whilst the majority of victims expressed positive views about the police response, many indicated that there were gaps in other parts of the criminal justice system when it came to support for victims of sexual assault.

Our concern about these negative experiences has led the government to invest \$4 million to provide for a sexual assault reform program. The reforms are a result of the initiative of ACT Policing and the Director of Public Prosecutions in their report *Responding to sexual assault: the challenge of change*. We are now funding many of those recommendations, including legislative reform, the upgrade of court infrastructure to improve facilities for victims, training initiatives for police, DPP and victim advocates, and additional dedicated staff resources for police, prosecutors and victim support. Three positions will be provided to improve victim support in particular: one with the Canberra Rape Crisis Centre, one witness support officer with the DPP, and an additional officer at Victim Support ACT.

An off-site remote witness facility will also be established to enable victims to give evidence away from the court precinct, and there will be a multimedia victim information package to provide victims with information about investigation, prosecution and court processes. There are also additional officers for the police and the DPP. Importantly, there are funds for a law reform specialist to work with our justice agencies to accelerate legislative reform in areas such as pre-recorded victim statements. These are important reforms, and are designed to help make Canberra a safer and fairer place.

I now turn to the issue of domestic violence. Domestic violence is another under-reported crime in our community. In the ACT, we pride ourselves on our approach to domestic violence through the family violence intervention program. The core components of this program include: a pro-arrest, pro-charge and presumption against bail policy; early provision of victim support; pro-prosecution of criminal family violence cases where there is sufficient evidence, including a dedicated team of prosecutors in the DPP; coordination and case management of criminal family violence cases through case tracking; and rehabilitation of offenders through the provision of programs for convicted offenders and one-to-one counselling. This is a very valuable approach—one that has had a big impact and that sees Canberra lead the nation when it comes to dealing with domestic violence.

Finally, I want to talk about crime prevention generally. It is generally said that \$1 saved through prevention activities represents \$8 saved in later intervention, support and the impacts arising from crime. So investment in crime prevention initiatives saves us money as a community. Crime prevention covers a broad range of strategies, from early intervention through to what some call tertiary intervention—that is, working with those already in the system. It includes community initiatives such as Neighbourhood Watch, as well as approaches such as “designing out crime” when it comes to designing public places and buildings.

The government has supported a range of tertiary prevention programs targeting high-risk recidivist offenders. Those offenders that continue to commit crime are one of our biggest priorities. But how do we deal with those who become recidivist offenders? One strategy used when working with recidivist offenders involves identifying their risk to the community. Adult and juvenile correctional agencies use a range of risk assessment tools to gauge the risk of offenders. The higher the risk of an offender reoffending, the higher the level of resources that are directed at providing intensive support and supervision.

One of the ways that we hope to assist recidivist offenders that cycle through the criminal justice system is through the programs that we might be able to develop for them while they are in custody, and that is why we are about to open our first prison. The challenge for the government, which we have welcomed and taken up, is to develop a prison from scratch, based upon international best practice. Best practice involves providing appropriate programs for offenders whilst in custody that address the underlying causes that have led to their offending behaviour in the first place. The development of a new prison means that we are not dealing with an entrenched prison culture, and this is a situation that other jurisdictions would love to be in. We are focusing on rehabilitation.

What are some of the specific programs that we have to help to address the issues around high-risk repeat offenders? We have a program called the court drug and alcohol assessment scheme, which is a drug diversion program, for offenders involved with drugs. The police or courts may refer alleged offenders to the CADAS, as it is known, for support in addressing their substance abuse.

I have sought today to outline a range of initiatives that the government has in place to deal with community safety issues in Canberra. They can involve practical law enforcement and compliance measures on the street, designing out crime, dealing with the crimes of most concern—whether it is property crime, domestic violence or sexual assault—providing support for offenders and addressing their recidivist behaviours, and reducing the costs to the community down the track. That is the government’s commitment. We have a strong commitment both in terms of providing additional police and in terms of intervention, and we will continue to take that approach.

**MR MULCAHY** (Molonglo) (4.22): I am happy to speak on this motion today, as it is one that has received quite a bit of attention in the last few weeks, with some instances of violence that have occurred in ACT licensed venues and the vicinity.

Community safety is a wide topic, encapsulating more than just safety from crime. It encapsulates all manner of issues, including crime, accidents and other misfortunes. Community safety is an important issue and one that is certainly worthy of the title “matter of public importance”.

I listened to the initial remarks of the Attorney-General and minister for police; I agree with some of what he said about sensationalising. I also listened intently to Mr Pratt; there is considerably credibility in the point he makes particularly in relation to people in the taxi industry. Many of the drivers are probably nearer to my age than to the age of their late night patrons; they understandably become alarmed at the possibility of personal assault and other problems that arise from drunken or drug-affected patrons. I have often spoken to them about the problems in Civic.

I have teenage children and children in their early 20s. Often they say to me, “Look, Dad, these things really aren’t that bad at all. You know, we have a good time; we go out to Civic and Kingston.” With my former role in the Liberal Party, they felt that we were overreacting. But, as I say, I also share sympathy with those who have to drive cabs late at night—and, indeed, people who work in licensed venues, though they are probably younger in the main. I express concern for people, particularly in public transport and private transport, who are sometimes subjected to situations of the kind where they would simply rather not endure that level of risk.

We are not one of the world’s dangerous cities. I have lived overseas and I have travelled to places a number of which are vastly more dangerous than Canberra. You really do take your life in your hands when you go out on the street in places like parts of Brazil. There is no comparison. But despite living in this very beautiful city with great people, a great deal of affluence and many other great advantages, there are many issues of community safety that do exist in Canberra. We are as susceptible as any to the dangers of crime, accidents and other misfortunes that can greatly affect the lives of people in this territory. In the light of recent events in Civic, I am going to focus my attention today on the issue of crime, but this is not to suggest that other issues of community safety—and, indeed, the general amenity of this city, some of which Mr Pratt has addressed—are less important.

It is interesting to look at crime. The minister has put one perspective on it, but crime figures from an Australian Bureau of Statistics report on crime and safety in Australia give us an indication of the level, the amount, of crime that occurs in our territory. This report shows us that the crime rate in the ACT is in fact slightly higher than the national average both for household crime and for personal crime.

In 2005 the ACT had a victimisation rate of 7.6 per cent of households that were affected by household crime, compared with a national average of 6.2 per cent. The ACT also has a higher personal crime victimisation rate than the national average. For violent crimes such as robbery, assault and sexual assault, the victimisation rates in the ACT are again slightly higher than the national average, at a rate of 5.8 per cent compared to the national average of 5.3 per cent. This is not a catastrophic difference by any means, but it brings home the fact that we are not immune to crime in this territory, despite many great advantages in living here.

I cite these figures because, in assessing community safety, I believe that it is important to have a proper understanding of the actual level of crime in this territory. Too often, anecdotal instances affect our judgement disproportionately and we are unable to rationally assess the level of safety or lack of safety that exists. I agree with some remarks that were made by Dr Foskey on this issue. She pointed out that the perception of community safety is a critical issue. The perception of community safety is critical because it informs people in the community how to conduct their affairs in order to stay safe in the community. It is therefore critical that people in the ACT have a proper understanding of the dangers that exist in our community. We do not wish people to avoid venturing out of their houses but we also do not wish to see people abandon common sense in calculating the risks of living in a society in which certain dangers are present.

Ideally, we would love to live in a territory that is free of crime and free of accidents so that all people in the territory can go about their business in safety, without restriction and without regard for crime and misfortune. But this should not lead us to ignore reality and not take precaution in our affairs. We must always be guided by rational precaution.

In forming their perceptions of community safety and seeking to take rational precautions in their affairs, people rely a great deal on the media for information about the state of community safety, particularly for issues relating to crime. This public perception is influenced a great deal by politicians in this place and by media outlets that have a great deal of interest in crime issues. It is unfortunately sometimes the case that political motives can skew commentary on these issues and can sensationalise problems that should really be the subject of more sober judgement.

I think that this has occurred to some degree in recent weeks in light of the incidents of violence that occurred in Civic. Whilst we should certainly take these problems seriously, we must not lose our heads with indiscriminate knee-jerk reactions to these problems. As I mentioned yesterday, in particular, calls from the opposition for mounted police and police dogs in Civic were poorly thought out and would not have the desired effect of reducing crime in nightspots in Civic. Last night I caught up with some people in the federal political scene who were absolutely flabbergasted that anyone would be advocating this sort of law-and-order approach in a city such as Canberra. In fact, the suggestion was a matter of derision and humour.

This is an example of the kinds of silly policies that can be announced when members of the Assembly seek to gain political capital from serious incidents of violence. If this were a serious proposal, I would have expected to see it subjected to greater analysis rather than being announced as a reaction to a news story. I am concerned that some of the fallout over recent problems may leave the people of Canberra with the impression that Canberra is a lawless and crime-ridden city, which is certainly not the case.

People need to be safe from crime—whether they are in a public area or in their homes, or when they go into Civic at night—but they also need to be able to go out and have a good time without the kind of panic that can sometimes be the unintended result of overzealous politicking. Politicians have a great deal of influence on media

issues. We are all in the media far more than is probably the case in any other state or jurisdiction in the country; therefore we have a great deal of influence on public perception of community safety issues. I believe that we have a duty to ensure that we provide sober analysis of problems and calculated solutions where possible. That means that we need to keep things in context.

I know that there are hotspots around the town where people have been distressed. A couple of years ago, Mr Pratt and I held a news conference in Manuka. Some shop owners there were legitimately disturbed and distressed by some things that had happened late at night. I think that the publicity that attracted to those concerns led to a toughening of attitude or a combination of that and the culprits going elsewhere or going into cover. These things do flare up from time to time.

I regularly hear complaints from electors about the reluctance of police to go and deal with what might be deemed lesser crimes—for example, house break-ins that, I understand and am told, people have reported to their insurance company. Car accidents seem to be less a matter of examination even if there is significant fault on the part of one party. It creates a perception where people start to despair. Things are not being managed at a level that is appropriate.

I emphasise that I do not think we are in an environment of lawlessness. You get a small percentage of people who cause trouble on occasions, particularly at late night venues. There is another subset of people who seem to delight in engaging in vandalism. I get regular complaints from Narrabundah, Griffith, the Manuka area and Kingston. I suspect that the police have got a pretty fair idea of the culprits in this case. It is not a widespread problem, but it was appropriate for Mr Pratt to put this up for discussion today, and I commend him for it because it is an issue that we need to watch very closely.

**DR FOSKEY** (Molonglo) (4.31): While this is important, it feels a little like the conversation that we started yesterday. The topic of community safety has very broad significance and broad application for Canberra. I suppose that we have all chosen the way we interpret that; I am more or less continuing where I left off yesterday.

There is no doubt that the safety of the Canberra community is very important. One of the prime tasks of government is to ensure that our city is safe. Even the most minimalist government—what we call a nightwatchman government—would make that its great priority. We are also all aware of the political usefulness of crime statistics and engendering a fear of crime. I would always be very wary of stepping over that mark.

As Mr Mulcahy pointed out, we know that comparatively Canberra is a safe community. There is not any reason to not be concerned; this is something that makes it an extremely attractive city to live in and is an amenity that we really need to safeguard. However, the topic is a really broad issue and it requires efforts on a number of fronts.

As was noted yesterday in amendments to Mr Seselja's motion, the government believes that it has made inroads into improving safety in the ACT and is continuing to work on possible solutions. We have to go back to the statistics to check that, but very clearly efforts are being made: it is a question of whether they are the right ones.

We also need to acknowledge the efforts made by groups—apart from ACT Policing—who, against all the odds, continue to run Neighbourhood Watch programs and all the other more informal groups that are set up at neighbourhood levels to work towards making Canberra safe. We have to remember that suburbs are empty during the day, because now everybody goes out: children go to school; fathers go to work as they used to; and mothers go to work as they used not to. We can have whole empty streets apart from the elderly. It does not help the elderly to feel secure if they know that there is nobody within call if something does happen.

The ACT government has a strategy—the ACT property crime reduction strategy: building a safer community—which I assume still informs government policy on these matters. It lists a variety of facts and statistics about burglary and motor vehicle theft in the ACT and describes mechanisms that the government plans to use to address property crime. The vision statement in this document is:

A safer Canberra through a collaborative effort to reduce burglaries by 10% and motor vehicle theft by 25% by 31 December 2007.

We have had December 2007 but I am not sure where the evaluation of that strategy is. Have these reductions occurred? Is a review of the strategy occurring?

**Mr Corbell:** I have just told you that.

**DR FOSKEY:** Sorry, I guess I was not listening as closely as I might. I am interested to know whether we have had a document tabled.

**Mr Corbell:** I just gave you the stats.

**DR FOSKEY:** I would expect that we would see a document tabled, because it is a strategy which was, I expect, in 2004 perhaps part of the promise for this term of government.

Ongoing support for this document was mentioned in the June 2007 review of the Canberra social plan, along with government commitments to extra funding for new police officers, higher police visibility, increased priority response by police, improving road safety and enhancing the child sex offender register team. Many of these measures are occurring. We need to follow up the data on their implementation and the level of success.

This strategy mentioned that a relatively small group of recidivist offenders is responsible for the majority of offences. I was president at a Weston Creek Community Council meeting a couple of years ago where a policeman making a presentation said exactly that. He indicated that a very large number of crimes are committed by the same group of people; he felt that he could probably name them. I always think it is interesting when we have this amount of information but we cannot, apparently, do anything about the situation.

I happened, fortuitously, to be in the library at lunchtime. I found a report, *Breaking the cycle*, produced by the Queensland Crime and Misconduct Commission in 2007. It

makes it very clear that we need a whole-of-government approach to crime and justice; knee-jerk reactions such as boot camps, three strikes and you are out or perhaps mounted police are generally ineffective programs.

One of the ongoing challenges in developing effective responses to crime and criminal behaviour is to minimise reactive responses to crime problems and develop more collaborative approaches. Collaborative responses to criminal behaviour are those where a range of stakeholders who are all equally committed to reducing crime in the community work in partnership.

As I said before, Neighbourhood Watch programs are no longer as effective as they were. That is partly because they are not getting the resources that they used to get, but also because neighbourhoods work differently now. We need to have more mechanisms in place to build neighbourhood solidarity so that if, for instance, I am home alone and afraid—afraid for good reason; sometimes people are afraid not for good reason—I feel I can contact my neighbour. These sorts of social capital programs are what Neighbourhood Watch used to be about, but we need different strategies.

We also need to realise the interconnectedness of crime and make sure that we do not just deal with the problem right there as it is happening. We need to realise that many delinquents and criminals—people who offend; I do not like the word “criminal” too much in this regard—have come to that because of the way they were treated as children. There is a huge amount of research now that shows that childhood maltreatment increases the risk of delinquency and crime.

This report refers to a study—admittedly an old one, in 1989, though there are some more recent ones referred to—which followed 1,575 individuals over a 25-year period spanning childhood to adulthood, comparing the arrest records of 908 children who suffered abuse and neglect with a group of 667 non-maltreated people. The report states:

Widom found that being abused or neglected as a child increased the likelihood of arrest as a juvenile by 59 per cent, of arrest as an adult by 28 per cent and of violent crime by 30 per cent, even after controlling for the influences of age, gender and race and ethnicity ...

Let us remember that looking after our children is the best thing we can do to make a safer community.

Yesterday I referred to the role of alcohol in the kinds of events we were talking about. Last year the New South Wales Parliamentary Library produced statistics which showed that alcohol is implicated in 47 per cent of assaults; 37 per cent and 18 per cent of all road injuries, with males in the former category and females in the second; 16 per cent of cases of child abuse; 12 per cent of male suicides; eight per cent of female suicides; 44 per cent of injuries resulting from fire; 34 per cent of drowning incidents; and 34 per cent of injuries sustained as a result of a fall. We need to acknowledge and be honest about that. What if we applied to alcohol a health awareness campaign similar to the one that we have applied to cigarettes? Obviously it is a different issue, but we need to put our heads around the way we might approach

this so that we can look at changing the culture, especially for young people when they think that the only way to have fun is to get smashed.

**MR GENTLEMAN** (Brindabella) (4.41): I thank Mr Pratt for bringing us this MPI on community safety in Canberra. When we have an emergency, the men and women of the emergency service agencies are our front-line response. Our emergency service agencies are ready to respond to the community's needs 24 hours a day, seven days a week. The ACT Emergency Services Agency, known as the ESA, is made up of professionals and volunteers dedicated to helping their fellow Canberrans in their time of need. It covers our paramedics in the ACT Ambulance Service, our firefighters, the Rural Fire Service and the SES. In addition, ACT Policing, which is part of the Australian Federal Police, is one of the front-line emergency response agencies that assist us in our time of need.

The ESA responds to around 41,000 incidents per year involving 53,000 responses. This breaks down to 112 incidents per day that our emergency services deal with in a very effective manner. The Canberra community is extremely well serviced by these men and women, whether the problem is due to a storm, bushfire, motor vehicle accident or medical emergency. No matter what the situation is, you can be sure that you are in the best hands and getting the best of care.

In addition, the ESA continues to ensure that members of our community are well informed and warned about emergency incidents through the ESA media unit, operating 24 hours every day of the year, and through community awareness programs such as farm fire wise, the storm safe campaign, and the bushfire awareness campaign conducted in December 2007.

The territory has in excess of 15,000 trained personnel ready to tackle bushfires this season. Thankfully, the fires have been minor. The personnel are made up of staff and volunteers from the ACT Rural Fire Service, the ACT Fire Brigade, community fire units, the Department of Territory and Municipal Services and support units of the ACT State Emergency Service and the ESA.

Specific funding initiatives announced in the 2007-08 budget aimed at increasing community safety in Canberra include a \$6.5 million fire vehicle replacement program, \$226,000 for 10 additional community fire units and a further \$193,000 over four years for ongoing volunteer training and maintenance. There is also \$1.597 million for improved bushfire readiness by the implementation of agreed outstanding bushfire coronial recommendations. There is \$4.9 million over four years for staffing and vehicles for the ACT Ambulance Service, including 16 new staff and four new vehicles. And the list goes on. This funding, provided by the ACT government, is helping to ensure that our emergency services have state-of-the-art equipment and vehicles to ensure that they can effectively and efficiently carry out their jobs in assisting the Canberra community.

The latest Productivity Commission report on government services is further evidence of the dedication of the territory emergency services personnel. While the data from the ACT show an increase in demand for our intensive-care paramedics, firefighters and emergency service volunteers, the fact that response times have stayed within key targets is a great achievement by the women and men on the front line.

The ACT Fire Brigade continues to lead the nation when it comes to containing residential fires to the room that they started in. The total number of properties lost and the cost of damage from structure fires in the ACT has fallen to its lowest level in five years, excluding 2003, second only to Victoria.

I turn to ACT Policing. Police responded to 84,514 incidents in 2006-07, an average of 231.5 per day. This was an increase of 30 per cent from 2005-06, with 64,787 incidents. That means that our collective emergency services—police, ambulance and fire services—responded to 125,000 incidents last year, or 342 incidents every day.

As the Canberra community is aware, the ACT government has had an arrangement with the commonwealth for the Australian Federal Police to provide our policing in the ACT through ACT Policing. As part of this arrangement, ACT Policing reports against agreed performance measures which are monitored on a quarterly basis. Performance measures include response times, levels of crime, our community's fear of crime, road safety, public confidence and satisfaction with our policing services. Improving community safety is an important priority for the Canberra community, the government and ACT Policing.

Let me talk about police numbers. As we have indicated, the ACT purchases a set of policing personnel through the annual purchasing agreement with ACT Policing, an arm of the Australian Federal Police. The full-time equivalent positions purchased under the current agreement totals 868. The agreement number is a minimum number that ACT Policing are expected to average per year. Discretion is given to the police to build an extended capacity at various times of the year when demand could be high.

Whilst there is always discussion about police numbers, the effectiveness of police is even more important. That is an element in contributing to community safety. While we need to ensure adequate resourcing for ACT Policing, I would like to also highlight the strategies that ACT Policing have developed and are implementing to continuously improve their services to our community. These include the ACT Policing suburban policing strategy, officer rostering, and the ACT Policing strategy for improving response times.

Let me start with the suburban policing strategy. The suburban policing strategy combines community-orientated policing with new technologies and information from members of the community to create an approach especially tailored to Canberra's needs. Under the innovative program, 22 general duties police teams—supported by traffic operations, specialist response and security officers—are assigned responsibility for developing solutions to crime issues within particular suburbs. Members of the Canberra community can feel reassured that there is a team of officers whose attention is focused on the issues that directly affect them.

