



Debates

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Thursday, 19 August 2010

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

Road Transport (Third-Party Insurance) (Governance) Amendment Bill 2010

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

Title read by Clerk.

MS GALLAGHER (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations) (10.01): I move:

That this bill be agreed to in principle.

This is a bill to amend the Road Transport (Third-Party Insurance) Act 2008—CTP act—to define the functions and role of the CTP regulator more clearly. In addition, the government has taken this opportunity to make a number of routine but nevertheless essential housekeeping amendments to the act.

Compulsory third-party insurance in the ACT, prior to the new scheme commencing in October 2008, operated under outdated legislation. As I have highlighted on previous occasions, it was in fact a 60-year-old scheme. It no longer served ACT motorists well nor did it provide those injured in a motor crash with the health and rehabilitation outcomes they desperately needed. Moreover, it is the overhang of claims from the old scheme that is responsible for the high premiums that motorists are currently paying. Without the reforms instituted by the new CTP act there would be no prospect of choice of CTP insurer or of lower premiums.

I am pleased to inform the Assembly that we are starting to see evidence that the new scheme is meeting the expectations of the government in providing better health and wellbeing outcomes for those injured in a motor crash, with more of the scheme costs being spent on medical and rehabilitation costs. Overall, the new scheme is on track with its focus on better outcomes for those injured in a motor crash and a fairer proposition for all motorists who are compelled to purchase compulsory third-party insurance.

The next step in fulfilling our commitment to the ACT community is to attract competition into the ACT CTP market. We acknowledge that progress on this front has been slow. However, while we have been able to reform the legislation to make the ACT market more attractive, the decision to enter the market is one for individual insurers, not the government. In a market economy the government cannot compel them to do so. I can assure members that there has been no lack of effort on our part in providing insurers with the information they need or have requested in order to facilitate their decision making.

I now seek to amend the act to make clear the functions of the CTP scheme's regulators along with its annual reporting responsibilities. Specifically, this bill will formally establish the legal status of the CTP regulator as an entity similar to the ACT Insurance Authority. Prior to the new CTP scheme, third-party insurance in the ACT was largely an unregulated, accidental monopoly market. In order to attract competition, it was essential for the new scheme to set the foundations for an effective regulatory function.

As there was no pre-existing body performing a regulatory function in the market, it was necessary to vest that function initially in a single position—namely, the Under Treasurer. However, now that a couple of years have elapsed and competition is almost certainly at our doorstep, it is appropriate that a long-term structure be established that reflects an independent regulatory function.

Under the amendments proposed by this bill, the Under Treasurer will continue to undertake the role of the CTP regulator. However, this will be a role as a territory authority subject to the provisions of the Financial Management Act. This will be a step forward in terms of governance, placing the ACT's CTP scheme for the first time on a comparable footing with both New South Wales and Queensland, the other two Australian jurisdictions with privately underwritten fault-based common law schemes. It will also enable the ACT to make scheme statistics available to the public, as is the case in New South Wales and Queensland. This builds upon the foundations of transparency and accountability that have been embedded in the new scheme.

The functions of the CTP regulator as set out in the bill are based on the common governance provisions found in the New South Wales and Queensland CTP legislation for their respective regulatory entities—the Motor Accidents Authority and the Motor Accident Insurance Commission. Specifically, the functions of the regulator will continue to address the government's ongoing responsibilities in ensuring the continued effectiveness of the CTP insurance scheme in parallel with the work being done by all jurisdictions nationally.

The bill will afford the regulator a clear role in ensuring compliance with the CTP act, and more crucially around all parties' key obligations under the act—namely, the early payment of medical expenses, early and full disclosure between parties, compulsory conferences, mandatory final offers and restrictions on legal costs. It will underpin the ability of the regulator to monitor claims management and the provision and availability of effective rehabilitation and injury management services. It will also give the regulator the power to promote and support measures to reduce the number of motor crashes and increase road safety in line with other jurisdictions.

Ultimately, it will be the function of the regulator to ensure the government's commitment to a better value proposition for all ACT motorists is being met. In summary, these functions are consistent with the objectives of the new act and are a necessary and important step towards enabling the CTP regulator to ensure that these objectives can be achieved.

In addition to formalising the powers and functions of the regulator, this bill seeks to make two other amendments. Firstly, this bill will enable the average CTP risk

premium across insurers under the new scheme to be made public. The risk premium for CTP is the base risk, or minimum risk, an insurer faces in providing CTP insurance in the ACT. In other words, it is the amount an insurer estimates it will require just to cover the projected cost of its claims. As a base premium, it does not include the administrative costs of each insurer for claims and injury management procedures, or its profit margin. The average CTP risk premium will, of course, reflect the respective market share of different insurers.

This is an important step for the ACT in allowing the public, in a market nearing competition, to hold insurers accountable for the effectiveness and efficiency of their claims and injury management systems. In this regard, the average risk premium to be weighted according to market share will be published by the CTP regulator in its annual report under the Financial Management Act 1996. I expect that this will act as a signal to insurers looking to enter the ACT CTP market that the ACT's scheme will be effectively regulated and thus a more attractive proposition for competition.

Finally, the bill makes a housekeeping amendment to the act to expressly require the ACT Insurance Authority, as the nominal defendant, to keep and produce separate accounts in relation to its responsibilities as the nominal defendant under the CTP act. The nominal defendant will be required to have these accounts audited each year by the Auditor-General.

This bill builds on the reforms made in 2008 by the introduction of the new CTP act and I commend the bill to the Assembly.

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

Public Accounts—Standing Committee Report 8

MS LE COUTEUR (Molonglo) (10.10): I present the following report:

Public Accounts—Standing Committee—Report 8—*Review of Auditor-General's Report No 5 of 2009: Administration of Employment Issues for Staff of Members of the ACT Legislative Assembly*, dated 3 August 2010, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

I will just comment very briefly on this. Members will recall that in February this year, in my role as committee chair, I brought forward and moved a motion to allow the Assembly to consider the matters raised in the Auditor-General's report. As members will, of course, be aware, there was a question as to whether or not, with the self-government act and conflict of interest, it was possible for anyone to consider it. In February this year, the following motion was moved:

... it is in the public interest to allow all members to participate in any future discussion of a matter, or vote on a question in relation to the Auditor-General's

Report No 5 of 2009, entitled *Administration of employment issues for staff of members of the Legislative Assembly*, either in the Assembly or the Standing Committee on Public Accounts.

The motion was passed and the inquiry was held. The committee concluded that the employment and administration of the entitlements of the staff employed by MLAs have three overarching components. Firstly, it requires an appropriate and legislative framework which governs the employment conditions and, consequently, staff entitlements. Secondly, there need to be appropriate guidance documents, information, advice and support to assist with the interpretation and application of the framework. Thirdly, there need to be formally structured processes and assistance to ensure compliance with this framework.

In noting this, we found that there were no issues with the legislative conditions and legislative framework. That was felt to be quite appropriate. The issues arose in relation to the second and third points, bearing in mind that it is a particularly difficult issue because MLAs are, in effect, employers. That is not necessarily what MLAs expected to be when they became MLAs. The audit found that there was some degree of confusion between the different parties and their different roles. The inquiry found that both the secretariat and the government, in terms of the executive MLAs, had looked at the recommendations of the Auditor-General's report and there had been a considerable increase in clarity and effectiveness.

If you look at appendix B of our report, you will find that all the audit recommendations have been looked at. As far as the secretariat is concerned, they have all been either implemented or finalised, which is very good. As far as the government's response is concerned, there has been some disagreement in terms of whether or not all employment administration should be centralised or the HR part should be centralised into one unit.

The government felt that, due to the political nature of the ACT Legislative Assembly, it would not be appropriate to consolidate employment issues for both government and non-government or executive and non-executive MLAs. That is, in fact, the practice of most Australian parliaments. All in all, this seems a very reasonable outcome.

I would be remiss if I did not mention the contributions of my fellow PAC committee members—Mr Smyth, for a period Ms Burch, and now Mr Hargreaves. I very much thank the secretary, Andrea Cullen, and Lydia Chung for her administration. I commend the report to the Assembly.

Question resolved in the affirmative.