Police maintain strong relationships with community organisations such as Neighbourhood Watch and Safety House, as well as ensuring ongoing communication with business owners and schools. I touched on this yesterday when I spoke about the Tuggeranong police sergeant attending Calwell shops. Feedback from these groups has indicated that members of the community are noticing an increase in police

presence in their local areas. One north-side Neighbourhood Watch coordinator said that problems at their local shops have improved significantly over the last 12 months and that that was due to police efforts in patrolling the area, specifically the foot patrols that were being conducted on a regular basis.

ACT Policing's crime prevention team has assigned a police officer to each of Canberra's five police stations. They are known as suburban policing strategy coordination officers and they work closely with district intelligence officers to collate and analyse intelligence data and generate customised solutions to crime problems.

The ACT Policing suburban police strategy has been developed as a way of addressing the gap between the public perception of crime risk and the actual crime rate and improving overall satisfaction ratings. A key element of the strategy is to reduce fear of crime by increasing police visibility and increasing the interaction of our community with police. The community is a very important partner in crime prevention; the suburban policing strategy activity makes up almost a third of all ACT Policing activity—28 per cent.

In relation to the rostering of police officers, from early March 2008 ACT Policing will implement a new roster system designed to allocate resources at the times when they are needed most. This has been prompted by a rigorous review, including engaging our community and listening to their feedback. The idea behind this restricting of the police roster system is that ACT Policing can strategically put greater numbers on duty at identified peak periods, including more shifts in business hours to allow members to have more frequent contact with victims at more appropriate times.

Having more police on duty at known peak times—perhaps Thursday and Saturday nights—and having more police on duty during business hours provide greater opportunities for police to follow up investigations and maintain close contact with victims. The new rostering arrangements will be based on a flexible template of 10-hour shifts in patterns better aligned with community needs and expectations. The current roster is around 12-hour shifts.

I will touch quickly on response times. When we have an emergency, we rely on emergency services. For police, our response times are now right down to 12 minutes in 98 per cent of the calls, a fantastic achievement.

In closing, let me say that I believe we have a fantastic emergency service team. Our paramedics, police and firies should be congratulated.

**MR SPEAKER:** Discussion on this matter of public importance has concluded.

## **Tharwa bridge Proposed referral to Standing Committee on Planning and Environment**

**MR PRATT** (Brindabella) (4.52): I move:

That this Assembly:

(1) notes:

- (a) that 31 months has passed since the first of only two community meetings with the Tharwa community to discuss the future of the Tharwa Bridge;
- (b) that the Heritage Council recommended that the Tharwa Bridge be restored and retained;
- (c) the negative social and financial impact on the Tharwa community and district since the closure of the Tharwa Bridge in September 2006;
- (d) the Minister's failure to consult on all options and instead his determination at both community meetings in May 2005 and October 2006 to replace the old bridge with a new concrete bridge;
- (e) the ACT Government's failure to identify and take note of the engineering and financial evidence which existed showing that the Tharwa Bridge was not beyond economic repair and was capable of being restored relatively quickly;
- (f) the time and money wasted on the tender process and preliminary works for the proposed new concrete bridge at Tharwa;
- (g) the Chief Minister's intervention as a result of community sentiment and inaction by and incompetence of Minister Hargreaves; and
- (h) the decision to restore Tharwa Bridge is welcome recognition of the importance of a valuable heritage icon of the ACT;

(2) calls on the ACT Government to apologise to the:

(a) Tharwa community for the:

- (i) social and financial impact on the Tharwa village and surrounding district; and
- (ii) extended time it took to resolve the issue; and

(b) ACT community for placing a heritage icon at risk;

(3) refers to the Standing Committee on Planning and Environment for inquiry and report all circumstances surrounding the original decision to close the existing Tharwa Bridge, the original decision to restore the existing Tharwa Bridge and the consequent decision to build a new bridge at Tharwa and subsequent reversal of that decision, including but not limited to:

- (a) the process that occurred that brought the ACT Government to the decision to build a new concrete bridge at Tharwa;
- (b) the engineering and financial advice that has been provided to the ACT Government to date, regarding the viability of the restoration of the bridge at Tharwa;

- (c) the business case that was developed, including the engineering and financial advice, for consideration by the ACT Government regarding the viability of the restoration of the bridge at Tharwa;
  - (d) the environmental impact studies undertaken and any other advice received regarding the construction of a new bridge with respect to the river, the surrounding landscape and the Tharwa village;
  - (e) the social and financial impact on the Tharwa village and surrounding district;
  - (f) the consequences of not restoring an asset listed on the heritage register; and
  - (g) the social and financial impact on the residents of Tharwa and surrounding districts; and
- (4) that the Committee report on this matter by the last sitting day of April 2008.

I rise to speak about the government's debacle of its own making which has become the Tharwa bridge saga. The purpose of this motion is to note a range of matters which clearly indicate a serious mismanagement of the Tharwa river crossing issue and to seek an inquiry into the handling of the Tharwa bridge matter. I propose referring this matter, therefore, to the Standing Committee on Planning and Environment. Additionally, in this motion we will be calling on the government to apologise to the Tharwa community for having let them down so severely over a long period of time.

Let me start on this sad journey by noting a couple of points that go to the heart of this issue. We note, for example, that there has been a 31-month period from May 2005 when it was clear that the government had some intention to go ahead with another option rather than the concrete bridge. Secondly, we note that the Heritage Council recommended that the Tharwa bridge be restored and retained. We note the negative social and financial impact on the Tharwa community and district since the closure of the Tharwa bridge in September 2006. We note the minister's failure to consult on all options and instead his determination at both community meetings in May 2005 and in October 2006 to replace the old bridge with a new concrete bridge.

Fifthly, we note the ACT government's failure to identify and take note of the engineering and financial evidence that existed showing that the Tharwa bridge was not beyond economic repair and was capable of being restored, and relatively quickly. We note next the time and money wasted on the tender process and preliminary works for the proposed new concrete bridge at Tharwa and then the Chief Minister's intervention as a result of community sentiment and the inaction by and incompetence of the minister for municipal services.

Next, we note that the decision to restore Tharwa bridge is welcome recognition of the importance of a valuable heritage icon of the ACT and, on the basis of that, the opposition calls on the ACT government to apologise to the Tharwa community for, firstly, the social and financial impact on the Tharwa village and surrounding district and, secondly, the extended time it took to resolve the issue. We also call on the government to apologise to the ACT community for placing a heritage icon at risk.

I will get on to the inquiry matters in a little while. This situation, as I mentioned in my motion, therefore justifies an inquiry, at least at Assembly committee inquiry level. The purpose of such an inquiry, I maintain, is to investigate the government's very questionable management of all of the decision making processes around this whole Tharwa bridge crossing saga, as well as to hasten the restoration and the reopening of the old bridge for the sake of the Tharwa community and for our heritage in general.

I propose that such an inquiry would seek to do the following things: refer to the Standing Committee on Planning and Environment for inquiry and report all circumstances surrounding the original decision to close the existing Tharwa bridge, the original decision to restore the existing Tharwa bridge and the consequent decision to build a new bridge at Tharwa and subsequent reversal of that decision, including but not limited to (a) the process that occurred that brought the ACT government to the decision to build a new concrete bridge at Tharwa; (b) the engineering and financial advice that has been provided to the ACT government to date regarding the viability of the restoration of the bridge at Tharwa; (c) the business case that was developed, including the engineering and financial advice for consideration by the ACT government regarding the viability of the restoration of the bridge at Tharwa; (d) the environmental impact studies undertaken and any other advice received regarding the construction of a new bridge with respect to the river, the surrounding landscape and the Tharwa village; (e) the social and financial impact on the Tharwa village and surrounding district; (f) the consequences of not restoring an asset listed on the heritage register; and (g) the social and financial impact on the residents of Tharwa and surrounding districts. And we seek that the committee report on this matter by the last sitting day of April 2008.

These are very important issues, not only because of what happened on the Tharwa river crossing but because it goes to the heart of good governance and how this government is managing its major projects and the maintenance of the ACT's infrastructure. If it cannot get this right, what other decision making processes are failing at the moment and what have failed in other areas? That is fundamentally why we need to see this looked at closely.

The bridge has been closed for more than 512 days. Deliberations about the bridge took 20 months even before that, so we have seen a total of 31 months of uncertainty and indecision since May 2005. Contradictory engineering guidance or evidence has been offered and the Tharwa community has been quite severely disadvantaged by the closure. There has been a long lead time of decision making, and most likely the wrong decisions have been taken, leading to the decision for an expensive concrete bridge and further long delays on that. Then, finally, we have seen the back flip by the Chief Minister because clearly the Chief Minister began to realise—well, we would think this is what it points to—that the department of municipal services and the minister of that department had perhaps overlooked a lot of the engineering and heritage evidence that had been amply available in the time frames leading up to the time that the Chief Minister himself made that decision to disregard the concrete bridge project and go back to a restoration option.

All these things are justification for an inquiry into what has been not only an expensive but a very time-consuming exercise, resulting in a lot of pain and disruption

to the community and, more broadly beyond the bounds of the Tharwa community and the Tharwa district, a pain to Canberrans who deeply love and respect what few heritage icons we can call upon and list as being icons of some substance, and the Tharwa bridge is one of those.

The bridge is 112 years old. It is a unique structure, an Allan truss timber bridge structure. Not only that but it looks very pleasant where it sits in the rolling landscape of the Murrumbidgee River, and that is why Canberrans in general, and not just the 150 voters of Tharwa, have indicated their deep concern about what this government has done in terms of all the decisions it has taken and then undone, reversed and perhaps reconfirmed over a 31-month period.

I want to quickly pull out a couple of examples that show the trail of indecision by this government on the Tharwa bridge issue. Firstly, I look at the May 2005 concerns by the ACT Heritage Council who wrote an email after a May 2005 meeting where the minister was present with the Tharwa community and which included an engineer. I have talked about this matter in this place and I have actually defined exactly what that email said, but in spirit it said that the minister said he was there to consult with the community about what options might be available in the solving of the river crossing saga; that he seemed to be fairly committed to building a low-level crossing, to short-term repair works to the timber bridge, but in the end he was committed to replacing the structure with a concrete bridge. So in time he was committed to replacing the bridge with a concrete bridge. That was May 2005.

I have here with me an internal document dated May 2006 in which certainly the roads and bridges department had recommended to the minister:

Agree that Tharwa Bridge be conserved and strengthened as outlined under Option 2 in the option study.

Time precludes me from reading to you, Mr Speaker, what the option study or what option 2 out of the nine options listed in the options analysis says, but basically the advice of the minister's own bureaucrats was to conserve that old bridge. But, of course, this was ignored. In June 2006 another official in the roads and bridges department said:

The minister is strongly of the view that he now needs to make a declaration under Section 62 of the Heritage Act that the existing bridge is unsafe and that a second crossing can be progressed.

So clearly again we see this continuing rolling evidence that all along the minister was committed to a concrete bridge. We then go on to August 2006, with indications that the minister is strongly committed to a concrete bridge and we then see the bridge shut down for three months in September. Then, finally, on 27 September 2006 the bridge is shut indefinitely and that announcement is made. We then see the minister going down to talk to the Tharwa community in October 2006. It would be interesting to see whether this document actually precedes that particular meeting, but we see again an indication by the roads and bridges department that the minister is quite committed to the concrete bridge.

We are then advised by the Tharwa residents that when the minister consults with the residents of Tharwa, he says, “Look, there are no options. The old bridge will fall into the river. The bridge is going to fall into the river. There is no option; there must be a concrete bridge.” And of course the community reluctantly goes along with that. By this time the Tharwa community has been severely disadvantaged by the closure. They have been in a state of uncertainty about the future of the whole bridge and therefore the future of Tharwa, and they reluctantly agree.

Sadly, of course, this agreement by the Tharwa community splits the Tharwa community. The minister comes into this place and in question time he announces to us here that the community were happy with the new bridge option. So the opposition take the minister at his word and we say: “Fine, if that is your decision, that you have to go along with a concrete bridge, okay. We therefore encourage you to hasten that project. Get on with it. The Tharwa community have been at a disadvantage and we want you to get on with it.”

But, of course, beyond that point, what we see unravelling is the true situation of the old bridge, and the engineering evidence starts to come forward—the engineering evidence that the minister and his people did not pursue, scrutinise, identify well before October 2006—that for less than \$9 million you could restore the old bridge, you could do it much more quickly, you could do it within about six to eight weeks perhaps, three months at the latest, then reopen the bridge to light traffic load, while over a further 12 to 15 months go on and further strengthen the old bridge to a 44-tonne capacity.

Instead, we had this charade where the minister announced a \$10 million project and, of course, preliminary work commenced on that new concrete bridge. What we want to see in this inquiry is how much money was spent in the preliminary works for the concrete bridge. How much money was wasted in the preliminary works for a new concrete bridge when, 18 months before—at best, if not longer—the government should have known and made a better decision to restore the old bridge, at a much cheaper cost, and therefore open that crossing to a beleaguered Tharwa community.

Time again precludes me from describing in great detail the pressures the Tharwa community have been under. I therefore commend this motion and call for an Assembly inquiry, for the planning and environment committee to have a look at this and explain what has gone wrong.

**MR HARGREAVES** (Brindabella—Minister for Territory and Municipal Services, Minister for Housing, Minister for Multicultural Affairs) (5.07): The government will be opposing this motion, another desperate step in Mr Pratt’s effort to build a whole career on the Tharwa bridge. Actually, aside, this was the most pathetic effort to build a case from Mr Pratt, who has something like 600 pages of information obtained under FOI that he has had for six months. He knows only too well that those papers show a different picture than he portrays here today.

Unfortunately, he does not accept that the bridge is, in fact, a rickety structure that requires substantial expenditure and time to repair. I warn his colleagues opposite, through your good offices, Mr Speaker, to be careful what they say when they trust in

what Mr Pratt says, because he has in his possession information which supports the government position and he is selecting from it. I urge members opposite to examine those papers before they stand up in this place and make fools of themselves.

**Mr Pratt:** Don't intimidate my colleagues.

**MR HARGREAVES:** I have advised them. This bridge is so rickety that one engineer has advised the department:

It is my opinion that the strong winds in the week after we inspected the bridge—  
that is in September of 2006—

have caused large movements in the bridge and failed some of the old Allan truss members ...

If the wind can cause the failure of some of the trusses, what would traffic do or a high flood?

Mr Pratt took members of the public to the area under the bridge for a barbecue—under a bridge that could fail in a strong wind. I doubt that he has so many supporters that he can afford to lose a few if the bridge falls on them. This was in the company of Senator Humphries, just prior to Christmas—and he knew that this bridge was suspect because he had in his possession the report from the engineer that told us that, because he got it on an FOI request. It told us that the bridge was dangerous and recommended that it be closed to pedestrian traffic. It is a bit irresponsible to take people under such a bridge.

It might also be helpful to get some facts on the table rather than Mr Pratt's assertions and half-truths. First, the bridge has been closed from time to time in the past for repair; we know that. For example, it was closed on 3 April 2005 for safety reasons; that is, there had been significant deterioration of important structural members of the bridge. I do not intend to compromise public safety and I make no apology for exercising caution in this area.

Repairs were carried out then on the bridge at a cost of about \$350,000, plus the Bailey bridge was hired from New South Wales and installed. The Bailey is an ongoing cost and New South Wales wants it back in July of this year. These repairs permitted the bridge to be officially reopened to light traffic on 12 August 2005. Light traffic was defined as five-tonne loads. Unfortunately, the bridge continued to be used by trucks and buses weighing far in excess of five tonnes and consequently the repairs did not last. The bridge had to be closed again on 19 September 2006, and remains closed, on public safety grounds.

It has been 31 months since I attended the first of three community meetings, but I can assure the Assembly that the government has not been sitting on its hands since then or between meetings. I have been unjustly criticised for not consulting on this issue. There has been considerable consultation. I have had three meetings with the Tharwa community. I have had two meetings with groups of rural leaseholders. My department made presentations to interested bodies, including the Tharwa community, the Heritage Council and the wider Canberra community.

We have arranged comprehensive engineering studies of the bridge and other options for a river crossing at Tharwa. Members know that the preliminary assessment and development application processes are rigorous and involve community input. The government conducted a public workshop on the heritage values of the existing bridge and finally we conducted an extensive targeted survey of Canberrans—all this in addition to correspondence on the subject. Far from being castigated, the government should be congratulated for the thorough job of consultation it has done.

It was only in the second half of 2007 that it became apparent that the community's preference had shifted to preservation of the old bridge as the only means of crossing the river at Tharwa. Even at the workshop in October 2007, the two highest scoring options were a clear choice between either restore the old bridge or demolish the old bridge and build a new one. The additional survey in December 2007 clarified the community's view that the old bridge should be retained, restored and maintained into the future, and the government is acting in accordance with those community views.

It is interesting to note that, while this debate about a heritage-listed bridge was raging, the opposition spokesperson for heritage was nowhere to be seen. Mrs Dunne has never entered the fray and one has to wonder why. One wonders whether she can differentiate between wood and clay.

Mr Pratt also alleges the government failed to identify and take note of engineering advice. Quite the contrary, Mr Speaker: on 25 October 2005, a contract was awarded to GHD, an engineering firm, to conduct a study of the bridge and advise the government on what options would be available to it in relation to a bridge over the river at Tharwa. That options study came up with nine alternatives, ranging from cheap repairs to the existing bridge through to demolition of the old bridge and building a new dual-lane concrete and steel bridge. This latter option was suggested by the community; it was not amongst the options originally devised by the government's consultants.

The options developed included restoration of the Allan truss spans of the existing bridge and construction of a new single-lane concrete and steel bridge alongside it. This also happened to be the most expensive option. GHD obtained community feedback on the options identified during their study and the clear community preference expressed in May 2006 was for the restoration of the Allan truss spans of the existing bridge and construction of a new single-lane concrete and steel bridge alongside it. That option had "nearly twice the amount of support for the second favoured option".

The government considered the options identified by GHD and asked the department for further advice. As that advice was developed, the choice of acceptable solutions became clearer. On the information available at the time, the only sensible, cost-effective solution was to build a new concrete and steel bridge with a design that was sensitive to the heritage values of the old bridge and to the Tharwa area. If a new bridge was built, the government would have more time to consider what to do with the old bridge.

It should be noted that, when I was pressing for the new bridge, I was not pressing for the demolition of the old bridge. My major concern was to have some crossing of the

river at Tharwa. The fate of the old bridge could be decided at a future date. I visited Tharwa for discussions with the community about bridge-related issues on 24 May 2005, 12 August 2005 and 13 October 2006. The department held information sessions about the GHD study in Tharwa on 1 December and 8 December 2005. A further information session was held at Woden on 7 December 2005 and the department also made a presentation to the Heritage Council about the options on 16 February 2006. I am not sure what else I or my officers could have done to advise the Tharwa community about the options.

My approach has been consistent all along the way. Tharwa needs a bridge. The advice given to me was that the repairs to the old bridge would be more costly than a new bridge and would entail substantial time delays and future outlays on maintenance. It seemed to me that the quickest, most cost-effective response was a new bridge.

I wish others had been more consistent in their approach. As I said in this place on Tuesday, the self-appointed spokesperson for Tharwa, Mr Val Jeffrey, was quoted in the *Canberra Times* on different occasions. On 20 September 2006 he said that, although he loved the old bridge, he no longer cared if it stayed. On 11 October 2006 he said that the announcement of the building of a new concrete bridge was “the best bit of news we’ve had for a long time; we definitely need a new bridge and we need it urgently”. And, more recently, he applauded the government’s decision to restore the old bridge.

Members of the opposition have made equally contradictory statements in relation to that bridge. Mr Pratt, for example, at different times has wanted a low-level crossing, the old bridge repaired and a new bridge. The Chief Minister outlined exactly what Mr Pratt has said and that can be found in the *Hansard* for last Tuesday.

The government approved and funded the new bridge in October 2006 but, at the same time, requested further information regarding the old bridge. It was ultimately this decision to request further information that led to the additional survey conducted in December 2007 that showed that the community had changed their position and are now firmly in favour of preserving the old bridge as the only river crossing at Tharwa. Clearly the people of Canberra place a high importance on the heritage values of existing Tharwa bridge and are prepared to support the use of public funds to protect and conserve it.

As members would know, there has been considerable effort expended by my department to provide a range of advice covering engineering and heritage issues. I am pleased, as no doubt my officers are, that a final decision has been made and we can proceed with the required work.

Let me conclude with a few further words about the proposed low-level crossing. I have said many times in this place and elsewhere that a decent flood may simply wash a temporary low-level crossing away; the \$1.5 million dollars or thereabouts it would cost would be wasted. Mr Pratt knows that because he is in possession of a document that says that a one in 50 years flood would scour 7.5 metres from the river bed around the bridge piers—7.5 metres of scouring.