Statement by chair

MS LE COUTEUR (Molonglo): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Public Accounts. This is about the review of Auditor-General's performance audit report No 6 of 2009: government office accommodation.

On 28 August 2009, Auditor-General's report No 6 of 2009 was referred to the Standing Committee on Public Accounts for inquiry. The audit report presented the results of an assessment of agency performance relating to the strategic planning, management and delivery of government office projects. The audit assessed, in particular, whether office accommodation projects meet governance, quality, value for money and environmental sustainability requirements.

Using three case studies of individual office accommodation projects, the audit considered administration at the whole-of-government level as well as at agency level. The three case studies were, firstly, the relocation of the Department of Education and Training, DET, from Manning Clark offices in Tuggeranong to 220 Northbourne Avenue, Braddon; secondly, the refurbishment of Eclipse House, London Circuit, City for occupancy by the Shared Services centre; and, thirdly, the acquisition of leased premises at Fairbairn to relocate the Emergency Services Agency headquarters. The audit report noted:

The focus of the first two case studies was on implementation of the office accommodation projects as part of the whole-of-government accommodation strategy. The third case study, while not part of the whole-of-government accommodation strategy, focuses on the outcomes of, and the processes for, decisions to relocate the Emergency Services Agency Headquarters to Fairbairn.

The committee received a briefing from the Auditor-General in relation to the audit report on 7 October 2010 and a submission from the government dated 13 May 2010. The committee has resolved to inquire further into the report.

The committee's inquiry will be forward looking and is concerned with drawing lessons arising from the audit which can be applied to future activity at a whole-of-government level as well as an agency level. The findings and issues arising from the audit report indicate that there is scope to consider what constitutes "best practice" with regard to the strategic management and delivery of government office accommodation projects at a whole-of-government level as well as an agency level.

Whilst the inquiry's terms of reference will be the information contained within the Auditor-General's report, the committee's inquiry, using the three case studies of individual office accommodation projects, will focus specifically on best practice—planning, acquisition, management, delivery and utilisation of government office accommodation. The committee is expecting to report to the ACT Legislative Assembly as soon as practicable.

Executive business—precedence

Ordered that executive business be called on.

Justice and Community Safety Legislation Amendment Bill 2010 (No 2)

Debate resumed from 6 May 2010, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

MR SESELJA (Molonglo—Leader of the Opposition) (10.19): I note that I am speaking instead of Mrs Dunne, who is away for family reasons this morning. The opposition will support this bill and the government amendment that the Attorney-General will introduce later.

This bill is one of a series of omnibus pieces of legislation to amend laws administered by the Department of Justice and Community Safety. Generally, the amendments are of a minor nature, although there are more substantive, but non-controversial, amendments to the ACAT Act, the Magistrates Act and the Prostitution Act, which I will outline shortly. The Attorney-General also will introduce a government amendment to the bill, amending the Firearms Act 1996, which I will address briefly at the appropriate time.

Sixteen acts and regulations are amended to insert a new definition of “bankrupt or personally insolvent”, consistent with similar amendments made in the Statute Law Amendment Bill 2009 (No 2) and the Statute Law Amendment Bill 2010. They are: Associations Incorporation Act 1991; Associations Incorporation Regulation 1991; Cooperatives Act 2002; Corrections Management Act 2007; Crimes (Sentence Administration) Act 2005; Director of Public Prosecutions Act 1990; Domestic Violence Agencies Act 1986; Guardianship and Management of Property Act 1991; Human Rights Commission Act 2005; Independent Competition and Regulatory Commission Act 1997; Justices of the Peace Act 1989; Legal Aid Act 1977; Ombudsman Act 1989; Powers of Attorney Act 2006; Public Advocate Act 2005; and Public Trustee Act 1985.

There are more substantive, but non-controversial, amendments to three other acts. The amendments to the ACT Civil and Administrative Tribunal Act 2008 disaggregate the generic reference to temporary appointment of tribunal members, which could mean presidential, senior or ordinary members. Instead it will refer to the temporary appointment of presidential and non-presidential members, which can only be for up to 12 months. Non-presidential members include senior or ordinary members. Definitions are amended accordingly.

The amendments also make it clear that, unlike permanent presidential members, temporary presidential members are not excluded from doing other work without the Attorney-General’s consent. The Magistrates Court Act 1930 is amended to enable the court to issue a warrant if a person appears in court in answer to a summons but then fails to appear in an adjourned hearing. This also applies in cases where the person first appears by lawyer but the court requires personal attendance at an adjourned hearing and the person fails to attend.

Finally, the amendments to the Prostitution Act 1992 update the term “sexually transmitted disease” so that it reads “sexually transmissible infection”. This reflects terminology used nationally and in some local publications. These amendments make sense and we are pleased to support them.

MR RATTENBURY (Molonglo) (10.22): This is the sixth JACS bill presented and debated since the current Assembly commenced in 2008 and, by that number alone, it is clear that JACS bills form an important role in continually updating and improving our laws. Earlier this year, the Assembly passed a motion that dealt with the accepted practice of using omnibus bills to only deal with amendments that are minor, technical and non-controversial. I am pleased to say that the Greens have analysed this particular bill and agree that it does conform to that understanding.

The changes made in this JACS bill break into two subsets. The first subset of amendments updates the ACT statute book to ensure consistency of language. There are amendments to ensure internal consistency of language within the ACT statute book, just as there are amendments to align the legislative wording with contemporary language.

A good example of this JACS bill catching up with accepted modern language is the change in the Prostitution Act which Mr Seselja has just referred to. As he noted, the current legislative language refers to “sexually transmitted disease” which is an outdated term and has been for some time now. Current terminology refers to “sexually transmissible infection” and the act is updated to reflect this. This is a change in language that reflects current norms and it is entirely appropriate that the statute book catch up.

The second subset of amendments is designed to ensure the legislation operates in practice as was originally intended. The key example of this approach is the amendments to the Magistrates Court Act relating to issuing arrest warrants for non-appearance at court. A loophole has emerged in the legislation for defendants who attend court at the first hearing but fail to attend a second hearing. An arrest warrant can be issued by the court for a defendant who fails to show for their first court date. However, for someone who fails to show for a second date, there is a more complex and lengthy process of issuing an arrest warrant. This is an unnecessary duplication of court time and money and the Greens are pleased to support this rectification.

Finally, there has been a late amendment presented by the government that relates to the Firearms Act 1996. The amendment relates to the time frame in which temporary international firearm licences are issued to security staff travelling with internationally protected people. Under international law, this term essentially refers to a head of state. The current legislation would require the applicant to wait 28 days before being able to carry a firearm in the ACT when travelling with a head of state. The amendment gives the ACT Attorney-General the ability to grant an international licence earlier than the 28-day period. My office did seek further information from the ACT attorney’s office and I thank them and the department for providing that.

What we are now clear on is that before a diplomatic contingent travels to Australia they must first be granted an authority to import a firearm. This authority is granted by the federal Attorney-General and there are stringent criteria to be satisfied. However, the federal Attorney-General cannot grant an import authorisation until satisfied they have a licence from the states and territories they are travelling to. The

relevant federal regulations are the Customs (Prohibited Imports) Regulations 1956. We are satisfied there are good practical reasons for this amendment.

In conclusion, this bill makes important but uncontroversial amendments to the ACT statute book and the Greens support the bill.

MR HARGREAVES (Brindabella) (10.26): I rise today in support of this bill and to acknowledge the significant role that JACS bills play in improving the overall quality of the ACT statute book so that our laws are kept up to date and are easier to find, read and understand. A well-maintained statute book greatly enhances access to ACT legislation and is a very practical measure to give effect to the principle that members of the community have a right to know the laws that affect them.

The government generally uses two types of omnibus bills to effect change to the ACT statute book: JACS bills and statute law amendment bills—or SLABs, as they are more commonly known. It does sound like something out of the *Rocky Horror Picture Show*, doesn't it?

Mr Hanson: Are you Frank N Furter, mate?

MR HARGREAVES: I was borrowing your stockings to do it with, Jeremy! The omnibus bill program was developed in response to the need for greater flexibility in the drafting of amendments for revision purposes and to minimise costs associated with keeping ACT legislation up to date.