It is clear that although Mr Pratt is in possession of extensive information he has not examined it or, if he has, he does not understand it. I wonder what he would have done had he been the minister. It would appear that Tharwa would have, in quick succession, a low-level crossing with associated roadworks, a new bridge and a restored old bridge and the taxpayers would be somewhere between \$20 million and \$25 million out of pocket.

The government are aware of the impacts that the closed bridge has had on the residents of Tharwa, and I regret that. We can be rightly criticised for changing our decision about the construction of the new bridge and the decision to conserve the existing bridge. However, public safety considerations forced the closure of the old bridge and I do not resile from that decision.

For these very reasons it is now important to get on and progress the conservation of the existing bridge as quickly as possible and for access to be available to Tharwa via the bridge as soon as it is safe for it to be used by the public. Public safety has always been the overriding consideration in relation to the use of the existing bridge. While this matter has been under consideration for some time, a decision and clear course of action has now been established by the government. Nothing is to be gained by referring the matter for further investigation by the Assembly's planning and environment committee. We will be opposing that particular part of the motion.

Mr Pratt does not mind putting out misleading statements.

**Mr Pratt:** Yes, I do.

**MR HARGREAVES:** No, he does not mind it at all. In his address today he has interpreted something in a memo, which he has not tabled, to say that I had originally supported a low-level crossing. I have never, not once, supported a low-level crossing—ever. I have continually rejected the notion of a low-level crossing because it would be environmentally disastrous. You have to think that a one in 50 year flood would scour 7.5 metres of sand from the bottom of the piers. In 1991 the flood came through there about two metres down from the level of the bridge; the mark is still there on the pylons. The water that has gone through there in recent times may not be a one in 50 year flood, but it will not be far out of it, and I am worried about the amount of sand that has been scoured out from the bottom of that bridge from this current set of rain.

I know—and it is in the papers that Mr Pratt has in his possession, but he has not got the courage to come and tell us—that in fact the pier twists; it twists at its base, because it is on a sand base. The movement of the sand has twisted and the Bailey trusses have twisted, and the Bailey trusses are currently carrying its own weight and the weight of the whole bridge.

**Mr Pratt:** That's a red herring.

**MR HARGREAVES:** Mr Pratt says it is a red herring. Mr Pratt has in his possession engineering reports that say that in a high wind it could fall; it is a dangerous bridge. We are going to have to expend a lot of money to do this, and we are happy to do this.

The economic situation coupled with the changed desires of the Canberra public have meant that we will restore the old bridge. Understand this: it will take only light traffic for a good couple of years. We were trying to build something that would last 100 years and carry 44 tonnes immediately, but such is not going to be the case now. In fact, now we have to also prevent buses and trucks from going across that particular bridge—and we will do that.

I am very pleased that the Chief Minister has said that we will find the funds to restore the old bridge. You might recall that my statement has always been that we should get on and build the bridge and that later we would decide what could happen with the old bridge, after community consultation and more expert advice from heritage and the environment. Now we can put those two together.

**MR MULCAHY** (Molonglo) (5.22): It is not surprising that this motion is being debated today. Given the media coverage, I expected to see this or something similar to it on the notice paper this week. I am pleased to have this discussion, but I am conscious of the limited amount of time that is available to debate this motion and I will keep my remarks brief.

The bridge issue has received a lot of coverage over the last few months and is certainly worthy of debate in this place. Certainly, the issue has not been the best example of government management that we have ever seen. The underlying fact of the situation is that Tharwa bridge was first closed in April 2005 for safety reasons and almost three years later the bridge remains closed. Delays over the future of the Tharwa bridge have caused that community significant inconvenience and it is worth noting that delays will continue for some time.

I will take some time today to consider the situation and discuss the facts that I have been provided with about the issue. It is a matter of public record that the government ventured down one path before altering its approach and, as of 18 January, has committed approximately \$14 million to the restoration of the existing Tharwa bridge. Mr Pratt's motion firstly calls on the Assembly to note a series of statements. I will focus my remarks primarily on the motion's second and third points, which call on the ACT government to apologise to the Tharwa community and refer the issue to the Standing Committee on Planning and Environment:

In considering the need for the government to apologise, it is worth noting, as others have already done, that other bodies and individuals have changed their position on the Tharwa bridge as well. The Chief Minister, in question time on Tuesday, outlined the changed position of the shadow minister. Mr Pratt and others set out clear support for the government's initial reaction. I will not go into Mr Pratt's conflicting positions in the same detail that the Chief Minister did, but raise it only to show how positions can change. I do, however, give credit to Mr Pratt on this issue. I know that he has pursued it vigorously on behalf of his electorate and his work as a local member is to be commended. I am sure that had his colleague from the south demonstrated a little less juvenile behaviour today he might have been in here as well to give us his perspective.

The government set out on a course of action in October 2006 that would have provided a solution to this problem. It opted to construct a new bridge in light of the

cost of the restoration option and information received from public meetings and consultation sessions held in 2005. We now know that this decision was not the right one. However, I believe that at the time it was made it was the right decision. It was made with due consideration to cost issues and efforts were made to consult with the community. Certainly the public statements made by the Chief Minister in question time this week support this position. The government has changed its position and the delay is regrettable and has been costly. However, I do not believe that an apology is necessary.

My position is based not just on my understanding of the facts but also on recognition that the budget position of the ACT has changed considerably over the period that this issue has been around and continues to change quite dramatically even today. I think that every member in this place knows my concerns about reckless spending and the need to be cautious in expenditure. I think that it is important to note that in 2006, when the initial decision was made, the ACT's budgetary position was dire.

Since that time the ACT has ridden the wave of national prosperity and an unprecedented property boom. The budget position is not the same as it was and although financial restraint and responsibility should remain a primary consideration it is a fact that there is more money to spend. The additional expenditure required for the restoration of the existing bridge is now more acceptable due to the changed economic climate of the budget. I am not in any way condoning or encouraging reckless expenditure and, indeed, would caution, as I have before, against spending money just because a windfall has been received. However, when there is a weight of community concern, as we have seen in this case, the extra expenditure can be justified.

Just as I do not believe anything is gained by an apology to the people of Tharwa, I also do not believe that referring the issue to the Standing Committee on Planning and Environment will achieve anything. As I said at the outset of my remarks, this has not been an example of great management by the ACT government. I think the Chief Minister, more than the minister himself, has probably been the architect of much of the public concern that has arisen over the handling of this matter. The delay has been far longer than one would hope for on an issue that impacts so heavily on a community.

I do appreciate the fact that the minister was good enough to give me a comprehensive briefing at my request and has provided me with a very detailed chronology, and that has impacted on my view on this whole matter. However, I am satisfied that the government's rationale for its initial decision and its subsequent reversal is valid. Restoration of the bridge will now be undertaken and I understand that the bridge will be open to limited traffic in six to nine months, with work expected to be completed in two to three years.

Tharwa will have a bridge and the ACT community will retain an asset of historical value. In my opinion this is the most important result. It is an outcome that has been achieved and, while it has taken longer than it should have, I accept the mitigating circumstances behind this delay. I would have thought that the planning and environment committee would have enough on its plate without adding this issue. The opposition has been attempting to portray itself, this week at least, as solutions based.

I have suggested that in this case we have a solution and, frankly, there is no need either for an apology or for a further referral.

**DR FOSKEY** (Molonglo) (5.28): I am not going to support Mr Pratt's motion either. There is, I believe, one part of it that is very valid and while I expect the government to throw the whole motion out I believe that they could act on that one part, and I am going to suggest some other ways forward. I think that Mr Pratt's motion overstates and oversimplifies the sequence of events. I do not know if he has had a briefing with Mr Hargreaves and his advisers. Like Mr Mulcahy, I sought a briefing. I am afraid it came a lot later than my actual request after basically the decisions had been made, but it did satisfy many of my concerns and, on reflection, I would like to suggest a different way forward from that proposed by Mr Pratt.

It is a surprise that the whole process has taken so long to sort out and that what appeared to be a good communication process with the Tharwa community at the start broke down as much as it did. However, I do support paragraph (3) of the motion, at least in terms of the call for the papers and the information that Mr Pratt was able to achieve through use of the Freedom of Information Act. I believe that those papers should be on the public record and part of my concern is that Mr Pratt is probably releasing parts of those papers in a selective fashion. To make an informed judgement, really the public should have access to the whole suite of papers. Therefore, even if Mr Pratt's motion goes down, which I believe it will—I know it will—I believe that the government could still make those papers public. I will leave it at that.

**Mr Hargreaves:** They are FOI-able and we offered it to your office today.

**DR FOSKEY:** I said public, not just to me. I am not convinced that an inquiry by the planning and environment committee into the social and financial impact of the decision to close, demolish and then preserve the Tharwa bridge will serve anything other than perhaps a party-political purpose. I do not want to trivialise the impact of the bridge closure and the uncertainty that the length of time taken to make decisions about it has caused for that community, remembering that it is compounded by the school closure and a general sense of alienation that many local residents in Tharwa feel in regard to Canberra and the ACT government.

Perhaps the relationship between governments and communities is always fraught, but the decision to close the Tharwa school and to prevent, through last-minute legislation, a community school from setting up there and the incredible lack of support for the ongoing, lonely preschool that was once so well integrated into that school, undoubtedly still rankles. On top of that the impact of the fires is still being felt in terms of through-traffic. The economic and social impact of the bridge closure, on top of the fires and the school closure, has been substantial and that has a psychological as well as a material effect.

But I still do not support a pressured inquiry by a committee to give expression to that impact. I think it would get in the way of a good, clear look at the information, communication and decision-making processes for the replacement of the Tharwa bridge, and that would not be useful. By the way, I do not think this has been a one-way street. Government has a responsibility for assessing the condition of the bridge, deciding on what to do and putting a time line in place to address it.

Nonetheless, the wider Tharwa community, which has at various times been brought into the discussion, has changed its priorities apparently over time. There was possibly a need for the Tharwa community to sit down and develop a position that all could share. I am not sure about the story behind the three petitions that were handed in yesterday relating to the bridge. I am not sure whether they reflected what are, I am sure, the different views in that community.

Back to the consultation, because there is still work that can be done, it is not over bar the shouting. The consultation process appears to have begun well and then flagged. I suggested at the time that a committee be set up of Tharwa residents and departmental members to liaise over the decisions about the bridge. Had that happened, we could have had a well-informed Tharwa community.

I suggest that now, not just in terms of damage control but in terms of getting the full information to the community, Mr Hargreaves and his officers should make themselves available and explain the situation, much as Mr Hargreaves did today and much as he did to me in the briefing, and, apparently, to Mr Mulcahy, to get everybody on the right page. Out of that process, a liaison committee could be set up, comprising residents elected by the Tharwa community to represent them, and members of the department.

This is not over yet. It is a pity that the minister has chosen not to listen to me because I actually think this could help save his political bacon to some extent. Because the government has made a decision to replace the Allan bridge, that is not the end of the matter at all. There are going to be problems over delays and getting materials. It is all going to take an awful lot longer than anybody would want. So why not set up a committee to deal with those issues and in order for there to be good communication? To me, the situation has been a failure of good and consistent communication. I do not believe it is too late to remedy it. It is a concern that the minister is not listening. That is an indication that communication is a problem.

**MR SESELJA** (Molonglo—Leader of the Opposition) (5.34): I have to respond to some of what Dr Foskey said. She said that she was not trying to trivialise the problem, but it very much sounded like she was. I am told by Mr Pratt that he actually has sought a briefing from the minister and has not yet received one. So it is interesting, the different treatment—

**Mr Hargreaves:** He is not getting one. He has got 600 pages of FOI. Use your 600 pages.

**Mr TEMPORARY DEPUTY SPEAKER** (Mr Gentleman): Order!

**Mr Hargreaves:** Do it honestly instead of dishonestly.

**MR SESELJA:** Perhaps briefings are only offered to those people who the minister—

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

**Dr Foskey:** I asked for a briefing. It was not offered.

**MR SESELJA:** Mr Pratt has asked.

**Mr Hargreaves:** I will debate you any time you like.

**MR SESELJA:** Perhaps briefings are only given to—

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

**MR SESELJA:** members who the minister believes will accept whatever is given to them, as seems to be the case in the debate we have heard so far.

Mr Pratt, it must be said, has been proven right on this issue. He has been proven absolutely right and the minister has been proven wrong. And that is why Jon Stanhope had to come in over the top while Mr Hargreaves was on holidays and make the decision. It was a decision that the minister refused to make. It was a decision that could have been made much, much earlier. It was a decision that the Tharwa community was told was not an option. They were told that this bridge was going to fall into the river and there was no prospect of restoring it. They would have backed any alternative offered to them because they did not want to have the kind of delay that we have seen in the last few months.

**Mr Hargreaves:** You were there, were you?

**MR SESELJA:** Well, this is what the Tharwa community has told us and I do not believe they are liars. I do not believe they are telling us untruths. They have told us—they have made it very clear publicly—that they were told that this bridge was going to fall into the river and that there was no prospect of it being restored. I find it extraordinary that Mr Pratt has been refused a briefing on this issue. The minister makes great play about how much information has been given—

*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 SESELJA:** We have been told by the Tharwa community that they were given no choice. They were told that they had no other option, that the bridge could not be restored and that their only option was to get another bridge, a concrete bridge. In fact, I have some recollection of the minister himself coming into this place and telling us that the timber would not be able to be sourced and giving us all sorts of reasons as to why this could not be done. It seems now that the Chief Minister disagrees. It seems that the decision that has been taken by the government is that actually this bridge can be restored, that actually this bridge will be restored and brought back to life. In the end that is a reasonable result for the community, except that they have waited 500-and-how-many days, Mr Pratt—

**Mr Pratt:** 512.

**MR SESELJA:** 512 days with this bridge closed. If this government had done its work and managed this process well in the first place the bridge would be open to

traffic now. It would have been open to traffic for a long time and the people of Tharwa would not have waited 512 days with the prospect now of another six to nine months to wait. This has been a textbook example of how not to manage a process.

However Mr Hargreaves now tries to spin it, whatever spin he gives Mr Mulcahy or Dr Foskey in briefings to the effect that this has been well handled and really the government had no option, it is clear that the decision they have taken now to restore the bridge is a decision that could have been taken in the first place. If this decision had been taken in the first place we would not have had the 512 days delay to date, not to mention the additional uncertainty that existed before the 512 days, the on-and-off nature in relation to the bridge.

If the government had made the decision that Mr Stanhope has now had to make in coming over the top of his minister then the people of Tharwa would have had a bridge much, much sooner—a restored bridge, a historically significant bridge. Occasionally it is reasonable for a government simply to admit that they got it wrong. It is not that hard. Just say: “Look, we got it wrong. If we had been on the ball, if we had been on our game, this would not have happened. We would not have had this fiasco of this bridge being closed for 512 days with all the social dislocation that goes with that for the Tharwa community.”

Mr Hargreaves can be dismissive of the Tharwa community because there are not a lot of voters in Tharwa. But that does not make them any less Canberran. They are part of our community. They are a part of the ACT. The dismissive attitude of Mr Hargreaves and Dr Foskey is regrettable. It is regrettable that this government simply cannot look at the facts and say: “We got it wrong. If we had actually listened to the community in the first place or if we had made the right decision in the first place, we would not have this situation. The people of Tharwa would not have suffered as they have.”

I think the full embarrassment came when the Chief Minister made the announcement while Mr Hargreaves was on holiday. I do not know whether that was arranged or whether that was because the Chief Minister did not want to further embarrass Mr Hargreaves in coming in over the top of the minister on this issue and making that announcement. For him to make that announcement with Minister Hargreaves on holidays demonstrates that he wanted to distance himself from this process and that he wanted to distance himself from the minister’s performance in this area.

It was clearly a vote of no confidence in this minister. Whether the Chief Minister will acknowledge that or not, it was. It can’t be seen in any other light. The media coverage on the issue exactly reflected that. The other message that came through, and in fact it has been repeated here by Mr Hargreaves, is to blame the Tharwa community. It is never his fault—

**Mr Hargreaves:** I have never done that.

**MR SESELJA:** You have. Again today, you were saying—

**Mr Hargreaves:** On a point of order, Mr Temporary Deputy Speaker: I would like Mr Seselja to withdraw the imputation that I have said something to the Tharwa community which I have never done.

**MR SESELJA:** There is nothing to withdraw.

**Mr TEMPORARY DEPUTY SPEAKER** (Mr Gentleman): Order, Mr Seselja!

**Mr Hargreaves:** He is insinuating that I have lied, and I want him to withdraw it. I have never, in my life, said that.

**MR SESELJA:** I didn't say you lied. Excuse me—

**MR TEMPORARY DEPUTY SPEAKER:** There is no point of order, Mr Hargreaves.

**Mr Hargreaves:** Well, I will deal with Mr Seselja later.

**MR SESELJA:** You can deal with it however you like—

**Mr Hargreaves:** Anyway, it is your call then.

**MR TEMPORARY DEPUTY SPEAKER:** Minister Hargreaves, order!

**MR SESELJA:** He can deal with it however he likes. I said that he is looking to blame the Tharwa community. In his speech he implied that it was their fault—it was because they wanted it. It was not because of any information that was given to them that was wrong; it was not because the government could not get its act together. He said that it was their decision; therefore, he is saying it is their fault. I do not see that that is an unreasonable conclusion to draw from Mr Hargreaves's comments on this issue. He can take it up however he likes.

We saw the Chief Minister express this. The *Canberra Times* reported that he was looking to blame the Tharwa community. The Chief Minister is going to deny that as well, I am sure, but that was the report. Of course, these ministers are always taken out of context. It is never what they meant to say; they never actually said it. The reports, once again, were about Jon Stanhope blaming the Tharwa community. In what Mr Hargreaves said today, he suggested that it was the Tharwa community's decision; that is why there has been this delay and it has nothing to do with his failure as a minister. It has nothing to do with the failure to make proper decisions.

Of course, the Chief Minister finally acknowledged some failings. When he took over this issue, he said, "Well, if we have failed in one area, it is perhaps that we acted too quickly." I think that sums up where their heads are at on this matter. The failure by the government on the Tharwa bridge, according to the Chief Minister, was that they acted too quickly. After 512 days of the bridge being closed, we have a fresh decision that could have been taken earlier, in which case the bridge would have been opened long ago. But the failure, according to the Chief Minister, is that they acted too quickly. I do not think that anyone in the community—anyone in the Tharwa

community or in the Canberra community—who is watching this would actually believe that to be the case.

I endorse this motion. I endorse Mr Pratt's approach. I think Mr Pratt has shown faith with the community, he has worked hard with the community, he has taken up the concerns of his electorate and fought for them, which is completely the opposite of the approach taken by his Brindabella colleague Minister Hargreaves.

**MR PRATT** (Brindabella) (5.45), in reply: In this debate we heard from the minister that I was only quoting selectively from a pile of FOI documents. Of course, when I have a suitcase full of documents, I can't quote them all here this afternoon. I certainly did make the point in the debate that time precluded me from addressing a range of issues.

Mr Hargreaves is right: I certainly have information and evidence in these documents which indicate that the old bridge was unstable; that the Bailey insertions had been placed there because one or two of the sections were moving. Mr Hargreaves is absolutely right, and we have always acknowledged that. That is exactly why the old bridge had to remain closed until restoration work could commence. We have never said, "Reopen the bridge now because we think it's safe." We have always acknowledged that restoration work had to commence. We have always said, and we have said this publicly, that we believe this would take three months—three months of restoration work to stabilise the old bridge to get it to the point where it could reopen to light traffic.

If the opposition has been saying consistently that we knew you would require three months to restore the old bridge then clearly we knew that the bridge was unstable. So it can be taken as read that the opposition knew that the old bridge was unstable. It was not necessary for me to pull out, from my box of documents, documents indicating that the old bridge was unstable. The minister was right; I do not know quite why he was making the point—perhaps simply to divert from the truth of the matter.

I have today quoted from documents from the FOI package which indicate that, from May 2005, there was a clear intention that the government's preferred option was a concrete bridge. Despite the nine options looked at by the consultancy group, GHD, when they talked to the Tharwa community, despite the nine options canvassed as to what might be done with the Murrumbidgee River crossing at Tharwa, from May 2005 there were strong indications, and the documents are here—there is no time to quote from all of those documents today—that indicate a strong leaning towards a concrete replacement bridge.

The minister might be right: the engineer email that I have seen stated that the particular engineer was present at a meeting in May 2005 when the engineer thought that the minister had said he favoured a low-level crossing as a temporary measure, he favoured urgent restoration works as a temporary measure—but pending a concrete bridge permanent replacement. Whether the engineer is right or whether Mr Hargreaves is right about the May 2005 meeting on the issue of the low-level crossing is almost a moot point in any case. The most important point is that we have witnesses in May 2005 demonstrating that they understood that the government wanted eventually to get to a permanent concrete bridge crossing.