Omnibus bills enable legislative amendments and repeals to be made that, taken alone, would generally be insufficiently important to justify separate legislation. SLABs are designed to make minor and technical amendments to legislation. They are an important part of maintaining and enhancing the standard of ACT law. The amendments that are typically included in SLABs are purely technical, involving the correction of grammatical issues, restructuring, omitting redundant words and updating language in line with current legislative drafting practice. SLABs are never used as a vehicle to enact substantive amendments.

JACS bills, on the other hand, which have always been used to make more substantive changes to the law than SLABs, also allow government to be responsive to community and stakeholder concerns, thereby delivering on the government's commitment to be alert to the territory's changing needs and attitudes.

A large proportion of the amendments in the bill for debate today are typical of amendments which are usually seen in SLABs. Indeed, the majority of the amendments in this bill replicate amendments which have been made in previous SLABs. These are the amendments to 16 acts and regulations, which apply the new definition of "bankrupt" or "personally insolvent" to legislation across the Justice and Community Safety portfolio.

Amendments are also made to update the language used in the Prostitution Act 1992. Again, these amendments are similar in nature to those found in SLABs. The amendments ensure that language in the act is consistent with terminology used in Australian national policy.

These changes assist in ensuring that the overall structure of the ACT statute book is cohesive and consistent and is developed to reflect best practice.

The JACS bill does contain more substantive amendments but I must stress that, while they are substantive, they are in no way contentious in nature. I think that members would agree that the amendments are sensible and necessary to ensure that the legislation operates effectively and in a manner consistent with the government's intention.

The amendments to the ACT Civil and Administrative Tribunal Act 2008 clarify an ambiguity in the act relating to the appointment of presidential and non-presidential members to the tribunal. The amendments ensure certainty in relation to the way in which appointments can be made and therefore improve the operation of the act.

The amendments to the Magistrates Court Act 1930 also provide clarity and improve the operation of the act in relation to how the court can respond to an accused person failing to appear on summons. In this instance, government identified a gap in the law and has acted swiftly to remedy the situation. The solution has been carefully drafted to ensure consistency with existing procedures under the act, with no impact on the human rights of an accused person.

The amendments in this bill are largely minor in their effect. Taken together as a whole, though, the bill is an important part of the government's efforts to ensure that the law of the territory is clearer and more easily accessed.

I take the opportunity to commend the officers of the Department of Justice and Community Safety for not only the work that they put in on these omnibus bills but also the diligence with which they apply themselves to the task. Sometimes when you look through legislation it can be mind-numbingly boring and it takes a special talent for people to make sense of this sort of task.

I am happy to stand in the shadow of those people who take this on as a challenge. They do a brilliant job. I have seen JACS bills and SLAB bills come into this place inches thick. It takes an incredible legal mind to put it all into a context and to see it all in that context. To that end I congratulate the officers of the department. I think they do an absolutely brilliant job. I commend this bill to the Assembly.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (10.32), in reply: I thank members for their support of this bill. Can I at the outset echo the comments of my colleague Mr Hargreaves and thank officers of the department for the ongoing work they do in relation to these important updates to the ACT statute book.

The bill is the 25th bill in a series of legislation that concerns the Justice and Community Safety portfolio. True to its nature as an omnibus bill, it will improve the quality of the statute book overall.

As Mr Hargreaves has outlined, JACS bills are one of the two major types of omnibus bills which the government uses to effect change to the ACT statute book. The omnibus bill program was developed in response to the need for greater flexibility in the drafting of amendments for revision purposes and to minimise costs associated with keeping ACT legislation up to date. Omnibus bills enable legislative amendments and repeals to be made that, taken alone, would generally be insufficient to justify separate legislation.

On introduction, I brought members' attention to the motion regarding omnibus bills that was supported by the Assembly in March. The motion called on the government to, firstly, adhere to the generally accepted practice of using omnibus bills to deal only with amendments to legislation that are minor, technical and non-contentious in nature, and, secondly, bring forward amendments of a more substantive nature in separate bills dealing specifically with those amendments. I reiterate that the government is supportive of ensuring that major new initiatives and major new policy are pursued through distinct, separate bills. The government is also supportive of ensuring that the norm is that a majority of the substantive issues pursued through a JACS bill would not be controversial.

I remain confident that this bill honours and upholds this commitment. The amendments in the bill involve a mixture of minor and technical amendments, as well as more substantive, yet uncontroversial, amendments. The technical amendments update the language and terminology used in ACT legislation, and the more substantive amendments ensure that the legislation operates effectively and in a manner consistent with the government's intention. While substantive in nature, the government maintains that these amendments are non-contentious.

While the bill amends 19 acts and regulations, the amendments can be categorised into four categories: consequential amendments to apply a new definition of "bankrupt" or "personally insolvent" across the ACT statute book; amendments to the Prostitution Act to update the language used in the act; amendments to the ACT Civil and Administrative Tribunal Act 2008 to clarify an ambiguity in the act in relation to the appointment of temporary presidential and non-presidential members; and amendments to the Magistrates Court Act to ensure that there is a consistent procedure for dealing with a failure to attend court in response to a summons.

Turning to the detail around a number of these matters, amendments have been made to legislation across my portfolio to conclude an exercise being conducted by parliamentary counsel to update the ACT statute book. Parliamentary counsel uses statute law amendment bills, or SLABs as they are more commonly known, to effect change to the ACT statute book. SLABs serve the important purpose of improving the overall quality of our statute book.

Late last year, the Statute Law Amendment Act 2009 (No 2) was enacted. Among other things, the act amended the Legislation Act by inserting a definition of "bankrupt" or "personally insolvent". The new definition established a single term to cover the range of circumstances in which an individual may be considered bankrupt or personally insolvent under the commonwealth Bankruptcy Act. Consequential

amendments were also made to 19 acts and regulations to apply the new definition across the statute book.

This bill makes the same consequential amendments to apply the definition in 16 acts and regulations in the JACS portfolio. The amendments ensure that legislation within the JACS portfolio is consistent with the rest of the ACT statute book.

The bill also makes a number of amendments to the Prostitution Act to update the language used. Specifically, amendments replace references to “sexually transmitted disease” with references to “sexually transmissible infection”. This change in terminology ensures consistency with terminology in national policy across Australia. An amendment has also been made to the heading of section 25 of the act to ensure that it more appropriately reflects the content of the provision.

More substantive amendments are made to the ACT Civil and Administrative Tribunal Act and the Magistrates Court Act to ensure that the legislation continues to operate effectively. The amendments to the ACT Civil and Administrative Tribunal Act will clarify an ambiguity in the act in relation to the appointment of temporary presidential and non-presidential members to the tribunal. The amendments will disaggregate the generic reference to the temporary appointment of tribunal members referred to in the act by describing the way temporary appointments apply to each type of member. Temporary appointments will be permissible for a term of not longer than 12 months.

The amendments to the Magistrates Court Act will ensure that there is a consistent procedure for dealing with a failure to attend court in response to a summons. Currently, there is a gap in the law for how the court is to deal with an accused person who has attended court in response to a summons but has failed to attend any subsequent adjourned hearing on the same matter. The amendments ensure that the process that applies in issuing an arrest warrant if an accused person fails to appear in the first instance also applies to the situation where the accused person appeared once but failed to appear in a subsequent adjourned hearing. The amendments will not remove any protections which currently apply to accused people in relation to the issuing of an arrest warrant.

I thank members for their support of the bill and commend it to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (10.39): Pursuant to standing order 182A(b), I seek leave to move an amendment that is minor and technical in nature.

Leave granted.

MR CORBELL: I move the amendment circulated in my name [*see schedule 1 at page 3702*].

This amendment will allow me, as the Minister for Police and Emergency Services, to authorise the issue of a temporary international firearms licence within the normal 28-day waiting period. The minister would only be able to authorise the issue of a licence if the applicant has already satisfied the Registrar of Firearms that they have a genuine reason to possess or use a firearm under section 128(1)(a) of the act; that is, that the applicant is a member of the staff of an internationally protected person and the applicant's duties include the protection of that person while in the ACT. The Registrar of Firearms would first have to consider the merits of the application and seek ministerial authorisation only if the circumstances of the application require the issue of the licence within the 28-day period.

Although other alternatives are available to government to allow the appropriate possession and use of firearms in these cases, the government has taken the view that a change to the act would allow the Registrar of Firearms to oversight and regulate the firearms to be used. The register's purview would include the name and address of the applicant, the firearm to be used, the arrangements for the storage of the firearm and any other condition of use appropriate to the circumstances.

This is an important amendment that would facilitate the more effective processing of applications for those people who carry firearms for the protection of internationally protected persons should and when they choose to visit the territory. I commend the amendment to the Assembly.

MADAM DEPUTY SPEAKER: Do you wish to table a supplementary explanation?

MR CORBELL: My apologies. For the information of members, I table the following paper:

Supplementary explanatory statement to the government amendment.

MR SESELJA (Molonglo—Leader of the Opposition) (10.41): As I said earlier, the opposition will support the government's amendment to the Firearms Act 1996. This amendment would allow the registrar to issue a temporary international firearms licence earlier than 28 days after the application is made. The registrar may only do so if the applicant has a genuine reason to possess or use a firearm in the circumstances which are described in section 128(1)(a) when the minister in writing authorises the issue of the licence.

I understand this is to allow for situations such as short-notice visits by foreign heads of state—for example, the US President. The opposition will support the amendment.

Amendment agreed to.

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

Bill, as amended, agreed to.

Water Resources Amendment Bill 2010

Debate resumed from 25 March 2010, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

MR SESELJA (Molonglo—Leader of the Opposition) (10.43): The Liberal opposition will be supporting this bill which, in essence, brings the management of all water resources in the ACT under the control of the ACT government. The bill transfers to the ACT the management of ground and surface water previously controlled by the commonwealth. This includes the surface water of the Googong Dam area. It should be noted that this does not include responsibility for the management of the range of activities in and on Lake Burley Griffin and commonwealth land. The commonwealth retains that responsibility.

The bill also permits the transfer or trade of water interstate. This is necessary under the Murray-Darling Basin cap arrangements and the operations of the national water initiative. It also provides for the construction of groundwater monitoring bores. These bores are not used for extraction of water. They specifically are for the purpose of monitoring groundwater levels.

Sensibly, the bill consolidates all the penalty provisions into a new part 9A. This makes for easier reading of the act. More importantly, though, it means that the commonwealth, even though it is not subject to penalty provisions, nonetheless will be required to hold the necessary licences to do any work in relation to water under the control of the ACT.

There needs to be some legislative cooperation between the ACT and the commonwealth to facilitate the transfer of water management responsibilities. To this end, I note from the minister's presentation speech that the commonwealth has tabled the necessary legislative amendments in the parliament. In contemplation of the passing of that legislation by the commonwealth, the bill we are debating today, if passed, will come into operation either on the minister's written notice or six months after notification, whichever first occurs.

I also note from the minister's tabling speech that the ACT will benefit financially to the tune of \$415,000 in the first financial year of the transfer and \$150,000 annually thereafter. The financial benefit complements the efficiencies that will be gained and the certainty that will be created with the complete clarity of which government has control over what water.

This bill represents positive outcomes for the people of the ACT and we are pleased to support it.

MR RATTENBURY (Molonglo) (10.45): The Greens will also be supporting the Water Resources Amendment Bill. This bill seeks to bring the management of water

in the ACT under a single management regime and to enable better implementation of the ACT's commitments under the national water initiative. Through a relatively recent political realignment, otherwise known as self-government, we have ended up with water resources in the ACT being managed by two separate jurisdictions: the commonwealth maintaining control over water on national lands and the Googong Dam area, while the ACT government has management of all other water in the territory.

In 2007 the ACT implemented the Water Resources Act, which requires management of the ACT's water resources for the physical, economic and social wellbeing of all Canberrans, establishes the regime for water management to protect aquatic ecosystems and aquifers and ensures that water resources are able to meet the foreseeable needs of future generations. The Water Resources Act is the framework to set environmental flows but it also licenses extraction, waterways work and bore drilling.

It really makes very little sense for some of the ACT's waterways to be kept separate from that regime and to have water extraction occurring under a different jurisdiction but in what is the same catchment. It particularly makes no sense when we are talking about extraction, where potentially too much water could be taken from the system.

Two main areas are to be handed over to the ACT under this bill: the national lands—that is, Lake Burley Griffin; and the Googong Dam, which forms part of the Canberra water supply. The transfer of management only relates to those areas outlined under the Water Resources Act and not to the management of either activities on Lake Burley Griffin or the issue of water quality of Lake Burley Griffin. These responsibilities will continue to rest with the National Capital Authority.

With the transfer comes a small increase in ACT revenue, which Mr Seselja just referred to, from an initial cost for the water entitlement licences and then a lesser annual amount for the water access charge. It is a little bizarre really that no-one, including the ACT government, has any knowledge of what the previous arrangements were with licensing and extraction amounts as facilitated by the NCA, to the extent that they were unable to even say what fees had previously been charged for the water.

The NCA did introduce a licensing and charging scheme for the abstraction of water for irrigation on 1 July 2001, in accordance with the reforms to water management in Australia under the 1994 COAG agreement, but it became clear during the estimates hearings that the ACT government seemed only to be able to estimate the amount of the water that was being extracted. So it can only be a good thing to bring the management of this resource into the regime that manages all other water in the catchment. It is expected that the users will include commonwealth agencies, Canberra Airport and possibly Canberra Golf Club.

The lack of coordination across the jurisdictions has also played out in regard to Lake Burley Griffin and the quality of the water. Obviously it is the NCA that is currently responsible for monitoring water quality and making decisions about lake closures, and the water quality is regularly checked in line with ACT Health guidelines. But the

underlying causes of the lake closures that have become increasingly frequent over the past few years are shared responsibilities and come from a range of sources.

From conversations with the NCA, I understand that the bulk of the pollution problems in the lake are residual and have built up over many decades and from a number of different sources. Even so, we have a problem, and the impact of this problem is starting to play out every summer as bacteria levels rise. Pollutants at the bottom of the lake get stirred up with increased flows, and blue-green algae spreads. Not only is this starting to result in disruption to many sporting events such as triathlon swims and rowing, it is also getting to the stage where it is making the lake a particularly unpleasant place to be for users of the lake over the summer, some even on land.

I think this is a particular problem that we need to address because it really is starting to play out across a range of recreational activities and tourism opportunities, and become, I think, a source of great frustration for many Canberrans. And it is easy to look at the many examples we have seen in the last couple of years. Obviously from my experience with triathlons, we are now seeing a situation where many races later in the season have to be cancelled or moved to an indoor swimming pool, which is clearly not in the spirit of the sport. But it also impacts on potential national events where many tourists will come to Canberra to compete.

The ACT is fortunate to have a regular spot in the national triathlon calendar, a race that is usually a selection race for an athlete seeking to compete for Australia in the annual world championships. That race is increasingly under question and obviously, with people coming from all over the country for such an event, has a quite direct impact on the ACT's economy, particularly for the tourism sector.

We have seen it in terms of national rowing events. I recall a couple of years ago—I think it was the summer before last—when there was a national schools rowing event and many crews came to Canberra. There were question marks about whether they could be allowed on the water and there was quite some controversy after the fact that they had been allowed in the water. I think at that event there were 1,000 students participating. Their parents and various siblings had come with them.

Again, these are the sorts of events that we want to have in the ACT. They are great opportunities to bring tourists to this town. The fact that the lake is increasingly unavailable—you can almost write it off increasingly from January; it has got earlier and earlier each year—I think is a source of some concern and is something that we really need to address.

There are mixed reports about whether the monitoring of pollution flows into the lake is adequate. I know that the NCA does undertake this, but I know also that concerns remain in the community that there are specific point sources that continue to add to the problem that is sitting there at the bottom of the lake.

Even if we were able to find a way to clean up the sediments at the bottom of the lake, and that could be very challenging indeed, we also need to have confidence that we are not continuing to add to the problem by adding ongoing pollutants. Fertiliser

runoff, phosphorous in washing powders and treated sewage all add nutrients that can affect the quality of our waterways, as we are seeing particularly in Lake Burley Griffin. We need to find a way to address this.