I have not said here today—even though I have heard it on many occasions, because I do not have documentary evidence—that the minister had intended to destroy the old bridge. Those discussions are going on around the place. The minister might want to comment on those rumours. At this point I treat them as rumours. I do not see any documentary evidence indicating that the minister had intended to crush the old bridge. If the minister thinks we were waging an unfair attack on him, perhaps I would have said here today that he had an intention to destroy the old bridge. I am putting to you, Mr Speaker, that in the motion I have moved, the call for an apology and an inquiry is balanced. This is a balanced motion that is based on the evidence.

Going back more than two years, Mr Brian Pearson, an ex-New South Wales DMR engineer—I think the Department of Main Roads nowadays is known as the New South Wales RTA—had said that the old bridge could be restored economically. Why wasn't that sort of information taken notice of by this government? I am absolutely disappointed that the crossbenchers here today have not cared to scrutinise the government on this matter, yet a lot of community concern has been expressed regarding what the hell has happened with the whole Tharwa bridge crossing saga. There has been a community outcry, not only simply from the tight-knit Tharwa community grouping but also from people who are deeply involved in ACT heritage right across the ACT, and from Canberrans right across the Tuggeranong Valley who have a deep concern about the old bridge as well.

A lot of information has been put in the public arena for a good 12 months or so that perhaps the government got it wrong 18 months ago, that the engineering evidence, the financial evidence, the economic analysis evidence, the heritage evidence, indicated that the government could and should have come to a better decision a long time ago. That is why the opposition today calls for an inquiry. The opposition is deeply disappointed—and let the people of Canberra know this—that the crossbenchers in this place have rolled with the government, despite the evidence to the contrary and despite a broad community outcry. I thought crossbenchers and oppositions in this place had a duty to scrutinise government decision-making processes. Clearly, as far as the crossbenchers are concerned, that is not the case.

By late 2006, the Tharwa community were desperately calling for a resolution of the Murrumbidgee River crossing issue. By that point, they had been told that “the old bridge was going to fall into the river”. Also, they were told by this minister, at a meeting in Tharwa in October, “Fellers, the old bridge is b-e-r—beyond economic repair.” The most economical solution—and the quickest solution, by the way—it was said, would be a new concrete bridge. We now know that was wrong. I heard Mr Mulcahy say here today that he thinks the government made the right decision at the time. Well, so much for that piece of judgement! The fact is that it was known a long time ago that the old bridge could be restored to at least light traffic load and opened within three months, whilst further works were undertaken over a period of another year or so to make the bridge completely safe. All of those things were known by a lot of very good people. The opposition believed that some time ago.

It is true that, in October 2006, the opposition accepted the government's advice in this place that the concrete bridge was the only option left in order to hasten the desire to bridge the crossing at the Murrumbidgee. You bet we thought that! And, yes, we

then encouraged this minister and this government to get on with it. We said: “Hallelujah! Go for your concrete bridge. Move as quickly as you can. The people of Tharwa need that bridge as soon as possible.” We, like the people of Tharwa, took the government’s advice. Val Jeffrey, who was at that community meeting in October 2006, said to me, “Pratty, it looks like the concrete bridge is all we’ve got left, the only way to get on with this.”

It might also be noted that at the time the Tharwa community were split down the middle. There were others in the community who believed that you could hang out for a restoration option. So there was a bit of argy-bargy within the community. But let me tell you, Mr Speaker: very quickly beyond October 2006, the Tharwa community began to have second thoughts about this. They began to get the Brian Pearsons, the Powells and other experts coming to them and saying, “We believe you’ve been led up the garden path.” The opposition, at about the same time, began to pick up on this, and we encouraged the government to take notice of those actions. We knew in September last year that the New South Wales RTA had presented an engineering report to the government, saying, “You can restore the old bridge.”

I commend this motion to the Assembly. There must be an inquiry. We must find out what has gone wrong, for the sake of good governance.

Question put:

That **Mr Pratt’s** motion be agreed to.

The Assembly voted—

Ayes 3

Mrs Burke  
Mr Pratt  
Mr Seselja

Noes 9

Mr Barr  
Mr Berry  
Dr Foskey  
Ms Gallagher  
Mr Gentleman  
Mr Hargreaves  
Ms MacDonald  
Mr Mulcahy  
Ms Porter

Question so resolved in the negative.

*At 6.00 pm, in accordance with standing order 34, the motion for the adjournment of the Assembly was put.*

## Adjournment

### Mr Robbie Anderson

**MR GENTLEMAN** (Brindabella) (6.00): I take this opportunity to celebrate the life of a man—a family man, a union man, a worker, a father, a scout, a footy player, a community contributor, a mate. Robbie Anderson, known as Tow-Ball to some of his mates, was born in Wagga Wagga on 29 August 1948. He moved to Canberra when he was 18, to work for the CSIRO. Robbie was a contributor; nobody can deny that. He played rugby for both Ainslie and Wests and won premierships for them too. Every year he raised money for CareFlight and the Royal Blind Society, and shaved his head for Kids with Cancer. He was a proud member of the Transport Workers

Union for over 25 years, a member of the branch committee of management for countless years and a delegate for Qantas for 10 years.

He was keenly involved with the scouts from a young age. He was awarded the Queen's Scout badge—the highest achievable accreditation in the scouting movement. This badge is only awarded by a peer committee for the highest commitment to furthering achievements in leadership development, adventurous activities, personal growth and community involvement. He remained involved with the scouts throughout his life and became heavily involved with the Girl Guide movement as well.

Six-and-a-half years ago, Robbie Anderson was diagnosed with terminal cancer. He died on 21 January this year. He held on for many things in those 6½ years. He saw two of his own wakes, but sadly did not make the third. He saw what he said was the best night of his life, the night of 24 November last year, when the Rudd Labor team took the federal election and Maxine McKew took Bennelong, the seat of the then Prime Minister, John Howard. Most importantly, he saw his eldest daughter, Jade, marry one week before he died. He was holding on especially for that.

Robbie worked for the TWU for five years during the 1980s, during which he saw some huge disputes in one of the most active periods in the recent history of the union movement. He fought for equality and justice for all. He fought for the rights of his fellow workers, for the rights of their families. He fought for a fair go not only in his work at the TWU but in everyday life. His funeral was attended by over 250 people. I am sure he would be proud to have seen those 250 people continue on to the Statesman Hotel for his third wake.

I would like to take a moment to pay my respects to the Anderson family, to Shannon and Jade, his daughters, and to all of his mates, especially Mick and Klaus, who are here today. Robbie Anderson was a great man, a great mate and a loving father, and will be forever remembered as one.

### **Croatian embassy exhibition Multiculturalism**

**MR SESELJA** (Molonglo—Leader of the Opposition) (6.03): Yesterday I had the opportunity to open an exhibition at the Croatian embassy—a photo exhibition of world heritage sites in Croatia. It was quite an honour to be able to do that, given that my parents came to Australia from Croatia in the late sixties and early seventies.

The exhibition looks at the six world heritage sites in Croatia. They include the city of Dubrovnik, which is one of the real jewels of the Adriatic, as an example of the highest material emanation of the national spirit, and Split, as a dynamic coastal town, built in the late antiquity within the walls of Diocletian's palace. They were both placed on the World Heritage List in 1979, as was the Plitvice Lakes national park. After independence in 1991, three more sites were added to the list: the historic nucleus of Trogir, Sibenik Cathedral, and the Euphrasian Basilica in Porec.

Trogir, whose name reflects its Greek origins, is a jewel of Croatian Romanesque architecture, the sculptural masterpiece of Master Radovan, while Sibenik Cathedral

owes its originality and beauty to a sculptor and architect of genius—which is even a hard one for me to say—Juraj Dalmatinac. The Euphrasian Basilica in Porec, a masterpiece of early Christian art, is an example of a remarkable co-existence of the inherited building tradition and its Croatian inheritors—its best guardians.

I was pleased to see Mr Mulcahy and Mr Gentleman at the launch last night. It was a great opportunity for the Croatian community, others in the diplomatic community, local members of parliament and others, to come together—

**Mr Hargreaves:** Is that where you were?

**MR SESELJA:** That is why I was late to the multicultural ball last night. But it is an opportunity to see a great exhibition, if people have a chance to go and see it. It is a great tribute to what is a beautiful country. It has both natural beauty and a very rich cultural heritage. That is reflected by those six sites. The Croatian embassy is a beautiful building as well, put together by local builders. I would like to pay tribute to the local Croatian community, and particularly to the embassy and the charge d'affaires, Mr Ljubinko Matesic, who helped to put that together.

I also had the opportunity later—so I missed Mr Hargreaves's speech—to attend the multicultural ball last night. It was a great disappointment to me that he did not even acknowledge me, even though I was included in the program. I did have the opportunity to speak later on. It was a fantastic opportunity to get together with representatives of multicultural communities and those who work tirelessly for their communities and for multiculturalism in Canberra. It was a fun celebration. The orchestra was spectacular and amazing. Anyone who was there would have been amazed at their talents. It was a sight to behold.

I did make the point that we in the Canberra Liberals value diversity in our community. We value the contribution of our multicultural communities in Canberra and Australia as a whole. It is fair to say that Australia would not be anywhere near the nation that it is, it would be nowhere near as much fun or as great a place to live if it were not for the contribution of our various ethnic groupings.

Whilst many people, like my parents, have had great opportunities by coming here—Australia is a fantastic land of opportunity—and most immigrants are very grateful for that and would not live anywhere else, it is also true that those who came and made their homes here did contribute back to the Australian community. Here in Canberra there are many notable examples of the contribution of various ethnic groups to the community.

I would like to thank the Multicultural Community Forum for putting it together. It was a spectacular night and a really enjoyable evening. I pay tribute in particular to Sam Wong and the work that he does, as well as the work of his board. I also pay tribute to the Hellenic Club, who hosted the event. It was a very good event. I look forward to going back there next year. I hope that when Mr Hargreaves is then in opposition, he will listen to my speech and get there in time, and I will acknowledge him.

**Health—continence support scheme**

**MR MULCAHY** (Molonglo) (6.08): I would like to speak on an issue which has been raised with me by two of my constituents and which has caused me great frustration over the last few months as I have tried to prompt the government to address their concerns. I refer to the decision of the Minister for Health to withdraw funding for continence products under the ACT continence support scheme. The scheme was discontinued because of the emergence of a similar commonwealth scheme. The government took the view that the ACT scheme would be unnecessary in light of the new commonwealth scheme; therefore it chose to withdraw funding.

Apparently, the government must have miscalculated because, as it turns out, the schemes have not been similar enough and there have been many ACT residents left out of pocket by the change. The government has reversed its decision after realising its initial judgement on the matter was off the mark. The Minister for Health has decided that the ACT scheme will be reintroduced in July 2008, with details still forthcoming.

I have made representations on this matter to the Minister for Health on behalf of two of my constituents, and I have to say that I have not been particularly impressed with the government's approach. I initially made representations on this issue on 29 October last year, following up on my constituents' letter to the minister on 25 October. My constituents received a phone call from ACT Health on this issue, informing them that the decision to withdraw continence funding had been reversed and that the program would be reinstated. However, they did not receive any written response either from ACT Health or from the minister to confirm this advice and give them details on the re-establishment of the program and interim measures for assistance.

Prior to Christmas, my constituents again contacted my office to ask us to follow up this matter. We were informed by the minister's office that they still had not issued a written response to the letters sent by my constituents or by me. They assured us this would be taken care of. On 25 January this year, having still not received a written response from the minister, I again wrote to the minister, requesting that a written response be provided to my constituents to set out in writing what would be happening.

We finally received a written response yesterday, 13 February, almost four months after the initial representations to the minister. During this time my constituents have been left out of pocket and have been struggling to make ends meet, as they have had to bear more of the costs of the continence products for which they had previously received support.

It is clear from the change of heart on this issue that the government did not properly think through the consequences of withdrawing this scheme. The fact that constituents were unable to receive timely written information on the government's position, despite several requests, shows the lack of weight that was given to their views. In light of this change, the minister has declared that ACT residents enrolled in the commonwealth continence aids assistance scheme will receive an interim payment of

\$200 to supplement their loss. But this will leave many ACT residents out of pocket. Continence products are certainly not a luxury item, and they are not something that can be chopped from the shopping list in order to save a bit of money. Those who have been negatively affected by the government's actions on this issue have also been left in quite a deal of uncertainty.

The other day we debated in this Assembly the topic of the Stanhope government's decision-making processes. Members of the opposition and the crossbench were critical of the way in which some decisions have been made. Mr Barr rejected suggestions that there was something wrong with the way that the government was making its decisions, saying that it was often accused of failing to undertake proper community consultation but that this accusation was without merit. The instance here is a clear example of a situation where inadequate consultation has occurred, with affected parties and residents having been hurt by the decision.

Whilst this may seem to be a minor issue in the scheme of things, it is indicative of the faulty decision processes of the government, its poor judgement and its failure to properly calculate the consequences of its actions in its all-too-rare attempts to cut costs. This is a condition that affects a number of people, and certainly a number of older people in our community. I appeal to the minister to revisit the situation, ensure that the situation of those who have been affected by these changes and the confusion is addressed and ensure that they are not out of pocket between now and the formal reintroduction of the scheme, which we want to hear more about, in July 2008.

### **Mr John Coleman Emergency services—FireLink**

**MRS DUNNE** (Ginninderra) (6.12): I would like to mark the passing of one of Canberra's stalwart members. On 23 December last year, John Coleman passed away. John will be known to friends, colleagues and listeners of radio for the print handicapped for his contribution over more years than I can count to radio for the print handicapped.

John had a mellow, perfect voice for radio, a laidback speaking style and was very easily recognised on the radio. His strong commitment to Radio 1RPH was exemplified by the number of activities he was involved in over the many years of his association with the station. These activities included the station manager, the treasurer, a weekday presenter of live reading programs, reading and producing his own programs, such as readings from the *Bulletin*, and the producer of several long-term programs such as *A Spoonful of Sugar* and *From the Columns*. The last time I was at radio for the print handicapped, when I went to play some station promos, I noted that there was John's voice, even after his passing. It was a testament to his commitment to radio for the print handicapped.

John was also a pioneer of audio description at the Playhouse—a service for the vision-impaired so that they may enjoy live theatre—and he was a great advocate of that. He was always keen to sell the virtues of live audio description. The other place where I often came across John was at his home parish, St Michael's in Kaleen. When I occasionally visited there to take in a late Sunday afternoon mass, I often found him there. He had been the president of the parish council and a leading member of the

church choir. I know that John will be sadly missed by the community at Radio 1RPH, by the community at St Michael's in Kaleen and by his three daughters and three sons. Vale John Coleman.

On another matter, and taking up the issue raised by Mr Mulcahy on government decision making, there was a bit of to-and-fro in the chamber yesterday when I spoke about how I had evolved my views on climate change over 10 years or so. Mr Stanhope took exception to that because we had criticised him for his apparent mind-changing over policy decisions. I would like to put on the record that there is a difference. Perhaps this is one of those funny irregular verbs that goes like this: "I changed my mind after looking at all available material. You are impetuous and he performs policy backflips." It works like this: if someone contemplates something, reads through something, looks for information, is open to ideas and, over time, you suddenly realise that you have a different position from what you had, that is changing your mind in light of the information available to you. But when, in the case of, say, FireLink, you spend your time saying, "This is a great piece of material, this is a great piece of infrastructure, it's fantastic, it's working really well," and six months later you withdraw it from service, that is a policy backflip—and there is a difference.

We see with things like FireLink, for instance, that they did not have all the information they needed at the outset. They introduced it as a trial and abandoned the trial long before the trial was over. They committed to the money, did not know whether it was going to work, suddenly found out that it was not going to work and, after defending what turned out to be the indefensible for a very long time, they then had a policy backflip.

If the Chief Minister and successive ministers for emergency services had actually done their job, they probably would have walked away from FireLink a lot earlier or they would have seen what the problems were and made contingencies for that. But what we have seen here is a policy backflip that cost the territory millions of dollars, and that is the difference. It is not something considered; it is something that they defended over and over again. And the same goes for pay parking at the hospital: they defended it and defended it and defended the indefensible and, when they suddenly realised it was far too hot, they did a policy backflip. That is not doing as Kenneth Galbraith suggested and considering all the new information that comes before you. The only new information that came before them was that they knew it was hideously unpopular.

### **National Multicultural Festival**

**MR PRATT** (Brindabella) (6.17): I rise briefly tonight to herald and congratulate the Multicultural Community Forum for its multicultural ball held last night, which is now becoming, for that particular group, a red-letter event on the multicultural festival program. It is pleasing to see that the multicultural forum as an organisation has now matured. It gets stronger and stronger and seems to be able to represent some of the disparate groups within the multicultural arena far more effectively than perhaps some other groups have done in the past. So I congratulate them. The way that the ball went last night was clearly an expression of their organisation and their ability to be able to run these sorts of events. I presume the minister and the Office of Multicultural Affairs would be looking to that organisation to run a few other things in the future.

I know that in the past Minister Hargreaves has talked about contracting out some social and community activities to organisations which prove their merit. I think that is a pretty good policy, minister, so I presume you will go on with that. The ball held last night may not be the best example that the minister might point out, but it would seem to be a good example of how one of the community councils is able to take on the job and run with it, and run with it well. Hats off to Sam Wong, the president of that group, Diana Abdul-Rahman, who is his right hand, in a sense, when Chin Wong is not running around on the other flank. They have done very well indeed.

The highlight of the ball last night was the performance of the Egyptian blind orchestra. I am not sure whether that is the correct title of that group. I think the minister is about to correct me: the Al Nour wal Al Amal Orchestra. Thanks, minister. They are often referred to casually as the Egyptian blind orchestra. This was a group of ladies of all ages, all of them sight impaired. There are 30-odd players, and they played a full range of mainly string instruments and a couple of wind instruments as well.

**Mr Hargreaves:** And brass.

**MR PRATT:** And brass, yes. Because of their sight impairment, during rehearsals they literally have to rehearse and remember in detail the pieces they are going to play, because once they perform, they simply have no ability to be conducted, in a sense. They performed four or five pieces, and I believe they are performing tonight as well. The last opportunity to see them perform publicly in Canberra is tonight. They will be performing a much wider repertoire of music. They are also well known for having visited Vienna and participated in a program of musical activities there.

**Mr Hargreaves:** And Japan.

**MR PRATT:** And Japan, but this is important: in Vienna, the Viennese press praised them as a group which “had brought very interesting music and lovely standards to Vienna”. That is not bad coming from the city of classical music. So this group performed quite beautifully. His Excellency the Egyptian Ambassador had sponsored their visit. I would like to congratulate him and the Egyptian embassy on a fine piece of work and a great contribution to our community in bringing that music group here.

I have one last quick advertisement: on 15 March, the Arabic night will be held. I am not sure whether it is an integrated part of the festival but there are tickets floating around the place for that.

### **National Multicultural Festival**

**MR HARGREAVES** (Brindabella—Minister for Territory and Municipal Services, Minister for Housing, Minister for Multicultural Affairs) (6.22 ): I would like to take up something that Mr Pratt was saying. I am sure he will be very interested to hear what I have to say. Before I do, though, I would like to echo his sentiments about the Al Nour wal Al Amal blind orchestra from Egypt. Indeed, he is quite correct: there were about 30 ladies. Interestingly, they were all women, which is really something incredible for a Muslim nation. I think our Christian nations could perhaps learn a bit

of a lesson in that regard. I was very impressed. Mr Pratt is right: they had cellos, a double bass, violins, violas, French horns, saxophones, clarinet—a range of instruments—and they were delightful. Tonight, they will be joined by a choir and some other players. I think that altogether it will be about 50-strong.

I would like to extend my congratulations to the ambassador, as well as to the Ambassador for the People's Republic of China for the spectacular that that embassy facilitated, and also the American city of Newark, New Jersey for sending us the St James Choir. It is interesting that our international reputation is such that people want to send us these groups. Mr Pratt is quite correct: the Al Nour wal Al Amal blind orchestra performed before the Chancellor in Vienna, and also went to Japan and performed before the Emperor of Japan, which a lot of people might not be aware of.

Coming to what Mr Pratt was saying in congratulating the forum, I would like to extend my congratulations to the Director of the Office of Multicultural Affairs, Nic Manikis, because he has worked with so many organisations in trying to knit them together as a community. A lot of his work, and the work that Sam Wong and his committee have done over the last 12 or 18 months, has resulted in the emergence of another peak group. I believe that that peak group is now at the point where we can start talking about devolution. I have spoken about this before, when we discussed the issue about the multicultural council, the multicultural forum and the whole thing being in disarray. We took the stuff back, we took the money back, and I said we would project fund. Indeed, Mr Pratt and I had a conversation in my office about where we were headed, I wanted to devolve it back to the communities because the communities almost had the ability at that stage to do it themselves.