The Greens consider that there may be a role for the ACT government, the New South Wales government and the NCA to work together on issues of lake quality. It is clear that it is an issue where it is not simply one jurisdiction that can fix it, nor simply one jurisdiction that is responsible for it. And on that basis, we clearly need to improve the coordination and the effort across the jurisdictions in order to tackle this increasingly problematic issue. I also look forward to seeing the suggestions put forward by the NCA about how water quality might be best managed. I understand that they are actively looking at these issues and I expect that we will see some indication soon of perhaps the ideas that they do have.

Of course, then what happens is another question. The funding to the NCA has been run down over many years now. Whether the NCA will have the capacity both in terms of its time and energy as well as potentially the cost of seeking solutions for the lake is something that I have concerns about. That is certainly an issue I will be continuing to follow very closely because of my obvious very direct personal interest.

Members may be interested to know there is now a Facebook group that actually is agitating for the cleaning up of Lake Burley Griffin. And these are many lake users, whether it is kayakers, triathletes, swimmers, rowing persons, yachters. Is the correct term, Mr Hargreaves, a yachtsperson?

Mr Hargreaves: Yachts people, sailors.

MR RATTENBURY: Yachts people.

Mr Smyth: Yachties.

MR RATTENBURY: Yachties. There is a range of suggestions around the chamber. Nonetheless, these are all people who are very frustrated by the problems of the lake and are keen to explore the ways we can fix it. I think that this Assembly, in partnership with our commonwealth and New South Wales partners, needs to strive very hard to find a solution.

Nonetheless, that is an issue for the future. Today's bill is about simply addressing the issue essentially of water abstraction and a number of other consequential matters through the bill. The Greens will be supporting this bill today.

MR HARGREAVES (Brindabella) (10.54): The Water Resources Amendment Bill 2010 is a small but important step for water resource management in the ACT. It will bring the ACT closer to full compliance with the national water initiative, and it will bring water that has previously been controlled by the commonwealth under the ACT planning and management arrangements.

Mr Seselja: I think the goatee suits him.

MR HARGREAVES: It's good, isn't it? You like that?

Mr Seselja: Yes, I'm giving it the thumbs up.

MR HARGREAVES: Good. It grows on you. Yes, it does.

MADAM DEPUTY SPEAKER: Mr Hargreaves, can we get on with the speech, please.

MR HARGREAVES: Sorry about that, Madam Deputy Speaker.

Mrs Dunne: What? Like algae, like that stuff on your face.

MR HARGREAVES: You know, I can do it on both sides of my head. Mrs Dunne, on the other hand, has only got the one half.

The ACT is the only jurisdiction in the Murray-Darling Basin that recognises the protection of the environment as the first priority of the maintenance of its water resources. Through this amendment, the act recognises the importance of adequate provision of water to the environment as part of its water resource planning for the future.

The transfer of commonwealth water to the ACT will enable the establishment of a single water resource management system under ACT control. This will have several significant advantages for the ACT, particularly as a single system will provide certainty for management decisions made by the ACT on water resource management. A single system will also facilitate improved reporting processes. Currently, there is only a general understanding of volumes allocated by the commonwealth agencies and no knowledge of volumes actually extracted under its control or by the Department of Defence or Canberra airport.

Recent agreement to a Murray-Darling Basin cap on extraction includes the agreement to the inclusion of commonwealth controlled water in the ACT in future reporting. The transfer of water management will allow this commitment to be met. It will also allow the reporting of all water use in the ACT for national water accounting purposes for the first time. I will say that again—it will also allow the reporting of all water use in the ACT for national water accounting purposes for the very first time. Currently, information can only be collected on water use authorised by the ACT government.

The change will result in the commonwealth government purchasing an ACT water entitlement for each existing user authorised by the commonwealth. Each commonwealth agency or private user will be issued an ACT licence to take water, which will be subject to the same conditions and reporting requirements as all other ACT licence holders. This will result in a higher level of knowledge of water resource use, thus supporting the sustainable management of water resource management into the future.

As Minister Corbell said in his opening remarks, the ACT operates a modern resource allocation system for its share of the water resource in the ACT. The commonwealth

has operated a separate resource management system for the water under its control. The operation of dual systems was inefficient and could potentially have led to the overuse of the resource.

The majority of commonwealth water users operate in a relatively loose control regime, taking water in a manner consistent with commonwealth guidelines, although some minor commonwealth water users have not been regulated at all, and others have voluntarily submitted themselves to the ACT water management system. The transfer of commonwealth water to ACT government control will see improved efficiency as all users will operate under the one system.

The ACT is not a significant water user in the Murray-Darling Basin, but it is a leader in water resource management. It has not overallocated its resources and does not overuse them. The ACT has allocated less than 16 per cent—I will say that again: the ACT has allocated less than 16 per cent—of its estimated average water resource of 500 gigalitres per year compared to 49 per cent, which is reserved for the environment. That has got to be good news for Mr Rattenbury. Absolutely good news, isn't it? I can see him sitting there absolutely gobsmacked, because he is like that. Of the 16 per cent the ACT has allocated for extraction, it actually uses less than half, or seven per cent, of the estimated average water resource. That is something the people out there in the community are not aware of, and they should be aware of it.

The 1994 COAG water reforms and the 2004 national water initiative have been instrumental in supporting the ACT's successful management of its water resources through objectives aimed at improving the sustainable management of Australia's water resources. This bill will allow the ACT to further improve its water resource management capability, and I am sure that there will be further improvements in the future to ensure that the ACT remains at the leading edge of this field. It is with great pleasure that I commend this bill.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (11.01), in reply: I thank members for their support of this bill. This bill brings the management of the water resources in the ACT more closely in line with the intent of nationally agreed water reform as expressed in the national water initiative, the commonwealth Water Act and the Murray-Darling Basin agreement. It will further promote the sustainable and efficient management of water in the territory and facilitate the transfer of commonwealth controlled water in the territory to the ACT under a single management regime.

The ACT border was drawn to ensure an adequate water supply for the national capital independent of water use in the surrounding areas of New South Wales. It included the highly productive Cotter River catchment and access to the borders of the Queanbeyan and Molonglo rivers in New South Wales. The resources of the Cotter River have been a reliable source of water for Canberra since the construction of the original Cotter Dam in 1912. The resources of the Queanbeyan River were harnessed with the construction of the Googong Dam in 1979.

Successive commonwealth governments did not consider the level of water resource use in the ACT to warrant this specific legislation prior to self-government. At

self-government, the commonwealth retained control of the water of the parliamentary triangle and other commonwealth controlled land in the territory. The commonwealth has now agreed to transfer management of water it controls in the territory to the ACT government.

COAG agreed in 1994 that there was a pressing need for the reform of water resource management in Australia. This began a process of legislative change to modernise the management approach of one of our most important natural resources. Part of the process of change was the development of an ACT Water Resources Act in 1998. Indeed, I can recall being a member of the relevant standing committee of the Assembly at the time that looked into this new piece of legislation.

As that legislation followed the 1994 agreement to change, it embodies the principles agreed by COAG. As a result, the ACT has modern water resource legislation that embodies the key principles of reform, which include secure enduring entitlements, entitlements that are not tied to specific parcels of land or uses, the identification of a secure share of the resource for the environment, a planning regime that ensures the resource is not overallocated or overused, and an ability to trade entitlements to allow new users access to a scarce resource.

The development of the national water initiative in 2004 extended the reform process and set clear objectives that each jurisdiction had to achieve in order to comply. The ACT is already largely compliant with national water initiative requirements and only needs to make minor changes to fully comply and take advantage of funding opportunities offered by the commonwealth government. Unlike other jurisdictions in Australia, the ACT does not have a long history of intensive water use. So the risk of overallocation or overuse is low. The ACT's modern legislation and planning regime will continue to ensure we manage this resource sustainably. Further, the enlarged Cotter Dam and the Murrumbidgee to Googong projects will provide both increased storage and better utilisation of existing storages, increasing security of our urban water supply.

ACT agreement to the national water initiative and the settlement of a Murray-Darling Basin cap on extractions required ACT water users to have access to interstate water trading. The Water Resources Act explicitly permits interstate water trading, but the conditions were phrased in a manner that cast doubt on the validity of trade out of the ACT. This bill expands the provisions for interstate water trade to clarify the requirements for trade out of the ACT.

Further, the national water initiative places a higher requirement for water resource monitoring and reporting in the territory. This includes the construction and use of groundwater monitoring bores. There is an anomaly in the Water Resources Act that prevents the construction of a bore if a water entitlement is not held by the party constructing the bore. The bill includes a new provision that will permit the construction of permanent monitoring bores without the construction party holding a water entitlement in the territory.

Going to the issue of transfer of water management, the majority of this bill is devoted to the amendment of the act to facilitate the transfer of commonwealth control of

water to the ACT government. Prior to calling the upcoming federal election the commonwealth had tabled legislation to facilitate the transfer of management of its water resources to the territory. The election will obviously delay the transfer, but it is not likely to stop the process. There is provision in this bill to enact portions of the legislation separately. That portion of the bill dealing with the transfer of the commonwealth water will only be enacted when the commonwealth government has passed its complementary legislation.

The proposed amendments will pass the authority to manage the extraction of water, the sinking of bores, and undertaking works in a waterway from the commonwealth to the territory. These provisions would also apply to private water extraction on commonwealth land, such as the Canberra airport. In addition, the change will allow the inclusion of water set aside for commonwealth use in the ACT to be considered as an available part of the ACT's water resources.

This transfer has four important advantages for the territory. Firstly, it will bring all water in the ACT under one management system, reducing the possibility of double allocation of the one resource and the duplication of management systems. Secondly, it will ensure all water users in the ACT are subject to the same planning and administrative controls, again ensuring the ongoing sustainable management of the resource. Thirdly, it will bring all water use under the national water initiative compliant planning regime, a requirement of the commonwealth's own water management legislation. Fourthly, it will allow all water use in the ACT to be fully and, for the first time, accurately reported for regional and national water accounting purposes.

Alongside the advantages of this management transfer, the bill provides further opportunities to improve water management in the territory. The commonwealth proposes to insert new provisions in the Australian Capital Territory (Self-Government) Regulations 1989 so that the Water Resources Act 2007 will bind the Crown, although without the offence and enforcement provisions. As the commonwealth will not be bound to the offence enforcement provisions, additional subsections have been added to sections of the ACT Water Resources Act to apply the requirements of the act to all persons, including the commonwealth.

The commonwealth will retain the management of Lake Burley Griffin, including the management of activities on the lake, such as boating and events in and on the lake, the management of the quality of the water in the lake and the management of the lake foreshore. The transfer will result in commonwealth users becoming subject to water-related fees and charges that will result in a small net increase to ACT revenue of approximately \$416,000 in the first financial year. This will result from the commonwealth purchase of ACT water entitlements for existing users, with a further \$140,000 annually thereafter from the water abstraction charge on water used.

An MOU between the ACT and the commonwealth will be developed to clarify issues not appropriate for inclusion in legislation prior to the commencement of the act. I thank members for their support of this important piece of legislation and commend it to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Construction Occupations Legislation Amendment Bill 2010

Debate resumed from 1 July 2010, on motion by **Mr Barr**:

That this bill be agreed to in principle.

MR SESELJA (Molonglo—Leader of the Opposition) (11.10): I rise to speak on the Construction Occupations Legislation Amendment Bill 2010. The Canberra Liberals will support this bill. I note that the intention of this bill is to regulate, assess and supervise energy efficiency ratings for buildings. These EERs are those which are required under the residential sales act to be advertised when a home is advertised for sale, and those which are required by the Residential Tenancies Act 1997 when leasing or advertising a rental property. I would like to take this opportunity to commend the former Liberal government which in 1998 became the first government in any jurisdiction in the world to mandate the disclosure of energy efficiency.

The Liberal government was also one of the first jurisdictions to endorse the Kyoto protocol. This was a government which really was way ahead of its time when it came to taking strong and sensible action on the environment.

Although there are over 200 registered energy efficiency assessors in the ACT who are registered with ACTPLA, they are not licensed in any way. This bill provides for those energy efficiency assessors to become licensed under the Construction Occupations (Licensing) Act 2004. I note that according to the explanatory statement, the framework for licensing builders, electricians and plumbers that exists under the Construction Occupations (Licensing) Act is also suitable for energy efficiency assessors and that the bill will utilise this existing framework under COLA and the Building Act 2004 to provide suitable educative and disciplinary measures for assessors.

Importantly, it will also provide a complaint mechanism for consumers. The bill will only require individual assessors to hold a licence and these licences will only be prescribed under the bill for residential schemes. The Canberra Liberals have consulted widely and industry have not raised any serious concerns about the bill.

However, it is now incumbent upon the government to use these regulations wisely and to ensure that the operations that are not up to scratch currently are brought up to standard within a reasonable time frame. Ultimately, we are passing a new law today which will result in a new regulatory burden on a skill that we would like to encourage.

This is a green skill, one which has become, thanks to the former Liberal government, an important and necessary skill required by building and real estate industries in the

ACT. It is incumbent on the government to manage subsequent regulations with care to ensure that any shonky operators who may be out there either leave the industry or improve their skills.

It is incumbent upon the government to ensure that the public is informed about their rights, how the public become aware that they should seek out a licensed assessor or, indeed, that they can now seek out a licensed assessor when organising an assessment, and how the public will be aware of the correct way to lodge a complaint about a potentially shonky operator.

The government has a poor record at best when it comes to regulating business, especially small businesses. One needs to look no further than the hospitality industry where the government is attempting to strangle outdoor cafes in red tape. Let us hope that this industry is not strangled in red tape now the government has legislated to license energy efficiency assessors.

Ms Le Couteur has indicated earlier this week to my office that she is intending to move amendments to this bill. While we understand the intent of the amendments, at this stage we will be supporting one of the amendments and not the other two. In summary, the Canberra Liberals will support this bill. We will, however, pay careful attention to its implementation. We will continue to consult with industry to ensure that regulations in this area are implemented efficiently and sensibly.

MS LE COUTEUR (Molonglo) (11.13): The Greens will be supporting the Construction Occupations Legislation Amendment Bill before us today. This bill comes 11 years after the Greens introduced the energy efficiency rating assessment laws in the ACT and it will mean that the territory will again become a leading—hopefully, the leading—jurisdiction in energy efficiency ratings in Australia.

Houses with higher energy efficiency ratings save money for the occupants every day, as well as being more comfortable to live in. They are warmer in the winter and they are cooler in the summer. Because they use less energy, they have lower greenhouse gas emissions; so they are better for the environment which we all share. All in all, better houses are a better thing.

Studies by the Australian Bureau of Statistics have shown that people will pay as much as \$10,000 for a house with each additional energy efficiency star. Another reason that we need to ensure that energy efficiency ratings are accurate is to protect homebuyers. People need to know that they are getting what they are paying for. The really good news is that if your house is well designed, it will cost a lot less than \$10,000 for each additional energy efficiency rating star. In fact, it may cost you nothing more. All you may have to do is ensure that your house is orientated to the north.

In this context I will also say that the Greens are pleased with the government's recent significant step in the direction of passive solar orientation for all new residential homes and subdivisions. Draft territory plan variation 301, the residential subdivision code, mandates that 95 per cent of blocks must have reasonable solar orientation. This will enable houses to be built which are genuinely solar passive because the blocks will be orientated correctly.

Draft territory plan variation 303 complements this by creating a solar fence principle which gives householders a reasonable expectation of not being overshadowed by their neighbours. This is very important. If you build a solar house, you do not want it overshadowed by someone else's house. Good solar orientation is one of the most cost-effective ways to get a good star rating and good energy performance from a house. It is the one thing you cannot fix afterwards. You cannot just pick up your house and move it round 90 degrees. It just does not work like that.

In his in-principle speech, Mr Barr said:

Since the introduction of the energy rating scheme government intervention has been minimal and the approach to assessors predominantly educational. Mr Speaker, the current approach is no longer viable.

The Greens are pleased that the government has finally agreed with what we—the Greens—consumers and the industry have been saying. Because of the problems with the energy efficiency scheme, last year I introduced a motion aiming to improve the energy efficiency regime. It led to a government discussion paper on the issue which got an overwhelmingly positive reception. This has culminated in this important legislation today. I do regret that it has taken over a year to get to this legislation.