The vehicle for testing this, and then doing it, will be a summit. It will be remembered that we had a summit before; we are now far enough down the track that we need to revise it. I am of the view—and the conversation is happening in my department—that we will not control the summit this year; we will get the multicultural community to put the summit on. We will, of course, resource it, just as we did last time, but mine will not be the guiding hand, as it was last time. We will allow and empower the community to do it themselves. I am hoping we can then go back to the stage where the communities can be resourced and assisted by government instead of being led by government.

The original strategy that I had, to take things back and then provide a framework for the multicultural community to work within, has been achieved. I wanted it to be devolved partially out to the community, which we did in the last round of funding. That has been achieved. I think we are now at the stage, which will be shown towards the end of the year, where the communities should be able to do that themselves. I am not sure of the exact dates; we are talking about July-August or somewhere around there, because it takes a little bit of time to get the thing underway.

Dr Foskey seemed to have a cynical view about this sort of thing. She thought it involved this year being an election year. It is in the time frame that Mr Pratt and I talked about when we talked about the devolution of powers. In fact, it is now a matter of us going out there and engaging more. What better example is there of their doing their own thing than the multicultural festival that has just occurred. We must remember, too, that the forum, under Sam Wong's leadership, was responsible for the

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work of all of the volunteers at the multicultural festival. That is a huge job. They have done it very well, so we have almost reached that position. I am sure that Mr Pratt and I will have more conversations.

Question resolved in the affirmative.

**Assembly adjourned at 6.28 pm until Tuesday, 4 March 2008 at 10.30 am.**

## Answers to questions

### Hospitals—bed categories (Question No 1745)

**Mrs Burke** asked the Minister for Health, upon notice, on 13 November 2007:

- (1) What are the different categories of hospital beds in the public hospital system in the ACT;
- (2) How many beds were there in each of those categories listed in part (1) in each year from 1990 to 2007.

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

- (1) Public hospital beds are categorised as “Number of public acute and psychiatric hospitals and available beds, by hospital size, states and territories” and reported annually in the “Australian Hospital Statistics” Report. The Australian Institute of Health and Welfare (AIHW) publish this report and the data is presented on a financial year basis and the latest data available is 2005-06.
- (2) This data is presented in the table below.

Financial Year	Hospital size (10 or less beds)	Hospital size (more than 10 to 50 beds)	Hospital size *(more than 100 to 200 beds)	Hospital size (more than 200 to 500 beds)	Hospital size (more than 500 beds)	Total
1989-1990	Prior to 1996-1997 the AIHW did not publish national data on different categories of beds. Bed numbers were reported by total.					866
1990-1991						866(a)
1991-1992						824
1992-1993						824(a)
1993-1994						765
1994-1995						777
1995-1996						780
1996-1997	x	11	182	x	591	784
1997-1998	10	x	167	x	591	768
1998-1999	10	x	162	x	538	710
1999-2000	10	x	162	x	503	675
2000-2001	x	18	162	x	504	684
2001-2002	10	x	162	498	x	670
2002-2003	10	x	179	493	x	682
2003-2004	10	x	175	498	x	683
2004-2005	10	x	174	495	x	679
2005-2006	10	x	194	x	510	714

(a) Data reported for 2 year period

### Schools—closures (Question No 1748)

**Dr Foskey** asked the Minister for Territory and Municipal Services, upon notice, on 13 November 2007:

- (1) Can the Minister provide condition assessments for closed school sites for 2006, including (a) condition ratings and the cost of maintenance/repair for (i) buildings, (ii) grounds, (iii) trees, (iv) hydraulics, (v) fire protection, (vi) electrical, (vii) mechanical and (viii) hazardous materials, (b) details of the comprehensive five-year maintenance plan for each school, including repairs and maintenance as well as cost structure with (i) all costs itemised, (ii) whether each item is critical, essential, important or discretionary and (iii) total estimated cost for the five-year plan, (c) the analysis of building performance compared to similar facilities in each year of the five year plan, showing, for each school (i) the total cost per square metre, (ii) the average cost per square metre across all similar facilities and (iii) the difference between average and each facility, (d) the extent and condition of asbestos and (e) the date of all the above assessments;
- (2) Can the Minister advise if any recommended work has been done on any sites since the condition reports were put together; and if so, which work was completed.

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

- (1) The available condition assessment information for the schools that were closed in 2006 is publicly available from the Purdon Associates website - [www.purdon.com.au/formerschoolsites](http://www.purdon.com.au/formerschoolsites).
- (2) Since handover of the school sites, Property Group has continued to maintain these buildings as required either to enable previous tenancies to continue or to meet statutory requirements, but not as a result of the condition assessments.

**Federal Golf Club  
(Question No 1749)**

**Dr Foskey** asked the Minister for Territory and Municipal Services, upon notice, on 13 November 2007:

- (1) Are the trees in the public access area of the Red Hill Golf Club the property of the Red Hill Golf Club;
- (2) If the Club wishes to remove trees, what processes should they follow;
- (3) Have those processes been followed in the current circumstances where a number of trees are apparently being felled.

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

- (1) Yes.
- (2) If the Federal Golf Club wishes to remove trees from their private property, depending on the condition of the trees and whether they meet the guidelines for regulated trees as set out in the *Tree Protection Act 2005*, they may need to contact the Tree Protection Unit within the Department of Territory and Municipal Services to seek approvals for their removal. If these trees are already dead, the Federal Golf Club may remove them without involving the Department of Territory and Municipal Services in the approval process.

(3) (a) In August 2007, the Federal Golf Club contacted the Department of Territory and Municipal regarding the condition of some trees adjacent to the access road to the golf club. A site inspection by Parks, Conservation and Lands officers in September 2007 determined that a number of trees need to be habitat pruned while several others need to be removed. This work is scheduled to be undertaken in early 2008.

(b) The General Manager of the Federal Golf Club did inform officers in the Department of Territory and Municipal Services that many trees on their property have died as a result of the drought and that they would be removing the dead and dangerous trees for safety purposes. On 20 November 2007 officers in the Tree Protection Unit conducted an inspection of trees on the leased land of Federal Golf Club and noted that many still standing trees, in particular *Eucalyptus globulus* species, were dead or in an advanced state of decline and may pose a hazard to users of the area.

### **Canberra Hospital—admissions (Question No 1761)**

**Mrs Burke** asked the Minister for Health, upon notice, on 13 November 2007:

Will the Minister provide a breakdown of admissions at The Canberra Hospital by postcode for (a) 2005-06 and (b) 2006-07.

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

Data provided is the number of discharges by postcode for the period specified follows. Data is for all discharges in the period, and includes statistical discharges and unqualified newborns.

Postcode	2006-07	2005-06
	No. discharges	No. discharges
0822-0880	9	5
2000-2040	36	35
2041-2069	18	24
2070-2089	24	22
2090-2199	89	107
2200-2295	91	76
2300-2488	87	110
2500-2535	52	41
2536	603	721
2537	447	389
2538-2545	121	189
2546	352	335
2548	274	212
2549	106	143
2550	470	504
2551	106	102
2560-2579	72	74
2580	866	670
2581	80	99

2582	1197	1193
2583	94	109
2584-2585	39	178
2586	234	150
2587-2588	118	148
2590	57	83
2594	689	760
2600	740	900
2601	211	214
2602	2777	2694
2603	1509	1659
2604	2098	1955
2605	2317	2195
2606	1980	1481
2607	1714	1771
2609	342	252
2611	3869	3731
2612	979	962
2614	1909	1595
2615	4863	4201
2617	2273	2129
2618	49	56
2619	713	603
2620	5741	5297
2621	324	327
2622	248	505
2623	74	36
2624-2626	185	187
2627	156	230
2628-2629	233	57
2630	733	858
2631	29	32
2632	125	138
2633-2649	42	59
2650-2651	71	249
2652-2663	94	37
2665	78	15
2666	33	25
2668-2681	81	56
2700-2714	75	45
2720-2790	154	156
2793-2809	85	146
2810	60	16
2820-2878	69	80
2900	393	185
2902	2851	2470
2903	1528	1574
2904	1578	1773
2905	4196	4085
2906	3053	2466

2911-2912	197	133
2913	1729	1592
2914	627	414
3000-3995	232	164
4000-4883	156	111
5000-7470	93	92
Overseas/unknown	53	52
<b>Total</b>	<b>60050</b>	<b>56539</b>

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**Firearms—offences**  
**(Question No 1767)**

**Dr Foskey** asked the Attorney-General, upon notice, on 15 November 2007:

In relation to the Director of Public Prosecutions annual report for 2006-07, did the proportion of proven charges for firearms offences in the Magistrates Court dropped markedly in 2006-07; if so, (a) what are the reasons for this and (b) is it a cause for concern.

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

- (a) It is not possible without analysing each matter to determine the reasons for this change.
- (b) This change is not yet a cause for concern.

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**Youth—complaints process**  
**(Question No 1768)**

**Dr Foskey** asked the Attorney-General, upon notice, on 15 November 2007:

- (1) Was it stated on page 16 of the Public Advocate's annual report for 2006-07 that the Advocate has been working with ACT Corrective Services on the development of a complaints policy for children and young people in custody within the ACT Magistrate Court cells and that young people are provided with a copy of this policy when they are held; if so, can a copy of this policy be provided;
- (2) Will the Advocate report on the numbers, and information garnered from the complaints made under this policy; if so, where will the report be made available to Members of the Assembly;
- (3) Is it the Advocate's role to audit this process;
- (4) Was it stated in a report on visits to young people in Quamby that some of the young people would prefer an informal anonymous complaints process; if so, (a) what has been the ACT Government's response to this and (b) if this complaints process is to be implemented, can details of this process, including who will handle it, be provided.

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

- (1) Page 16 of the PA ACT Annual Report for 2006-07 states that the PA ACT worked with ACT Corrective Services on the development of a complaints policy for children and young people in custody within the ACT Magistrates Court Cells (court cells). Additionally, the court cells Standing Orders were reviewed, and included the requirement to give young people a copy of the complaints policy when they are held in the court cells.

Copies of the policy and Court Transport Unit Standing Order 22.1.6 *Management of Young Persons* may be obtained from Ms Kim Hosking a/g Senior Manager, Business and Co-ordination, ACT Corrective Services ph 62070388.

- (2) Any young people wishing to make a complaint under this policy have not contacted the PA ACT. The PA ACT has not been notified by ACT Corrective Services of any complaints made directly to them in relation to this policy. Any report on this policy will be included in the PA ACT Annual Report.
- (3) Under the functions of the *Public Advocate Act 2005* Section 10 (d) acting as advocate for the rights of children and young people, and, as part of acting as advocate for those rights, the PA ACT would conduct an audit of this process.

As reported within the 2006-07 Annual Report, the PA ACT has undertaken to continue to review the services provided to young people, and complaints management within the court cells. In doing so, it is the intention of the PA ACT to work with ACT Corrective Services to reassess and revise the current policy, including the role of the PA ACT to audit this process.

Additionally, the PA ACT will assess the need for, and its capacity to, conduct further research to establish the effectiveness of the current, or reviewed complaints policy.

- (4) The PA ACT report *Visits to Quamby Youth Detention Centre PA ACT Report July 2006 – 2007* reports that some young people requested that concerns were raised both anonymously and/or informally; in doing so, the young people raised their concern that if they were identified they may face some consequence or recrimination from staff for making a complaint.

(a) The ACT Government continues to meet with the PA ACT on a regular basis to review the services provided to young people within Quamby Youth Detention Centre, including the monitoring the rights of young people within the Centre. In doing so, the right of young people to raise complaints, formally or anonymously is reviewed.

(b) The Children and Young People Official Visitor (OV) and the Public Advocate of the ACT currently visit young people at Quamby Youth Detention Centre to have direct contact with young people, including receiving and handling complaints. Young people are able to discuss issues of concern to them, and to have options explained to the young person, including the options to formally make complaints. Both the OV and the PA ACT will accept formal complaints made by a young person, however, if the young person does not wish to have their identity revealed it is often possible for these complaints to be followed up anonymously.

**Motor vehicles—footpaths  
(Question No 1772)**

**Dr Foskey** asked the Minister for Territory and Municipal Services, upon notice, on 15 November 2007:

- (1) What are the laws with regard to cars leaving car parks obstructing footpaths and blocking the passage of pedestrians;
- (2) Is any data available on the number of accidents and injuries which occur at the intersection of footpaths and car park exits;
- (3) Would the Government consider pedestrian markings, such as zebra crossings, at the entrances and exits of major car parks to remind drivers to give pedestrians on footpaths right of way.

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

- (1) Under Australian Road Rules 74 and 75 it is an offence for a driver not to give way to a pedestrian when the driver is crossing a footpath (road-related area) to enter or leave an off-street car park. The Australian Road Rules provide clear diagrams demonstrating this.

It is also an offence under Australian Road Rule 236 for a pedestrian to cause a traffic hazard by moving into the path of a driver.

- (2) No crashes involving a vehicle and a pedestrian on the footpath in front of carpark access roads have been reported over the last five years.
- (3) It is not the current practice to install pedestrian (zebra) crossings at the entrances and exits of major carparks to reinforce the pedestrian priority. Such practice will give the wrong message to motorists at driveway crossings without pedestrian (zebra) markings in relation to the priority.

However, warning signs are erected at locations with limited visibility for pedestrians and motorists to advise them of potential conflicts.

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**Drugs—diversion initiative  
(Question No 1776)**

**Mr Seselja** asked the Minister for Health, upon notice, on 15 November 2007:

- (1) How much funding has the Commonwealth Government provided to the ACT by way of the Illicit Drug Diversion Initiative each year since 1999;
- (2) Where has that funding been allocated for each year since 1999;
- (3) What treatment services and facilities are available in the ACT for the treatment of alcohol and other drug issues in either (a) residential or (b) non residential facilities;

- (4) What funding has been provided by the Government to each of the services identified in part (3) each year since 1999 (a) by direct grant by the ACT Government, (b) indirectly as a result of the Illicit Drug Diversion Initiative or (c) any other sources.

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

(1)

The Commonwealth Government has provided to the ACT by way of the Illicit Drug Diversion Initiative each year since 1999 funding as follows:

1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
-	695,843	1,066,169	1,137,028	360,500	1,010,596	1,041,513	1,036,039	385,000

(2)

The table below indicates the level of funding allocated under the ACT Diversion Program since 2001/02.

Service		2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
ACT Health	Alcohol and Drug Program - Assessment and Coordination	359,708	462,508	469,565	482,471	494,533	506,896	519,570
	Alcohol and Drug Program - retainer	67,992	67,992	67,992				
	Alcohol and Drug Program - treatment		27,879	43,190	8,204	3,420		
	Communication - Cannabis cards & brochures			1,237		2,930		
	Evaluation					5,000	29,229	57,757
Australian Federal Police	ACT Policing - Diversion coordinator				69,481	13,466	91,525	97,542
Non Government Organisations	Treatment		65,996	83,406	69,974	167,610	42,821	**110,000
	Retainer	305,964	305,964	305,964	156,807	107,154	54,912	54,912
	Alcohol and Drug Project for Youth Services			136,000				
	Sector Support & Liaison							150,000
	Communication project on the legal implications for possessing relatively small quantities of illicit drugs							15,000
		<b>733,664</b>	<b>930,339</b>	<b>1,107,354</b>	<b>786,937</b>	<b>794,113</b>	<b>725,383</b>	<b>1,004,781</b>

\*\*Estimated non government organisation (NGO) treatment payments. The number of people being referred through diversion programs by the police and the courts, and hence the number clients referred for treatment, limits the amount of reimbursement received by NGOs for the provision of treatment.

## Notes:

The differences between level of Commonwealth revenue and amounts spent are rolled over in accordance with funding agreements.

ACT Health's Alcohol and Drug Program is not paid a retainer, or paid for any treatment provided under the Illicit Drug Diversion Initiative (IDDI) Phase Two Funding Agreement (2004-2008), which commenced on 1 July 2004.

The Australian Federal Police - ACT Policing Diversion Coordinator position was not funded under the Illicit Drug Diversion Initiative (IDDI) Funding Agreement until Phase Two. This position was initially funded through the Public Health Outcomes Funding Agreement (Alcohol and Drug Law Enforcement).

**(3) (a) Residential Treatment Services**

ACT Health - Alcohol and Drug Program	Withdrawal Unit	Withdrawal management (detoxification)
		Assessment, information and education
		Counselling
		Case management
Alcohol and Drug Foundation (ADFACT)	Karralika Therapeutic Community	Assessment, information and education
		Counselling
		Case management
		Rehabilitation
	Men's Halfway House Program	Assessment, information and education
	The Nexus Program (adults and parents with children)	Assessment, information and education
		Counselling
		Case Management
	Outreach program	Assessment, information and education
		Counselling
		Case Management
	Centacare	Sobering Up Shelter
Assessment, information and education		
Directions ACT	Arcadia House	Withdrawal management (detoxification)
		Assessment, information and education
		Counselling
		Case management
		Complementary therapies to assist withdrawal
Salvation Army	Canberra Recovery Service for men	Rehabilitation
		Assessment, information and education
		Counselling
		Case management

Ted Noffs Foundation	Adolescent Drug Withdrawal Unit (young people up to 18 years of age)	Withdrawal management (detoxification)
		Assessment, information and education
		Counselling
		Case management
		Community education
	Program for Adolescent Life Management	Rehabilitation
		Assessment, information and education
		Counselling
		Case management
		Community education
Toora Women Inc	Lesley's Place (single women and women with children)	Supported accommodation post withdrawal
		Assessment, information and education
		Outreach support pre and post withdrawal
		Case management
	Marzenna Half Way House (single women and women with children)	Supported accommodation
		Assessment, information and education
		Case management

### 3 (b) Non Residential Treatment Services

ACT Division of General Practice	The Opiate Program	Assessment, information and education
		Counselling
		Case management
		Withdrawal management (detoxification)
		Pharmacotherapy support
ACT Health - Alcohol and Drug Program	Counselling & treatment services	Counselling
		Relapse Prevention
		Effect Weed Control (Cannabis)
		Stepping Stones (Family support program)
		Control Your Drinking
		Contemplation Group
	Opioid Treatment Service	Clinical assessments and dosing of pharmacotherapies
		Assessment, information and education
		Counselling
		Case management
Canberra Alliance for Harm Minimisation and Advocacy	Peer service for injecting drug users	Information and education
		Community education
		Advocacy
ACT Cancer Council	Quitline	Information and Education Counselling

Directions ACT	Support Services	Assessment, information and education
		Counselling
		Case management
		Pharmacotherapy support
		Community education
Gugan Gulwan Youth Aboriginal Corporation	Needle & Syringe Program	Information and education
		Extensive range of needle and syringe equipment
		Assessment, information and education
		Counselling
		Case management
Salvation Army	Oasis Bridge Program	Support before, during and after withdrawal
		Support for those with both mental health and alcohol and drug problems
		Assessment, information and education
		Counselling
		Case management
Ted Noffs Foundation	Community Outclient and Outreach Program	Assessment, information and education
		Counselling
		Case management
		Community education
Toora Women Inc	WIREDD program (Women's Information, Resources and Education on Drugs of Dependencies)	Information and education
		Community education
		Relapse Prevention
Winnunga Nimmityjah Aboriginal Health Service	Health Service for Aboriginal and Torres Strait Islander people	Support before, during and after withdrawal
		Support for those with both mental health and alcohol and drug problems

#### 4

The table below indicates the funding provided to each of the treatment services identified in (3) by (a) direct grant by the ACT Government, and (b) indirectly as a result of the Illicit Drug Diversion Initiative (IDDI).

Note:

Commonwealth funding allocated directly to the non government treatment organisations is not reported to ACT Health.

Treatment Service	1999/00		2000/01		2001/02		2002/03	
	(a) ACT Health	(b) IDDI						
ACT Health - Alcohol and Drug Program	3,367,600	0	3,408,200	0	4,169,300	427,700	4,302,721	558,379
ACT Division of General Practice	0	0	0	0	240,000	0	246,000	0

Alcohol and Drug Foundation (ADFACT)	722,241	0	1,053,900	0	1,439,180	101,988	1,542,652	89,444
Canberra Alliance for Harm Minimisation and Advocacy	102,306	0	104,352	0	111,725	0	106,700	0
Cancer Council	50,000	0	51,000	0	52,071	0	53,372	0
Centacare	0	0	0	0	0	0	0	0
Directions ACT	1,459,339	0	1,680,860	0	1,964,494	67,992	1,954,996	57,836
Gugan Gulwan Youth Aboriginal Corporation	51,000	0	172,020	0	175,890	33,996	185,495	33,996
Salvation Army - Canberra Recovery Service	89,252	0	91,037	0	116,286	33,996	95,227	52,092
Salvation Army - Oasis	0	0	0	0	0	0	0	33,996
Ted Noffs Foundation	0	0	0	0	777,026	33,996	740,037	36,604
Toora Women Inc	65,334	0	66,651	0	68,151	33,996	372,552	33,996
Winnunga	0	0	0	0	0	0	0	33,996
<b>Sub Total</b>	<b>2,539,472</b>	<b>0</b>	<b>6,628,020</b>	<b>0</b>	<b>9,114,123</b>	<b>733,664</b>	<b>9,599,752</b>	<b>930,339</b>
<b>TOTAL</b>		<b>2,539,472</b>		<b>6,628,020</b>		<b>9,847,787</b>		<b>10,530,091</b>

## 4 Contd.

Treatment Service	2003/04		2004/05		2005/06		2006/07	
	(a) ACT Health	(b) IDDI						
ACT Health - Alcohol and Drug Program	4,354,853	580,747	4,839,125	490,675	4,939,655	497,953	5,526,602	506,896
ACT Division of General Practice	272,909	0	274,771	0	263,623	0	273,377	0
Alcohol and Drug Foundation (ADFACT)	1,659,933	67,304	1,712,000	37,453	1,873,969	46,126	1,823,925	27,338
Canberra Alliance for Harm Minimisation and Advocacy	162,154	33,996	189,337	17,423	190,995	11,906	0	0
Cancer Council	54,559	0	55,650	0	57,041	0	59,151	0
Centacare	0	0	317,933	0	293,545	0	328,312	0
Directions ACT	2,062,478	55,941	2,161,487	26,437	2,145,036	19,074	2,370,251	17,846
Gugan Gulwan Youth Aboriginal Corporation	193,024	34,116	193,824	17,423	198,670	11,906	205,090	0
Salvation Army - Canberra Recovery Service	112,892	45,820	112,090	27,363	114,892	73,746	117,514	10,545
Salvation Army - Oasis	0	34,753	0	21,152	0	32,369	0	11,233
Ted Noffs Foundation	905,647	48,559	947,189	43,723	970,866	54,239	1,001,522	21,322
Toora Women Inc	486,971	34,886	612,802	18,384	662,997	13,492	644,855	9,449
Winnunga	0	33,996	322,000	17,423	326,975	11,906	339,074	0
<b>Sub Total</b>	<b>10,265,420</b>	<b>970,118</b>	<b>11,738,208</b>	<b>717,456</b>	<b>12,038,264</b>	<b>772,717</b>	<b>12,689,673</b>	<b>604,629</b>
<b>TOTAL</b>		<b>11,235,538</b>		<b>12,455,664</b>		<b>12,810,981</b>		<b>13,294,302</b>

**4. Contd.**

Treatment Service	2007/08	
	(a) ACT Health	(b) IDDI
ACT Health - Alcohol and Drug Program	5,642,666	519,570
ACT Division of General Practice	283,629	0
Alcohol and Drug Foundation (ADFACT)	1,876,321	19,344
Canberra Alliance for Harm Minimisation and Advocacy	90,579	0
Cancer Council	61,369	0
Centacare	340,621	0
Directions ACT	2,466,453	45,609
Gugan Gulwan Youth Aboriginal Corporation	387,928	0
Salvation Army - Canberra Recovery Service	120,621	48,761
Salvation Army - Oasis	0	23,420
Ted Noffs Foundation	1,039,080	16,547
Toora Women Inc	668,086	11,231
Winnunga	175,895	0
<b>Sub Total</b>	<b>13,153,248</b>	<b>684,482</b>
<b>TOTAL</b>		<b>13,837,730</b>

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**Drugs—intervention and referral services  
(Question No 1777)**

**Mr Seselja** asked the Minister for Health, upon notice, on 15 November 2007:

For each of the intervention and referral services of the (a) Police Early Intervention Program, (b) Court Alcohol and Drug Assessment Service and (c) Treatment Referral Program, (i) what are the assessment criteria used for assessing people to be considered for each of the intervention and referral services mentioned above, (ii) what reasons were recorded for those referrals received by the Health Assessment Service, but not recommended for treatment for each year from 2000 to 2006, (iii) what are the full range of options available for referral for treatment of people assessed as suitable by the Health Assessment Service and (iv) how many referrals have been made each year to each of the services identified in part (iii) from 2000 to 2006.

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

**(1)** Referral to the Police Early Diversion Program (PED) is made by the Australian Federal Police (AFP) for offenders charged with offences relating to possession of small amounts of cannabis (two plants or 25 grams or less) and other illicit drugs (25% of what is considered to be a 'trafficable' quantity under the Drugs of Dependence Act (DoDA) 1989).

The Court Alcohol and Drug Assessment Service (CADAS) is facilitated in the Magistrates and Children's Court. Referral for assessment is made by Court Order for offences relating to alcohol and other drug (AOD) use or charges relating to obtaining money for AOD use by the offender.

The Treatment Referral Program (TRP) is legislated within DoDA 1989. Part IX refers to Assessment and Treatment Orders.

**(2)** Reasons recorded for assessment of clients where no recommendation for treatment by the three Diversion Programs has been made include:

- No consent provided by offender to participate in treatment plan.

- Assessment is not possible due to the client's mental health status
- Treatment is not possible due to the client's mental health status
- The client's primary drug of concern is alcohol or other licit substances
- No reported AOD use concerns determined in the assessment process.

(3) The treatment options and AOD services within the ACT that the Diversion Services refer clients to are:

- Withdrawal support – ACT Health's Alcohol and Drug Program (ADP); DIRECTIONS ACT's Arcadia House; Ted Noffs Foundation
- Pharmacotherapy– ADP Opioid Treatment Service; The Opiate Program (TOP) under the Division of General Practice; Winnunga Nimmityjah Aboriginal Health Service (Winnunga)
- Medical Services – ADP; Winnunga; TOP
- Education/therapeutic groups – ADP; DIRECTIONS ACT; Alcohol and Drug Foundation (ADFACT); Salvation Army's Oasis Bridge Program; Winnunga; Gugan Gulwan Youth Aboriginal Corporation (Gugan); Women's Information, Referral, and Education on Drugs and Dependence (WIREDDD); Ted Noffs Foundation
- Counselling Services – ADP; DIRECTIONS ACT; Salvation Army's Oasis Bridge Program; Winnunga; Gugan; WIREDDD; Ted Noffs Foundation
- Case management – ADP; DIRECTIONS ACT; Salvation Army's Oasis Bridge Program; Winnunga; Gugan; WIREDDD; Canberra Alliance for Harm Minimisation and Advocacy (CAHMA)
- Residential rehabilitation programs – Salvation Army's Canberra Recovery Service (CRS); ADFACT's Karralika Therapeutic Community; Ted Noffs Foundation.
- Diversion services also refer clients to interstate rehabilitation services for treatment options not provided within the ACT. These include shorter-term rehabilitation programs, rehabilitation programs that accommodate clients on prescribed pharmacotherapies, gender specific programs and Aboriginal and Torres Strait Islander specific programs. Referral to interstate residential services is often a client preference.

(4) The following information details the number of referrals made to each ACT AOD treatment service as detailed in Question 3.

#### **Police Early Diversion – PED**

Note: PED clients may be referred for a number of different types of treatment; therefore, the number of clients referred for treatment may not equal the total number of treatment episodes provided by agencies.

<b>Year</b>	<b>Diversion notices received from AFP</b>	<b>Treatment provided</b>
1 January – 31 December 2002	14 notices: • 1 did not attend	ACT Health ADP - 13
1 January – 31 December 2003	16 notices: • 1 did not attend assessment • 2 did not comply with treatment	ACT Health's ADP – 15 Toora WIREDDD – 1
1 January – 31 December 2004	61 notices: • 5 clients did not attend assessment • 7 clients did not comply with treatment requirements • 1 client by request was referred back to the AFP to be issued with a Simple Cannabis Offence Notice	ACT Health's ADP – 46 Salvation Army's Oasis Bridge – 8 Directions ACT – 1 Directions ACT's Arcadia House – 1

Year	Diversion notices received from AFP	Treatment provided
1 January – 31 December 2005	43 notices: <ul style="list-style-type: none"> <li>• 4 clients did not attend assessment</li> </ul>	ACT Health's ADP – 25 Salvation Army's Oasis Bridge – 6 Toora WIREDD – 2 Ted Noffs Foundation 4 Other – 1
1 January – 31 December 2006	48 notices: <ul style="list-style-type: none"> <li>• 2 clients did not attend assessment</li> <li>• 3 clients did not comply with treatment requirements</li> <li>• 1 client by request was referred back to the AFP to be issued with a Simple Cannabis Offence Notice</li> </ul>	ACT Health's ADP – 35 Salvation Army's Oasis Bridge – 10

### Court Alcohol and Drug Assessment Service – CADAS

Note: CADAS clients may be referred for a number of different types of treatment; therefore, the number of clients referred for treatment may not equal the total number of treatment episodes provided by agencies.

Year	Referrals for assessment	Treatment provided
1 October – 31 December 2000	50 referrals <ul style="list-style-type: none"> <li>• 3 clients were not recommended for treatment</li> </ul>	ACT Health's ADP – 18 Directions ACT – 13 Toora WIREDD - 1 Salvation Army's Oasis Bridge Program - 1 Winnunga Nimmityjah Aboriginal Health Service (Winnunga) – 3 Gugan Gulwan – 1 Interstate services – 10 Mental Health ACT - 4 Other – 3
1 January – 31 December 2001	156 referrals <ul style="list-style-type: none"> <li>• 24 were for assessment only, pending Court decision to direct to treatment plan</li> <li>• 7 clients were not recommended for treatment</li> </ul>	ACT Health's ADP – 85 Directions ACT – 29 Interstate services – 31 Alcohol and Drug Foundation of the ACT (ADFACT) – 10 Toora WIREDD – 4 Directions ACT's Arcadia House – 2 Winnunga – 2 Mental Health ACT – 3 Other – 2
1 January – 31 December 2002	265 referrals <ul style="list-style-type: none"> <li>• 52 were for assessment only, pending Court decision to direct to treatment plan</li> <li>• 6 clients were not recommended for treatment</li> </ul>	ADP – 215 Interstate services – 60 Directions ACT – 40 Directions ACT's Arcadia House – 9 ADFACT – 18 ADFACT's Karralika therapeutic community (Karralika) – 19 Salvation Army's Canberra Recovery Service (CRS) – 14

		<p>Toora WIREDD – 9  Ted Noffs Foundation – 9  Winnunga – 5  Gugan Gulwan 4  Salvation Army's Oasis Bridge Program – 2  Mental Health ACT – 4  Other – 6</p> <p>12 clients' counselling referrals were still pending when matter finalised.</p>
1 January – 31 December 2003	<p>325 referrals</p> <ul style="list-style-type: none"> <li>• 33 were for assessment only, pending Court decision to direct to treatment plan</li> <li>• 6 clients not recommended for treatment</li> <li>• 4 clients did not attend assessment</li> </ul>	<p>ADP – 155  Interstate services – 64  Directions ACT – 22  Directions ACT's Arcadia House – 13  ADFACT – 13  Karralika – 4  CRS – 7  Toora WIREDD – 9  Ted Noffs Foundation – 6  Salvation Army's Oasis Bridge Program – 5  Winnunga – 2  Gugan Gulwan – 3  Mental Health ACT – 3  Other – 2</p> <p>10 clients' counselling referrals were still pending when matter finalised.</p>
1 January to 31 December 2004	<p>301 referrals</p> <ul style="list-style-type: none"> <li>• 57 were for assessment only, pending Court decision to direct to treatment plan</li> <li>• 10 clients were not recommended for treatment</li> <li>• 7 clients did not attend assessment</li> </ul>	<p>ADP – 107  Interstate services – 68  Directions ACT – 9  Directions ACT's Arcadia House – 14  ADFACT – 10  Karralika – 11  CRS – 10  Toora WIREDD – 8  Ted Noffs Foundation – 13  Salvation Army's Oasis Bridge Program – 13  Winnunga – 3  Gugan Gulwan – 3  Canberra Alliance for Harm Minimisation and Advocacy (CAHMA) - 3  Mental Health ACT – 4  Other – 3</p>

1 January – 31 December 2005	265 referrals <ul style="list-style-type: none"> <li>• 18 were for assessment only, pending Court decision to direct to treatment plan</li> <li>• 14 clients were not recommended for treatment</li> </ul>	ADP – 111 Interstate services – 49 Directions ACT – 17 Directions ACT's Arcadia House – 4 ADFACT – 11 Karralika – 9 CRS – 13 Toora WIREDD – 14 Ted Noffs Foundation – 21 Salvation Army's Oasis Bridge Program – 20 Winnunga – 5 Gugan Gulwan – 3 CAHMA – 2 Other – 18
1 January – 31 December 2006	273 referrals <ul style="list-style-type: none"> <li>• 1 referral was for assessment only, pending Court decision to direct to treatment plan</li> <li>• 34 clients were not recommended for treatment</li> <li>• 8 clients did not attend assessment</li> </ul>	ADP – 85 Interstate services – 57 rehabs Directions ACT – 15 Directions ACT's Arcadia House – 11 ADFACT – 12 Karralika – 11 CRS – 12 Toora WIREDD – 13 Ted Noffs Foundation – 25 Salvation Army's Oasis Bridge Program – 25 Winnunga – 1 Mental Health ACT – 1 Other – 11

### Treatment Referral Program

Note: Due to length of Treatment Orders (6 – 24 months) multiple treatment options can be recommended, i.e. residential program followed by community based counselling.

Year	Referrals	Treatment by
1 January – 31 December 2000	52 referrals <ul style="list-style-type: none"> <li>• 10 clients were not recommended for treatment</li> <li>• 1 client did not attend assessment</li> </ul>	ADP – 37 Interstate services – 23 Directions ACT – 6 Karralika – 1 CRS - 1 Other – 1
1 January – 31 December 2001	26 referrals	ADP – 32 Interstate services – 13 Directions ACT – 3 Toora WIREDD – 1 Karralika – 1
1 January – 31 December 2002	15 referrals <ul style="list-style-type: none"> <li>• 2 clients were not recommended for treatment</li> </ul>	ADP – 14 Interstate services – 7 Directions ACT – 3 Toora WIREDD - 1

1 January – 31 December 2003	25 referrals • 1 client was not recommended for treatment	ADP – 24 Interstate services – 13 Directions ACT – 5 Karralika – 2 CRS – 1 Toora WIREDD – 1 Gugan Gulwan – 1 Other – 1
1 January – 31 December 2004	36 referrals • 4 clients were not recommended for treatment	ADP – 25 Interstate services – 18 Salvation Army's Oasis Bridge Program – 3 Karralika – 2 CRS – 1 Directions ACT – 1 Toora WIREDD – 1 CAHMA – 1
1 January – 31 December 2005	19 referrals • 2 clients were not recommended for treatment	ADP – 8 Interstate services – 4 Salvation Army's Oasis Bridge Program – 5 CRS – 2 Toora WIREDD – 2 Mental Health ACT – 1 Other – 1
1 January – 31 December 2006	12 referrals • 1 client was not recommended for treatment	ADP – 4 Interstate services – 2 Salvation Army's Oasis Bridge Program – 2 Directions ACT – 2 Toora WIREDD – 2 Other – 2 Matter pending – 1

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**ACT Health—Community Health Unit  
(Question No 1778)**

**Mr Seselja** asked the Minister for Health, upon notice, on 15 November 2007:

- (1) What is the detailed organisational structure of the Community Health Unit in ACT Health as it relates to the Drug and Alcohol Program;
- (2) What other resources or structural arrangements are there which are dedicated to the provision of services for the development of policy in relation to drug and alcohol issues;
- (3) In relation to the areas identified in parts (1) and (2), (a) what is the functional description of each area identified, (b) how many full time equivalent (FTE) staff are there currently employed in those areas, (c) what is the FTE staff projection for June

2008 and (d) what is the designation and classification of all staff employed in those areas (i) by functional area as outlined in parts (1) and (2) and (ii) identified as permanent full time, permanent part time, temporary full time and temporary part time;

- (4) What is the staffing plan for those positions identified in part (1) that are currently vacant.

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

- (1) The organisational chart for the ACT Health Alcohol and Drug Program (ADP) is at **Attachment A**.
- (2) Strategic policy advice is provided through the Alcohol and Other Drug Policy Unit, located within the Policy Division of ACT Health.
- (3) **Alcohol and Drug Program (ADP):**

Central ADP Management:

Position	Substantive	Actual
Director SOGA	1 FTE	1 FTE
Admin Officers	1 FTE	1 FTE
SOC	1 FTE	vacant

ADP Medical Officers:

Medical Officers providing the Medical Services undertake assessment and treatment of people experiencing alcohol and/or other drug related problems. The medical service also offers professional advice to other medical and health practitioners in the ACT and surrounding area.

Position	Substantive	Actual
Staff specialists	1.83 FTE	1.73 FTE
Mental Health Registrar	0.5 FTE	0.5 FTE

ADP CLINICAL SERVICES

**Withdrawal Service:**

The Withdrawal Service provides supportive, supervised medical withdrawal to people experiencing dependency on alcohol and/or other drugs. This program includes education, group therapy and medicated withdrawal as required. Clients can choose between outpatient or inpatient detoxification and are advised on the most appropriate course of action by medical officers.

Position	Substantive	Actual
Nurses	16 FTE	16.1 FTE
Allied Health (Counselors)	1.6 FTE	1.6 FTE
Administrative Support	1.5 FTE	1.4 FTE

**Opioid Treatment Service:**

People dependent on Opioids (eg, heroin, morphine) can be assessed and considered for treatments such as Methadone and Buprenorphine. The Opioid Treatment Service manages and treats these clients. The service works closely with other methadone service providers, pharmacies and general practitioners, local and interstate, to ensure coordinated client care.

Position	Substantive	Actual
Nurses	4.8 FTE	4.8 FTE
Allied Health (Pharmacist)	1 FTE	1 FTE
Allied Health (Counselors)	1.7 FTE	1.4 FTE
Administrative Support	1.8 FTE	1.8 FTE

#### ADP CONSULTATION AND LIAISON:

The liaison service works with acute hospitals and other services in the ACT to ensure that expert professional help is available for clients who may have alcohol and/or other drug dependencies. Pregnant clients and clients who have a mental health and an alcohol and drug problem are special target groups for the consultation and liaison service.

Position	Substantive	Actual
Nurses	2.6 FTE	2.9 FTE
Allied Health (counselor)	1 FTE	Recruitment in progress

#### ADP DIVERSION SERVICES:

The program coordinates the ACT's diversion programs – Police Early Diversion, Court Alcohol and Drug Assessment Service and the Treatment Referral Program. The aim is to divert people apprehended for drug use or drug related offences from the judicial system into the health system.

Indigenous clients receive support from the Aboriginal Liaison Officer who helps to assess the most suitable service to meet the needs of Aboriginal and Torres Strait islander clients. This position also provides assistance and support to other mainstream service providers.

Position	Substantive	Actual
SOC	1 FTE	0.9 FTE
ALO ASO6	1 FTE	1 FTE
Admin Officers (ASO6)	3.6 FTE	3.6 FTE
Admin support	0.5	0.5

#### ADP COUNSELING AND TREATMENT SERVICES:

Clients' needs are identified and counseling sessions offered as required. A coordinated care program is provided linking clients to other services, health practitioners and community groups to meet their diverse needs and to provide the best possible service. A variety of therapeutic groups are available as well as counseling of families affected by Alcohol and/or drug problems.

The 24 hour Helpline (62079977) is the front door to services: the Helpline provides information, support and referral to a range of services.

Position	Substantive	Actual
Allied Health (counselor)	9 FTE	8 FTE
Admin Officers (ASO)	3.6 FTE	3 FTE

**ADP Needle and Syringe Program**

The Alcohol and Drug Program is an accredited provider under the Needle and Syringe Program and provides a secondary outlet.

Staffing projections for June 2008 for the Alcohol and Drug program are as current.

**ACT Health Alcohol and Other Drug Policy Unit**

- (a) The role of the Alcohol and Other Drug Policy Unit is to advise ACT Health and the ACT Government on strategic policy issues of national, territory-wide and health sector wide importance. The unit is also responsible for negotiations with funding bodies and service providers and manages service agreements with the non-government and government sectors.
- (b) The Alcohol and Other Drug Policy Unit is resourced for 5 FTE staff but currently there are 4 FTE staff employed.
- (c) The FTE staff projection for June 2008 for the Alcohol and Other Drug Policy Unit is 5 FTE
- (d) The staff classification: (2) (i) & (ii) Alcohol and Drug Policy Unit:
  - 1 x FTE SOG B
  - 1 x FTE SOG C
  - 3 x FTE ASO 6

- (4) Alcohol and Drug Program: Vacancies will be advertised and recruited to, to ensure quality client service delivery is maintained.