I believe that part of the reason for this is COAG's lack of action. Back in April last year it seemed that other jurisdictions were finally going to follow the ACT's lead and introduce mandatory disclosure of energy efficiency ratings on sales of housing and for most housing rentals. However, they have not done so as yet. So I am very pleased that in this case the government has been prepared to act unilaterally and show leadership when other jurisdictions have just simply not acted. I hope that the government will show leadership in the future on other issues and not continually defer to COAG.

Because the current scheme has so many problems, my motion of last year required auditing of at least five per cent of all energy efficiency ratings. Previously, as was discovered as part of this motion, there really has been no auditing. In fact, anyone who looks at the *Canberra Times* real estate section on Saturdays will be able to see a number of houses which should have been—must have been—five-star houses when they were constructed. This is because there has been for a number of years a requirement in the ACT that all new houses must have at least five-star energy efficiency.

But when they go for resale the houses are re-assessed and their energy efficiency ratings change. Each week you will see some down at 3½ stars. I do appreciate that things can change in houses but they are not five-star. They probably at no stage were ever five star. It is sort of unbelievable that they could have been correctly certified in the first place if a few years later they have been re-assessed at a couple of stars less than they were certified at.

At last we hope that ACTPLA will finally now take energy efficiency seriously and use its new regulation capabilities. In particular, the bill will create a new occupation

of energy efficiency ratings assessor which will require licensing. Assessors for new buildings were previously registered but since the removal of EER requirements from development assessments in March 2008, the people who carry out energy efficiency assessments on building plans are not registered. We have seen in recent months a number of complaints about various parts of the building certification process. In this context, we are particularly pleased that this is one part of the industry at least where there will be some improved regulation.

Another thing this legislation does is consolidate all guidelines for preparing energy efficiency ratings and certificates into a single code of practice under COLA. Finally, it introduces a complaints mechanism for the energy efficiency ratings. This will give both industry and consumers some protection. Our hope is this will lead to an improvement of the reliability and accuracy of assessments.

As well as the regulation introduced with today's bill, there needs to be an ongoing commitment to the auditing of energy efficiency ratings and other parts of the building certification process. We have all recently seen the problems of lack of auditing in the building industry ranging from the federal insulation installation program to problems that led to the building quality forum earlier this month.

The other issue that I understand still requires urgent attention is that the sale-of-premises energy efficiency regime still uses first generation software. The certification regime under the building code of Australia for new buildings uses second generation software. This is confusing for the industry and consumers. It should be fixed by the government. Previously, the government has said that it would not take action because it was waiting to be part of a new national regime. Given that the government has taken action for this part of the energy efficiency regime, I call on the government to take action on that part of it as well, because it is simply confusing.

As I said, while the Greens are very pleased that the government is finally acting to bring some much needed rigour into the energy efficiency regime, the Greens believe there is more work to be done. There are some other issues which I will highlight related to this which have not yet been tackled.

We could quite reasonably extend energy efficiency ratings to other housing choices, not just the standard single dwelling or multi-unit residence. Particularly here I am thinking of retirement homes, transportable homes and hostels. This is especially important for retirement villages, caravans and mobile homes—at least those which are occupied on a long-term basis. These are often occupied by the more frail and vulnerable members of our society who may have very limited ability to improve the thermal performance of their dwellings after purchase and very limited financial resources to pay high heating and cooling bills.

Ideally, some form of energy efficiency rating would also be extended to include hostels and nursing homes as the organisations who are running them will always need more recurrent resources. Therefore, it is particularly important that the buildings that they occupy are well designed. I assume that the current scheme would not be suitable for these more complex buildings. However, I think that it would be a useful extension at some stage, possibly of the commercial schemes.

Secondly, energy efficiency ratings should, we believe, be published on a whole-house basis rather than on a per-square-metre basis. Most people seeing the energy efficiency rating do not realise that it is a rating which relates to how much energy will be required to heat or cool to a comfortable level each square metre of the house. What this means is that a smaller house that happens to have a lower energy efficiency rating could in fact end up using less energy than a larger house which has a higher and better energy efficiency rating.

We would like to see both the current energy efficiency rating published and a rating for whole-of-house. It is a simple multiplication exercise to do it. There is no additional software or anything required. We would like to see them both published, as is the case for most appliances. Appliances will give you a star rating and they will say how many kilowatt hours you would expect to use over a year. I think at present it is often confusing for people when they move into a higher-star-rated house which also happens to be a lot bigger. They find their energy bills go up because they are simply heating or cooling a lot more than they would in the past.

Of course, we do recognise that for house operation one of the most significant issues is how you use your house for energy efficiency. You can use a lot of energy even in a well-designed house if you operate it poorly. Conversely, many people in not-so-well-designed houses do not use an excessive amount of energy because they operate their houses very well. Nonetheless, I think it would be useful for consumers to have that additional number.

Thirdly, I would like to note that the current energy efficiency rating only discloses the thermal performance of the building envelope, the building shell itself. It does not consider the appliances at all. The energy used for space and water heating represents a significant proportion of household energy consumption. We debated this again last year with the Greens' hot-water bill. We think that where we are talking about long-living appliances which are actually fixed to the building, they should be disclosed as part of the energy efficiency rating as a separate item so that people, when they buy a building, can say, "I have got a great hot water," or "I have got a hot-water service which is going to be really, really expensive to run." They should be able to say that their heating service is going to be energy efficient or that it is provided by a couple of bar radiators and they may have problems.

We think this should be a separate item from general energy efficiency because we would not want to have the situation that a high performance solar hot-water system was used to disguise poor building design. We would also suggest that the water performance of the house could usefully be disclosed.

Fourthly, how energy efficiency ratings are worked is based on thermal modelling. The models use weather records from the past for their simulations. However, we all know that the weather is changing rapidly. When we are designing houses we need to design them for the future, not the past. That, of course, is when they are going to be used. We need to start looking at doing the simulations on the basis of the reasonably expected and predicted weather for the future.

The United Kingdom has, in fact, already started experimenting on using future weather for their equivalent of the energy efficiency ratings. I believe that Australia should be doing this also. We do not want to put a lot of work into building buildings which simply will not work in the future. This is an area where I believe the ACT should be lobbying the other jurisdictions to ensure a national approach on this. It is not something that I would be suggesting the ACT should go it alone on due to the complexity of the issue. However, it is something where the ACT should be strongly leading the national debate. We want to be designing our buildings for the future, not the past.

As Mr Seselja mentioned, I flag that I will be raising a minor amendment at the detail stage to improve the administrative decision-making process that occurs under the bill. This is a response to the comments in the scrutiny of bills process. In conclusion, the Greens support this bill in principle. It is a step forward and we look forward to many more steps forward in the future.

MS PORTER (Ginninderra) (11.28): I am happy to speak in support of the bill today. Public health and safety regulation spans many aspects of our lives, from the supply of essential services to our workplaces and practices to the safety of our built environment. They are necessarily diverse regulations administered by a variety of agencies that have a focus on public health and safety.

Communication between offices and agencies responsible for protecting health and safety is important in developing cohesive cross-portfolio responses to events. For example, the construction process involves hazards, including the use and disposal of hazardous materials. It also involves occupational health and safety and adherence to construction and other standards for buildings and their services. There can also be issues of land use and other environment impacts that are caused by construction work or by the post-occupancy use of a building.

Where people or businesses are operating in contravention of regulations, effective responses rely on detection of the offence. If a public safety agency possesses information that would assist with the prevention of harm to a member of the public, it is reasonable that this information is provided to persons that can act on it, regardless of whether they are located in a different agency or not.

The bill introduces new provisions for the sharing of information between inspectors of designated public safety agencies. Some agencies, such as JACS and ACTPLA, also have multiple regulatory roles. The amendments will provide clarity to inspectors as to when they are able to provide information to other officers outside their agency or administrative area. The bill also allows for agencies that hold information obtained in a former capacity as a public safety agency to share that information if appropriate.

Of course, this does not mean an uncontrolled exchange of private information. Information shared under these provisions must be in relation to a situation that presents or is likely to present a risk of death or injury to a person, significant harm to the environment or significant damage to property. Officers must also exercise judgement to ensure that they are satisfied that an agency receiving information will use it to exercise a function given to the receiving agency under a territory law.