Alcohol and Other Drug Policy Unit: The current vacant 1 x FTE ASO6 position will be filled in early 2008 when the employee is expected to return from a short term secondment.

*(Attachment A is available at the Chamber Support Office)*

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**Schools—recycling bins  
(Question No 1786)**

**Dr Foskey** asked the Minister for Territory and Municipal Services, upon notice, on 21 November 2007:

- (1) Is there a requirement for all ACT public schools to have recycling bins available; if not, (a) why not and (b) are there plans to make this a requirement;
- (2) How many schools are participating in the Waste Wise Schools program;
- (3) Is the Government offering incentives or encouragement to schools to implement the Waste Wise Schools program.

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

- (1) There is no requirement that schools have recycling bins. Schools are however encouraged to get involved in the ACT Government's Sustainable Schools Program

which now incorporates the Waste Wise program as well as Energy, Water, Biodiversity and Curriculum. As part of this program, the Government supplies recycling bins to schools free of charge. Having the bins emptied is a private contractual arrangement each school has with a contractor.

- (2) The Waste Wise Program has been rolled into the Sustainable Schools Program. 87 schools across the ACT are currently participating in this program, 90% of which includes the waste component of the program.
- (3) The Sustainable Schools Program includes incentives such as:
  - Water and Energy Audits.
  - Support in setting up recycling systems including bins, collections and smart purchasing.
  - A sustainability education tool kit that includes a curriculum component to assist teachers to teach sustainability in the classroom and Best Practise Guides for Waste, Water, Energy and Biodiversity, which offers step by step guides on how to make the school more sustainable.
  - Incentives to participate in the annual No Waste Awards.
  - Free workshops on Waste, Energy and Water to teachers as part of professional development.
  - Recognition of achievements in implementing sustainable goals through a five star accreditation scheme.
  - Providing regular opportunity for teachers/heads of school to visit other schools implementing best practise in waste management.

### **Tharwa bridge (Question No 1787)**

**Dr Foskey** asked the Minister for Territory and Municipal Services, upon notice, on 21 November 2007:

- (1) Would the Minister provide a progress update on the Tharwa Bridge decision;
- (2) How many engineering reports have been completed on the bridge;
- (3) If more than one engineering report has been completed, how conflicting/consistent are they;
- (4) How much would it cost to repair the bridge according to those reports outlined in part (2);
- (5) Does the Government have an expected completion date for Tharwa Bridge.

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

- (1) The ACT Government has decided to conserve the existing Tharwa Bridge.
- (2) There have been many engineering reports on Tharwa Bridge over the years. The most recent detailed report completed on behalf of the Department was in May 2006. Monthly reports monitoring the condition of the bridge are also produced by the RTA NSW on behalf my department.

- (3) There is no conflict between the various engineering reports completed on behalf of the Department.
- (4) The project cost to complete the full restoration of Tharwa Bridge is \$14.0 million.
- (5) The full restoration of Tharwa Bridge is planned for completion by mid 2011; contingent on the necessary hardwood timber being able to be sourced within the next 12 – 18 months.

### **Schools—Bonython primary (Question No 1789)**

**Dr Foskey** asked the Minister for Education and Training, upon notice, on 21 November 2007:

- (1) Is the Minister aware that there is currently no school counsellor available at Bonython Primary School;
- (2) Are there plans to appoint a school counsellor to Bonython Primary School in the future;
- (3) What are the statistics on absenteeism amongst transitioning students at Bonython Primary School.

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

- (1) & (2) Bonython Primary School has a school counsellor.
- (3) The statistics showing average absenteeism amongst transitioning students in kindergarten to year 6, since the commencement of the 2007 school year until the end of term 3, are provided in the following table. There have been some mitigating circumstances where the numbers have been larger, relating to illness.

Statistics showing average absenteeism amongst the general population at Bonython Primary School, for kindergarten to year 6, since the commencement of the 2007 school year until the end of term 3, are also provided in the following table for comparison purposes.

#### **Absenteeism in terms 1-3 2008: Bonython Primary School**

	<b>Average days absent</b>	<b>Days absent for transitioning students</b>
<b>Kindergarten</b>	11	6.5
<b>Year 1</b>	12	29
<b>Year 2</b>	10.5	9
<b>Year 3</b>	10	7.5
<b>Year 4</b>	8	7
<b>Year 5</b>	8.5	NA
<b>Year 6</b>	12	NA

**Schools—funding  
(Question No 1792)**

**Dr Foskey** asked the Minister for Education and Training, upon notice, on 22 November 2007:

- (1) What funding is to be made available to primary schools that, through the 2020 strategy, are being turned into 0-8 schools;
- (2) What processes have been implemented to determine the physical changes to the schools;
- (3) What is the availability of appropriately qualified and experienced teachers;
- (4) How will the Department ensure that work is completed in time for the 2009 school year;
- (5) What provisions are being made to ensure that indigenous students at Narrabundah Primary School can access appropriate education after leaving the P-3 school Narrabundah is to become;
- (6) Where parents drop children at schools handier to their work than their home, and senior primary schools nearby will not take them because they are out of area, where does the Department suggest they attend school from Year 4 on;
- (7) Is the impact of the changes on enrolments being taken into account and is there the possibility that plans to change their structure will be changed if numbers drop to the extent that the school is considered too small by departmental criteria;
- (8) Could the Government provide enrolment numbers for 2007 and projected enrolments for 2008 for all those schools designated 0-8 from 2009.

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

- (1) \$10 million in capital funding is being provided from the Schools Infrastructure Renewal program. Funding support for any new programs operating from the schools will be provided as required when the schools commence operation.
- (2) The Department is consulting with other agencies, as outlined in the recently released Early Childhood Schools Framework, and is engaging the services of consultants to undertake a feasibility study of the facilities. This work will establish the building changes likely to be required at each of the sites.
- (3) The Department received in excess of 1100 applications for its annual recruitment campaign for classroom teachers. The Department has made offers of employment to highly ranked appropriately qualified teachers to fill available positions. At the completion of the transfer and placement process for 2008 all known and anticipated teacher vacancies will have been filled. The University of Canberra offers graduate and postgraduate degrees in early childhood education.
- (4) The Department will work closely with the project manager to monitor progress against the contract schedule in an endeavour to achieve this target. Wherever possible, essential works will be scheduled for completion for the start of the 2009 school year.

- (5) When students including Indigenous students are moving from the Narrabundah P-2 school, their transition plans that will have been developed collaboratively with their families, will be implemented. In addition, the Department provides numerous support services for Indigenous students. These can be accessed through the Indigenous Education Unit, and include behavioural management support, curriculum advice on the implementation of Indigenous education and home school liaison officers. All schools, whether they be P-2 or otherwise, are required to nominate an Indigenous education contact officer who supports the needs of Aboriginal and Torres Strait Islander students, and promotes and provides advice on the implementation of Indigenous education perspectives across the curriculum. Students can also access support through the Indigenous numeracy and literacy consultant and are required to have an individual learning program designed by teachers, in collaboration with relevant stakeholders. It is possible that the majority of students will move to Red Hill Primary School, which has a large multicultural population and provides for students from a range of socio-economic backgrounds.
  - (6) Schools can accept out of area enrolments if there is space available after catering for students from their priority enrolment area. Principals have the responsibility of managing out of area enrolments. Every consideration will be given to an out-of-area student from an early childhood school.
  - (7) There are no plans to change the proposed structure of the early childhood schools.
  - (8) The 2007 census data is available on the Department's website. The projected enrolment numbers for 2008 are:
    - Isabella Plains Primary School, 189 students
    - Lyons Primary School, 95 students
    - Narrabundah Primary School, 107 students
    - Southern Cross Primary School, 132 students
    - O'Connor Cooperative School, 85 students.
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### **Hospitals—nurses (Question No 1793)**

**Mrs Burke** asked the Minister for Health, upon notice, on 22 November 2007:

- (1) How many (a) interstate and (b) agency nurses are currently employed in the ACT;
- (2) Where are the (a) interstate and (b) agency nurses currently employed in the ACT;
- (3) What is the current cost of (a) interstate and (b) ACT agency nurses to the ACT;
- (4) Is there any cost differential between interstate and ACT agency nurses; if so, what is the cost;
- (5) How many positions in ACT public hospitals are currently filled by agency nurses at (a) Calvary and (b) The Canberra Hospital;
- (6) Do any agency nurses currently working in the ACT, who live in the ACT, but who are registered interstate, attract any extra allowances; if so, how much and why;

- (7) How many full-time equivalent nursing positions are currently vacant that cannot be filled;
- (8) What is the total budget allocation for nurses for 2007-2008;
- (9) Is the nursing budget currently on track.

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

- (1) Agency nurses are a contingent staffing resource, they are employed as necessary to cover unplanned leave, surges in demand for services or roster shortfalls when there are no nurses available to cover required staffing levels. Agency use is variable, the average fortnightly agency use for the whole of ACT Health was 49.00 full time equivalents in November 2007:
  - (a) the average usage of ACT Agencies was 31.08 full time equivalents
  - (b) the average usage of interstate agencies was 17.92 full time equivalents
- (2) (a) interstate agency nurses are currently employed in Ambulatory Care, Medical, Surgical, Women's and Children's and Psychiatric services on contract short term assignment
  - (b) ACT agency nurses are employed in all clinical areas as required, this may be on a shift by shift basis.
- (3) It is difficult to separate the current cost of (a) interstate and (b) ACT agency nurses. The total cost of agency nurses 1 July 2007 to 30 November 2007 is \$1,753 million, excluding Calvary Health Care costs. Calvary Health Care ACT expenditure on agency nurses is \$868,396.
- (4) Within the ACT agencies there are slight variations in the fees charged depending on individual contractual arrangements. There are also different charges for the nurse's level of postgraduate experience and for the shifts worked. There is not a common fee charged.

Most interstate agency usage is associated with the employment of nurse who are qualified or experienced in a specialty area, for example operating rooms, critical care or mental health. Specialty agencies charge more than generic nursing agencies, these agencies are utilised when requisite skill is required and unavailable.

The base rate is comparable for unspecified qualified nursing staff. The cost differential for specialised nursing staff is in the order of \$8.00 – \$9.00 per hour.

- (5) In November 2007, full time equivalent agency use by area was:
 

Aged Care and Rehabilitation Stream	6.1
Ambulatory Care (TCH)	6.7
Canberra Region Cancer Stream	1.2
Medical (TCH)	12.2
Surgical (TCH)	18.1
Psychiatric Services (Mental Health Stream)	3.5
Women's and Children's Health (TCH)	1.3

Calvary Health Care utilises casual nurses to meet daily requirements, actual usage by area is not available.

- (6) All agency nurses currently working in the ACT are required to be Registered with the ACT Nursing and Midwifery Board regardless of source agency or place of residence. There are no extra allowances attached to interstate registration. Interstate agency nurses are generally accommodated in staff accommodation whilst employed by ACT Health. ACT Health will cover initial travel costs to the ACT and home after completion of contracted period of work.
  - (7) Across the last quarter, July, August and September 2007, the average number of full time equivalent nursing positions that were vacant was 156.0.
  - (8) ACT Health Nursing budgets are part of divisional operation budgets rather than discrete professional budgets. ACT Health does not monitor the Calvary nursing budget.
  - (9) Please refer to the answer to question (8).
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### **Water—low income households (Question No 1794)**

**Dr Foskey** asked the Minister for the Environment, Water and Climate Change, upon notice, on 4 December 2007 (*redirected to the Attorney-General*):

- (1) Has there been any consideration given to the impact of water costs on (a) large and (b) low income households;
- (2) Are there any measures or support to assist such households.

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

- (a) Responsibility for the determination of water prices in the ACT rests with the Independent Competition and Regulatory Commission (ICRC). Under section 20 of the *Independent Competition and Regulatory Commission Act 1997*, the Commission is required to take into account the social impacts of its decisions on water tariffs. The Commission sets these tariffs so as to recover the full efficient costs of providing the relevant regulated services. The Commission's Draft Report on water tariffs in the ACT (released December 2007) reported on its examination of the issue of how to structure water and wastewater tariffs taking into account the potentially competing goals of economic efficiency, environmental and conservation considerations, and social welfare issues. The issue of the impact of proposed new tariffs on different household groups is addressed in the Report on which the Commission is currently seeking comments prior to the finalisation of the new tariffs to take effect from July 2008.

The Commission has over recent years acted to reduce the fixed charge for the connection of households to reticulated water and place greater emphasis on the volumetric charge. The Commission has also adopted a stepped tariff approach, which effectively means that up to a certain level of overall consumption, households pay a lower rate per kilolitre for the water that they consume. These actions have been designed to provide a greater incentive for households to consider their discretionary use of water while at the same time reducing the fixed cost to households that would have applied regardless of the amount of water used.

In its Draft Report, the Commission has also drawn to the government's attention certain matters relating to the structure of the financial subsidies on water charges that the government does provide to households who are in particular financial need. These are matters that need to be considered by the government in the context of the final tariff structure determined by the Commission.

A copy of Report is available at:

[http://www.icrc.act.gov.au/\\_\\_data/assets/pdf\\_file/0016/82303/Report\\_11\\_of\\_2007.pdf](http://www.icrc.act.gov.au/__data/assets/pdf_file/0016/82303/Report_11_of_2007.pdf)

- (b) Low income households are provided with subsidised showerhead installation through the Utility Hardship Intervention Project, also described by some participants as the Water and Energy Savings Trial (WEST). Participant households have an energy audit undertaken of their dwelling and are given specific advice on how to reduce their energy and water consumption. The Program is provided through the Sustainability Programs and Projects Branch of TAMS.

The Sustainability Programs and Projects Branch will also include an offer to pension cardholders in its upcoming dual flush toilet rebate program. The program will offer rebates of \$100 for replacement of single flush toilets with dual flush systems. Pension cardholders will be offered a full rebate on a new dual flush toilet.

### **Australian National University School of Music (Question No 1795)**

**Dr Foskey** asked the Minister for the Arts, upon notice, on 4 December 2007:

- (1) Who are the members of the task force set up to consider issues around the Australian National University (ANU) School of Music;
- (2) Are there terms of reference for the task force, or what issues are to be considered;
- (3) What progress can be reported at this stage;
- (4) In relation to an alleged verbal agreement in the early nineties, when the ACT Government ceded to the ANU the land on which the Jazz School now stands in exchange for the portion of the ROCKS area owned by the ANU and adjacent to ACT Government property, with the ANU now constructing buildings over this area, what financial compensation has been paid to the Government for each parcel of land;
- (5) Will the temporary accommodation provided for former ROCKS tenants be replaced by permanent accommodation;
- (6) What accommodation will be provided for the AIDS Action Council;
- (7) Does the Government still own the area between the Street Theatre and the ANU student accommodation;
- (8) If any change has occurred or is to happen, what will be the circumstances.

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

1. There is no formal taskforce but a series of discussions happening at a variety of levels. Earlier this year I convened a lunchtime stakeholder meeting to discuss issues in relation to both the School of Music and the School of Art. In attendance were representatives from the ANU, my department and leaders of the visual arts and music sectors. In parallel with this discussion was the ACT Government's review of its Funding Agreement with the ANU for the Community Outreach Program. This review was completed in June 2007, and has informed my decision on the future of the funding agreement. The ANU has been informed of my decision and I expect to make a public announcement shortly.
2. There are no formal terms of reference for the various discussions beyond my Government's plans to distribute arts funding, including that relating to the ANU, in an equitable manner and that delivers tangible outcomes for the ACT's arts community.
3. The Government's review of the Funding Agreement with the ANU was completed in June 2007. One of the key outcomes of the review was the need for there to be a strategic framework. The ANU has agreed with this recommendation. In order to prepare a strategic framework, the ANU has agreed to participate in a working group, which will be convened by my department. The ANU has advised that it is available to participate in the working group from February 2008 onwards.
4. A portion of what is now Section 21 City – but was then known as Block 6 Section 63 Acton – was held by the ANU under a perpetual lease. (This land was opposite Toad Hall.) The ANU agreed to give this land to the Territory in return for acquiring a portion of Territory land in the general area now occupied by the Music School.

Block 6 Section 63 Acton was acquired by the Territory at no cost. At present, the land is used for temporary demountable buildings that house some of the former ROCKS residents.

The ANU is currently constructing a 550-bed student residence on Block 4 Section 21 City which is adjacent to the above land. Block 4 of Section 51 was sold to the ANU in July 2007 as part of the ANU City West Precinct Deed. The land was sold for market value.

All blocks sold to the ANU under the Precinct Deed are sold at market value as required by the Deed and Disallowable Instrument DI2005 – 44.

5. The ROCKS tenants have never had permanent accommodation and never had formal leases from the Territory. They were allowed by past ACT Governments to occupy disused ANU huts pending the future development of the sites. For many years, the area was very run-down and insufficiently integrated into the City.

The Precinct Deed that was negotiated by the Territory and the ANU in 2004 stipulates that existing occupants of the Precinct may remain on the unleased Territory land they occupy until the ANU seeks to purchase the land. At that time, arrangements – as agreed between the Territory and the ANU – must be made to provide suitable accommodation for any existing occupant.

In line with these provisions, the ANU has made arrangements to house some of the former ROCKS tenants in temporary accommodation on Section 21 City. The standard of this accommodation is far superior to their previous accommodation.

(One of the former ROCKS tenants – the Conservation Council – is separately housed in temporary accommodation in Childers Street, City.)

Discussions are continuing between the former ROCKS tenants, the University and the Territory about more permanent accommodation. While most groups want to remain in the Precinct area if at all possible, the Aids Action Council has sought accommodation outside the Precinct. (The Council was not a ROCKS member, and currently is occupying part of Section 20 City.)

6. As stated above, the Aids Action Council does not want to remain in the Precinct. The Council has outlined what it sees as the essential elements of more permanent accommodation, and discussions are ongoing by the Council, the Territory and the ANU to identify a suitable site. The Council is able to remain where it is until the ANU firms up its development proposals for Section 20 City.
7. Yes
8. All development proposals in the Precinct must meet the requirements and follow the procedures as set out under the Precinct Deed. It is up to the ANU to bring forward development proposals. The Precinct Deed runs for ten years, commencing in 2004.

### **Health—fetal alcohol spectrum disorder (Question No 1796)**

**Dr Foskey** asked the Minister for Health, upon notice, on 4 December 2007:

- (1) When will the ACT Government establish appropriate diagnostic and support services for people with Fetal Alcohol Spectrum Disorder (FASD) and their families;
- (2) Why are there no government services in the ACT when, if data from the United States of America and Canada is extrapolated, there could be more than 200 000 people in Australia with FASD.

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

**(1)**  
ACT policies and practices in this area are informed by the *National Clinical Guidelines for the Management of Drug Use During Pregnancy, Birth and the Early Development Years of the Newborn* (2006). The Guidelines, endorsed by the Ministerial Council on Drug Strategy (MCDS) in November 2005, provide a set of nationally agreed, evidence-based guidelines for the clinical management of problematic alcohol and other drug use during pregnancy, birth and the early years of the child.

The Guidelines, for example, informed the recent development of the *Alcohol and Other Drug Use by Parents: A guide for staff of the Office for Children, Youth and Family Support* which provides practical information for workers about the support needs and management of ACT families affected by, or at risk of, problematic alcohol and/or other drug use. It also provides workers with a description of the alcohol and other drug treatment and support services available in the ACT to work with these families such as ACT Health's Alcohol and Drug Program and the Division of General Practice's The Opiate Program (TOP) operating from Winnunga Nimmityjah Aboriginal Health Service.

(2)

There is a range of services available in the ACT to work with people with FASD and their families. The Canberra Hospital's Antenatal Clinic provides general information to women in early pregnancy regarding the risks associated with drug use, including alcohol consumption during pregnancy. Specific advice is provided to women about risks to the foetus, ways to reduce risks, support options and referrals are made to services to help women reduce their substance use.

In addition, for women at risk who present at the Antenatal Clinic through self-referral or through General Practitioner/Hospital referral, the Clinic provides advice and support through the Substance Use in Pregnancy and Parenting Service (SUPS). Through involvement with SUPS, women have access to specialised advice from experts (for example, from the ACT Perinatal Mental Health Service and the QEII Family Centre), are closely monitored and are contacted frequently to build a trusting relationship that can evolve into antenatal care and support.

### **Hospitals—statistics (Question No 1797)**

**Dr Foskey** asked the Minister for Health, upon notice, on 4 December 2007:

Do Canberra's hospitals keep statistics related to the number of patients suffering from alcohol and other drug related problems; if so, could the Minister provide numbers indicating the trend over the last few years.

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

Yes, Canberra public hospitals do keep statistics related to the number of patients suffering from alcohol and other drug related problems.

Over the last three years, the number of people admitted to hospital for alcohol and other drug related diagnoses was:

2004-05	717
2005-06	991
2006-07	824

Source: ACT Public Hospitals Morbidity Data Set, 2004-05, 2005-06, 2006-07.

All hospital inpatient admissions reported against service related group 81 – Drug and alcohol

### **Cats—control (Question No 1798)**

**Dr Foskey** asked the Minister for Territory and Municipal Services, upon notice, on 4 December 2007:

- (1) Are there currently any cat curfews in place in the ACT;
- (2) Does the Government have any plans to institute curfews, or other cat controls, throughout the ACT;

- (3) What is the process followed if someone lodges a complaint to Domestic Animal Services about their neighbours' cats;
- (4) Are there any measures residents can take to keep cats off their property;
- (5) Is there a regulation against domestic cats killing wildlife.

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

- (1) Yes. The suburbs of Bonner and Forde, as well as the nature reserves of Mulligans Flat and Goorooyarroo, were declared as Cat Curfew areas under the Domestic Animals Act 2000 (the Act). As such, any residents in those suburbs with cats are required to contain their cats to their premises 24 hours a day for the purpose of the Act.
- (2) No.
- (3) Domestic Animal Services (DAS) provides advice to people who complain about roaming cats. This consists of suggestions to discuss the matter with neighbours in the first instance, if appropriate. If the nuisance persists, DAS will provide assistance with the provision of a cat trap. Trapping of cats in private yards is permissible provided the conditions of the *Animal Welfare Act 1992* are strictly adhered to. Once a cat is captured, DAS will return and collect the animal for conveyance to the RSPCA Shelter.
- (4) There are a number of commercially available cat deterrent products currently available in Australia that can be spread around property boundaries and yards to keep roaming cats away. One such product is 'Ssscat' an automated cat deterrent spray system. Some companies specialise in providing 'cat-proof' fencing that may discourage cats from entering a backyard. Some fencing designs require approval from the owner of neighbouring properties as the structure may encroach neighbouring property boundaries. However, if deterrent sprays or fencing additions are unsuccessful, or deemed inappropriate, cat trapping methods may be used.
- (5) No.

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### **Schools—toilet facilities (Question No 1799)**

**Dr Foskey** asked the Minister for Education and Training, upon notice, on 4 December 2007:

Can the Minister provide the forward planning list for the upgrading of toilet facilities in ACT schools.

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

The planning list for upgrading toilet facilities in ACT public schools is as follows:

**2007/08**

Charnwood Dunlop Primary School - general upgrade  
Gold Creek Senior School - upgrading cisterns and pans  
Lake Tuggeranong College - new disabled toilet facilities  
Melba Copland Senior School Melba Campus - general upgrade  
North Ainslie Primary School - provide a new male staff toilet and upgrade existing cisterns and pans  
Garran Primary School - general upgrade  
Melrose High School - general upgrade  
Taylor Primary School - new disabled toilet facilities

**2008/09**

Belconnen High School - general upgrade of the girls toilets  
Canberra High School - general upgrade  
Macgregor Primary School - general upgrade  
Melba Copland Senior School Copland Campus - general upgrade  
Narrabundah College - general upgrade  
Stromlo High School - general upgrade  
Telopea Park School - general upgrade

**2009/10**

Arawang Primary School - general upgrade to staff and student toilets stage 1  
Curtin Primary School - general upgrade  
Erindale College - general upgrade  
Evatt Primary School - general upgrade for the junior toilet block  
Hawker College - general upgrade  
Kaleen High School - general upgrade  
Latham Primary School - general upgrade for staff toilets  
Mawson Primary School - general upgrade for staff toilets  
Turner Primary School - general upgrade for the David Street student toilet block and staff toilets

**2010/11**

Arawang Primary School - general upgrade to staff and student toilets stage 2  
Fadden Primary School - general upgrade  
Hughes Primary School - general upgrade  
Kaleen Primary School - general upgrade stage 1  
Macquarie Primary School - general upgrade to staff and girls toilets  
Mawson Primary School - general upgrade stage 1  
Miles Franklin Primary School - general upgrade  
Mount Rogers Primary School - general upgrade stage 1  
Torrens Primary School - general upgrade to senior girls toilet  
Wanniassa Hills Primary School - general upgrade stage 1

**2011/12**

Gilmore Primary School - general upgrade  
Hawker Primary School - general upgrade  
Kaleen Primary School - general upgrade stage 2

Lanyon High School - general upgrade to gymnasium toilets  
Mawson Primary School - general upgrade stage 2  
Mount Rogers Primary School - general upgrade stage 2  
Richardson Primary School - general upgrade  
Wanniassa Hills Primary School - general upgrade stage 2

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**Emergency Services Agency—relocation  
(Question No 1802)**

**Mr Pratt** asked the Minister for Police and Emergency Services, upon notice, on 4 December 2007:

Given that in an answer to a question without notice on 20 November 2007 you stated that there were some technical difficulties associated with the relocation of Emergency Services Agency Comcen from Curtin to Fairbairn, (a) what were the details of these difficulties and (b) when will they be addressed.

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

- (1) (a) I am advised that the technical issues relate to infrastructure, specifically: erection of a new transmission tower in a suitable position; lines to the new tower; fibre optic lines connected to the TRN (GRN); microwave connection to TRN; 000 line(s) from Telstra exchange; and second (redundant) 000 lines from Telstra.
  - (b) All these issues are under technical investigation and will be resolved in the detail design specification stages during the move to Fairbairn.
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**Emergency Services Agency—relocation  
(Question No 1803)**

**Mr Pratt** asked the Minister for Police and Emergency Services, upon notice, on 4 December 2007:

Has the (a) Deputy Chief Executive Officer of Emergency Services, (b) Commissioner of the Emergency Services Authority, (c) Deputy Commissioner of the Ambulance Services, (d) Deputy Commissioner of Rural Fire Operations and (e) Deputy Commissioner of Urban Fire Operations, and their departments relocated from Curtin to Fairbairn; if not, when will they relocate.

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

- (1) (a) There is no position of this title within the Emergency Services Agency. The Department of Justice and Community Safety does have two Deputy Chief Executive Officers. Both of these positions are located within 12 Moore Street, Canberra City. They are not part of the Emergency Services Agency.
- (b)-(e) The Emergency Services Agency has a Commissioner and two Deputy Commissioners, these three positions work out of the Emergency Services Agency building at Curtin. Previous Questions on Notice 1530 and 1723 answer these questions. When the design and leases are finalised I will be able

to provide a firm date for occupation which is difficult to be precise on as it is somewhat dependent on building industry availability.

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**Dogs—attacks  
(Question No 1804)**

**Mr Pratt** asked the Minister for Territory and Municipal Services, upon notice, on 4 December 2007:

- (1) How many reports of people being attacked by dogs in the ACT has the Minister received during (a) 2005-06 and (b) 2006-07;
- (2) How many injuries were recorded in each of those incidents outlined in part (1);
- (3) Of those incidents outlined in part (1), how many dog owners were (a) warned, (b) fined or (c) prosecuted;
- (4) How many dogs were either put down or removed from their owners as a result of dog attacks during (a) 2005-06 and (b) 2006-07;
- (5) How many dog owners were (a) given warning, (b) fined or (c) prosecuted for having their dogs off-leash in areas that are listed as non-off leash during (i) 2005-07 and (ii) 2006-07.

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

- (1) Domestic Animal Services have recorded 100 instances of animal attack or harassment in the financial year 2005 / 2006. In the financial year 2006 / 2007 there were 84 reported animal attacks / harassments investigated.
  - (2) Domestic Animal Services records show that all reports of animal attack or harassment have a degree of injury. These may be physical or psychological and therefore 100 percent of reports are considered to consist of injuries. Details of specific levels of injury would require a case by case review.
  - (3) In financial year 2005 / 2006 there were 26 Infringement Notices issued, no formal warnings and no court based prosecutions commenced. In financial year 2006 / 2007 there were 75 Infringement Notices issued, no formal warnings and no court based prosecutions instigated.
  - (4) In financial year 2005 / 2006 Domestic Animal Services euthanased or removed from owners a total of 66 dogs. In financial year 2006 /2007, DAS euthanased or removed from owners a total of 60 dogs.
  - (5) In financial year 2005 / 2006 no warnings were issued, seven Infringement Notices were issued, there were no court based prosecutions instigated for dogs off lead in non off lead areas. In financial year 2006 / 2007, there were 25 formal warnings issued, 3 Infringement Notices issued and no court based prosecution instigated for dogs off lead in non off lead areas of the ACT.
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**Water—Control  
(Question No 1805)**

**Mr Pratt** asked the Minister for Territory and Municipal Services, upon notice, on 4 December 2007:

- (1) When was ComTrol implemented;
- (2) What was the cost of implementing ComTrol;
- (3) What is the ongoing cost of ComTrol;
- (4) How many sprinkler systems on ovals are utilised by ComTrol;
- (5) Could the Minister provide any further details regarding ComTrol.

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

- (1) Comtrol was installed across most ACT Government sportsgrounds in 1992/93. There have been a small number of further installations in subsequent years.
- (2) The cost of the major initial installation program was approximately \$2 million.
- (3) Comtrol is the computerised control mechanism and associated radio communication network integrated with the irrigation systems at most ACT Government sportsgrounds and as such it is not possible to separate specific costs associated with its operation.
- (4) There are 44 sportsground sites operated by Comtrol in south Canberra and 32 in north Canberra. Sites may vary in size between small neighbourhood ovals through to large district playing field complexes with multiple grounds.
- (5) Comtrol manages the application of irrigation through a formula based on soil moisture, root depth, drying factor, grass species and daily net evaporation. Combining these factors and the time available for irrigation between sporting usage and maintenance operations, the system determines the optimum delivery of water.

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**Canberra Hospital—pedestrian safety  
(Question No 1808)**

**Mr Mulcahy** asked the Minister for Health, upon notice, on 5 December 2007:

- (1) Did the Government consider the construction of a pedestrian underpass or overpass as part of the new car park project across Yamba Drive to The Canberra Hospital; if not, has the Government ever considered such a project;
- (2) Has ACT Treasury ever examined such a project; if so, what is the estimated cost of the project;
- (3) What is the Government's view of such a project;

- (4) What is the likely impact on traffic flows from pedestrians crossing the road from the new car park to The Canberra Hospital and vice versa;
- (5) Does the Government have any concerns about the safety of pedestrians crossing Yamba Drive near The Canberra Hospital;
- (6) Does the Government have any information on the incidence of accidents and injuries to pedestrians at this location; if so, what is this information;
- (7) What consideration did the Government give to investment in this kind of traffic safety project in the determination of its second Appropriation Bill of 2007-08.

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

- (1) A pedestrian underpass or overpass was considered as part of the Yamba Drive project.
- (2) In line with convention, Government consideration of budget matters remains confidential.
- (3) A safe crossing of Yamba Drive is provided by use of the traffic lights with two pedestrian crossings aligned to the traffic cycles at the hospital entrance.
- (4) TAMS advised ACT Health that pedestrians cross Yamba Drive within the normal traffic light sequence. Also the busy periods of pedestrian activity do not coincide with normal peak traffic periods on Yamba Drive.

ACT Health is working with TAMS to ameliorate the traffic flows and monitor the speed of vehicles on Yamba Drive. TAMS will provide a further impact assessment to ACT Health in early 2008.

- (5) The safety of pedestrians is of paramount importance. A safe crossing of Yamba Drive is provided by use of the traffic lights with pedestrian lights aligned to the traffic cycles at the hospital entrance. ACT Health has fenced the car park to channel staff to either of the two pedestrian crossings for their own safety.
- (6) Data provided by TAMS to ACT Health confirm that during the last five years there has been no accident involving a pedestrian at these traffic lights.
- (7) In line with convention, Government consideration of budget matters remains confidential.

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**ACT Policing—costs  
(Question No 1809)**

**Mr Stefaniak** asked the Minister for Police and Emergency Services, upon notice, on 5 December 2007:

- (1) How much does it currently cost to recruit additional uniformed police officers;
- (2) How much of this is (a) salary and (b) on costs.

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

- (1) The current cost of a single additional uniformed ACT Policing recruit is \$94,860 in the first year of employment.
  - (2) (a) \$47,390 of this is salary and;  
(b) \$47,470 is employee on-costs (including composite, leave, superannuation and workers compensation) and administrative on-costs.
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**Dragway  
(Question No 1810)**

**Mr Stefaniak** asked the Minister for Tourism, Sport and Recreation, upon notice, on 5 December 2007:

- (1) What has happened to the \$8 million appropriated by the Assembly to build a dragway;
- (2) Is the Government still committed to its promise made in 2004 to build a dragway within 18 months of re-election to government and is it still ACT Government policy;
- (3) Has the Minister met with proponents of the dragway to discuss their concerns about the progress of the project;
- (4) How much has the ACT Government spent on various studies on the dragway since 2001;
- (5) What assessment has been made, in relation to the proposal to contribute money to the cost of a dragway in Goulburn, as to (a) the economic impact for the ACT, (b) the tourism impact for the ACT and (c) whether it will diminish the level of street racing and other similar activities in the ACT;
- (6) What is the outcome of those assessments;
- (7) In relation to the proposal to contribute to the cost of a dragway in Goulburn, what consultations were conducted with stakeholders in the dragway that was proposed for the ACT and what were the outcomes of those consultations.

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

- (1) The \$8 million remains allocated in the budget for the proposed dragway, as outlined on page 305 of 2007-08 Budget Paper No. 4.
- (2) The Government remains committed to the establishment of a dragway if a suitable site can be identified.
- (3) I have corresponded with the dragway proponents on many occasions to ensure they are up to date on progress in identifying an appropriate dragway site.
- (4) Since the Government's announcement to allocate \$8 million in the 2004-05 Budget to build a dragway, approximately \$165,000 has been expended on feasibility studies.

- (5) The Government has not yet received a detailed proposal on this matter, and has therefore not made the assessments outlined in the question.
- (6) No assessments have been made.
- (7) NA.

### Water—rainfall figures (Question No 1811)

**Mrs Dunne** asked the Minister for the Environment, Water and Climate Change, upon notice, on 5 December 2007:

What have been the weekly (a) rainfall figures and (b) inflows and outflows for the last four weeks for (i) Bendora, (ii) Corin, (iii) Cotter and (iv) Googong dams.

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

Rainfall, inflows and outflows for the requested periods are indicated in the following tables.

#### Rainfall (millimetres)

Date	Corin	Bendora	Cotter	Googong
4 Nov – 10 Nov	27	29	15	52
11 Nov – 17 Nov	7	1	0	0
18 Nov – 24 Nov	50	67	57	27
25 Nov – 1 Dec	39	17	19	36

The above figures are recorded rainfall at the locations indicated. As rainfall events are often localised, rainfall across catchments may vary from these figures.

#### Inflows (megalitres)

Date	Corin	Bendora	Cotter	Googong
4 Nov – 10 Nov	378	203	220	274
11 Nov – 17 Nov	193	104	112	174
18 Nov – 24 Nov	562	302	326	678
25 Nov – 1 Dec	805	432	467	1287

#### Outflows (megalitres)

Date	Corin	Bendora	Cotter	Googong*
4 Nov – 10 Nov	184	166	23	39
11 Nov – 17 Nov	137	119	15	28
18 Nov – 24 Nov	171	101	213**	33
25 Nov – 1 Dec	89	104	346**	39

\* As Googong outflows are derived from a downstream gauging station, a small amount of catchment area below the dam is included in the above figures.

\*\* Includes spillway overflows. Overflows occurred while the Mount Stromlo Water Treatment Plant was shut down to enable the installation of the Ultra Violet disinfection system. During this time all supply was from Googong.

**Education—language courses  
(Question No 1813)**

**Mrs Dunne** asked the Minister for Education and Training, upon notice, on 5 December 2007:

- (1) What modern languages are currently taught in ACT government schools;
- (2) What modern languages are taught in each individual ACT government school;
- (3) Which schools do not teach a language at the moment;
- (4) How many modern language teachers are there in ACT schools;
- (5) How many teachers are there for each modern language taught in ACT schools;
- (6) How many teachers in the ACT government education system are solely language teachers;
- (7) Are there other teachers in the government education system who have language training but who are not being used to teach modern languages in ACT government schools; if so, how many;
- (8) Do those teachers referred to in part (7) have language training in the languages currently offered in ACT government schools; if so, which languages and how many;
- (9) Are there instances where language teachers will teach at more than one school in the ACT government school system;
- (10) Is there any co-ordination between ACT government and non-government schools when it comes to language teaching;
- (11) What plans does the Department of Education and Training have of integrating language teaching into ACT preschools.

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

- (1) The modern languages currently taught in ACT government schools are French, German, Italian, Spanish, Indonesian Japanese, Korean, Chinese and Greek.
- (2) and (3) There is a table on the Department's website which lists schools and the languages they teach. It can be found at <http://www.det.act.gov.au/services/services.htm> under *Languages taught in ACT government schools*.
- (4) Schools make decisions about the composition of their staff and workloads in any given year. According to the 2007 languages census, conducted in May, schools identified 125 teaching positions for languages.
- (5) The 2007 languages census indicates there are 10 teachers of Chinese, 37 teachers of French, eight teachers of German, one teacher of Korean, 11 teachers of Italian, 32 teachers of Japanese, one teacher of Greek, 17 teachers of Indonesian and eight

teachers of Spanish. Six of these teachers were identified as teaching more than one language or as teaching across two schools in the same language.

- (6) Schools make decisions about the composition of their staff and workloads in any given year.
- (7) Staff are not required to disclose their ability to teach a language unless they are applying for a specific language teaching position.
- (8) See answer to (7).
- (9) Yes.
- (10) The ACT Department of Education and Training extends professional learning opportunities to non-government language teachers, especially with language specific workshops.
- (11) The new ACT curriculum framework P-10, *Every chance to learn*, includes as one of the 25 Essential Learning Achievements (ELA) - *The student communicates with intercultural understanding*. All schools, from preschool to year 10, are required to include the essential content related to this and the other 24 ELAs into their school curriculum plans from 2008. In the early childhood band (preschool to year 2), in this particular ELA, students are required to have opportunities to learn about languages that are used in the community and use greetings and common phrases in simple interactions in different languages.

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### **Economy—white paper (Question No 1817)**

**Mr Smyth** asked the Minister for Business and Economic Development, upon notice, on 6 December 2007:

- (1) In relation to the *Economic White Paper* (EWP) and the answer to question on notice No E07 255 provided to the Select Committee on Estimates 2007 08, why is Action 40, relating to the management of intellectual property, determined to be a second order *Economic White Paper* initiative;
- (2) How many orders have been determined for the 47 actions identified in the EWP;
- (3) Which of the 47 actions identified in the EWP have been determined to be (a) second and (b) first order initiatives;
- (4) If there are any further orders applied to actions identified in the EWP, (a) what are they and (b) to which actions are these orders applied;
- (5) Why have actions identified in the EWP been ranked according to an order to which they have been allocated.

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

- (1) My answer to question No E07 225 addresses these matters in some detail (attached). To reiterate; the breadth, related policy objectives, varying complexity and resource

implications of the range of Economic White Actions has resulted in some prioritisation around implementation timeframes. Matters pertinent to Action 40 are addressed in the earlier answer.

- (2) There are no such 'orders'.
- (3) There has been no such determination.
- (4) See answer to question (3).
- (5) See answer to question (3).

*(A copy of the attachment is available at the Chamber Support Office).*

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### **Gungahlin—oval (Question No 1820)**

**Mr Seselja** asked the Minister for Planning, upon notice, on 6 December 2007  
*(redirected to the Minister for Territory and Municipal Services):*

- (1) What plans exist for the provision of an enclosed oval in Gungahlin;
- (2) When is it scheduled to provide such an oval;
- (3) What interim provision has been made for clubs in the Gungahlin region who are identified as requiring an enclosed oval for their sporting activities.

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

- (1) A site has been identified in the Gungahlin Town Centre for an enclosed oval since the early stages of the Centre's planning. It is at the western end of the Town Centre within Crinigan Circle.
  - (2) There are no definite plans at this stage for construction of this facility. Some preliminary concept planning for the facility is currently being undertaken by consultants working for the Department of Territory and Municipal Services.
  - (3) At Nicholls a part of the district playing fields has been fenced and this serves as the competition and training base for the Gungahlin Eagles in the ACT Rugby Union competition. The limited number of other Gungahlin based teams in senior competitions, who are generally the users of enclosed ovals, play matches elsewhere in Canberra.
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