As can be seen from the number of pieces of legislation amended by the new provision for the licensing of building assessors, energy efficiency requirements are also integrated into many regulated processes. People should have confidence that the rating advertised for a property is a fair representation of its energy efficiency and how it has been constructed. While education of consumers and industry plays an important role in improving understanding of energy efficiency ratings, given the technical complexities of energy efficiency ratings there are a limited number of people with a full understanding of how they are prepared. Few consumers have the time to analyse the detailed outputs from the software to find any potential discrepancies. Therefore it is difficult for the market to adequately regulate assessors.

It is true that energy assessors are bound by fair trading obligations. However, there is no independent body that can assist consumers and industry to identify errors in assessments or enforce quality standards. The creation of a new occupation of building assessor, under the Construction Occupations (Licensing) Act, COLA, allows energy assessors to be recognised as a distinct class of practitioner. The creation of a new class of assessor also brings assessors under the consistent regulatory framework established for all other licensed construction occupations. An important aspect of COLA is the formal complaints mechanism that consumers will be able to access. The additional auditing of assessments and practitioners will be undertaken by inspectors authorised under COLA.

The amendments have been formulated in a manner that will promote the smooth transition from the current registration process to licensing, allowing a 12-month transition if assessors are only operating software covered by their registration. There will be no requirement for consumers to have new ratings prepared if they hold a current rating prepared under the present arrangement.

The structure of the legislation means that other forms of building assessors, or additional endorsements for new software and other aspects of sustainability, can be easily incorporated if required. The proposed amendments will assist energy assessors and improve the regulation of assessments by establishing clear obligations for the industry and the regulator. They will also provide processes for the consumer to have complaints heard and to seek advice. This can only strengthen the energy efficiency regulation currently in place and promote a fairer market for energy assessment in the ACT. I commend the bill to the Assembly.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing) (11.33), in reply: I thank members for their contribution.

As members would be aware, the bill makes a number of amendments that will provide for a strong regulatory framework for residential energy efficiency and public safety regulation.

Energy efficiency, improved resource management, sustainability and climate change issues are at the forefront of community thought and therefore government thought. The ability to respond to these issues and the delivery of measurable efficiency

improvements is enhanced by having access to accurate information and assessments of our building stock.

There has indeed been much public discussion recently about new standards for buildings, energy ratings and affordable improvements to homes. Discrepancies in the way energy efficiency is rated can lead to unnecessary costs for consumers and issues for the design and construction of new homes.

Done well, the energy efficiency assessment process can minimise not only the energy required to heat and cool a home to a comfortable level, but also the cost to meet the standards in place for new homes and alterations to existing homes. My hope is that, instead of being considered after a home is designed, energy efficiency and other environmental features will be a primary focus throughout the design process.

There is evidence that the recent move to the six-star rating for new homes has helped to start this change in thinking. It will lead to greater collaboration between building designers, builders and energy assessors to produce good designs that meet client and regulatory needs. And once design work is done and plans are finalised to the required standard, the proposed amendments to the Building Act will make an energy efficiency certificate a document that must form part of the building approval application. This means that the building must be built to the rating and that no change can be made to the rating after approval where those changes would reduce a home's energy rating.

Energy assessors have an important role to play in the improvement of our buildings. Outside incentive programs, there are two main regulatory triggers for an assessment of energy efficiency—when building work is done and when premises are sold. These are critical times when owners and purchasers most need reliable information to make effective choices to either improve their home or decide if a home is suitable for them. That is why it is vital that energy assessments are of a consistently high quality.

While some errors or changes to plans may have no impact on the overall rating, there are many things that can significantly affect a home's energy rating. The effects of such changes are not always self-evident when the person is designing, decorating or deciding on landscaping. The difference in the rating caused by an incorrect assessment of an element may be only half a star, but this can be the difference between meeting the building standards and being non-compliant. The differences in energy use between star ratings decreases as the star ratings get higher; therefore smaller errors have a greater effect on the accuracy of the rating.

The field of energy assessment is relatively new, and the software and methods of assessment are continually evolving. The majority of building energy assessors are regulated in some form at present. Building energy efficiency assessors in the ACT are not currently required to hold a licence in order to undertake building assessments. Instead, assessors preparing energy efficiency rating statements under the civil law act must be registered with the ACT Planning and Land Authority. There are currently over 200 registered energy assessors.

Assessors must comply with guidelines for preparing energy ratings and with the code of practice. The code of practice contains requirements for ongoing registration,

insurance, lodgement of ratings and a range of other technical requirements. Although ACTPLA can, and does, audit assessments and follow up concerns with individual ratings, there is no disciplinary framework that can be accessed when non-compliance is detected. Therefore, compliance has partly relied on the cooperation of the assessor. If the assessor does not cooperate, the existing regulations limit the direct action that can be taken against assessors. The action is limited to deregistration.

The proposed arrangements will transfer the registration process for assessors into the existing construction occupations licensing framework. It will consolidate all provisions about the technical side of energy ratings into a single code of practice administered by one body. This will allow the ACT Planning and Land Authority to access a full range of educational and disciplinary actions. This can include the capacity to require retraining, rectify an assessment or impose conditions on a licence, including requiring supervision. There will be mechanisms for assessors to gain further competency, and consumers will have an avenue for review of their energy efficiency assessments.

In most instances, these actions will be sufficient to rectify a problem. However, in cases of genuine malfeasance, major disciplinary sanctions can be pursued. Current obligations on assessors with regard to conflict of interest, and requirements to hold suitable qualifications and insurance and to adhere to technical and administrative processes, will be largely unchanged. But licensing will allow ACTPLA to regulate the industry in a transparent manner within an established framework.

This will also shift the burden of responsibility for regulating assessments for new homes from building certifiers to licensed energy assessors. Clear delineation between the responsibilities of different agencies means that the ACT Planning and Land Authority can integrate auditing of energy ratings into construction occupation processes and make it part of auditing the entire building process.

The bill also proposes a continuation of the existing conflict of interest provisions for the sale of property and new conflict of interest provisions for assessments of building work. This balances the rights of consumers to know the relationship of the assessor to others involved in the construction with the need to promote collaboration between professionals.

I do not advocate licensing merely for the sake of it. And licensing alone cannot form the entirety of a regulatory system. But this bill provides one of three foundations for an effective scheme—appropriate regulation, education and effective compliance action. No one aspect will work in isolation. A licence cannot prevent human error. Auditing alone cannot prevent people operating outside protocols. And education does not mean that consumers and other practitioners will be able to insist on a certain level of quality in a very technical market. Licensing will, however, be complemented by more auditing. At least five per cent of all ratings will be audited.

Good design and efficient homes are only part of achieving energy savings. Householder behaviour and the use of appliances and other items also play a major role in overall energy use from a building. The framework proposed in this bill provides a platform to support the extension of the rating and other regulatory systems

to other elements of energy use, including, for example, air conditioning and water heating, and to other types of buildings.

The bill also contains two proposed amendments to improve public safety. Traditional construction occupations are regulated to protect public health and safety. This is reflected in occupation-specific acts such as the Electricity Safety Act and the Gas Safety Act. Eligibility for a licence is linked to a practitioner demonstrating sufficient technical competency to maintain minimum health and safety requirements.

The bill proposes that automatic suspension provisions, which allow for temporary suspensions of up to three months, be extended to public safety grounds. In making the decision to suspend a licence, the registrar must submit to the test of reasonableness. The provisions also provide for the registrar to permit the suspended person to rectify the defective work. This is a practical approach to addressing serious safety concerns. Naturally any exercise of this power is amenable to judicial review or examination by the Ombudsman.

Similarly, the bill includes new information sharing provisions. These provisions will deliver clear authority for the sharing of information across relevant agencies and allow for a more timely and coordinated response when public health and safety are threatened.

I thank the scrutiny of bills committee for its comments on these provisions. I note that the committee refers to the explanatory statement on provisions for information sharing. I have responded to the committee on the issue of fair trial in its application to administrative decisions involving regulated licence holders.

In conclusion, industry and consumers are supportive of more comprehensive regulation on ratings, both for the sale of premises ratings and in relation to the performance standards in the building code of Australia. This bill represents the first part of regulation for building assessors. A new code of practice, mandatory qualification schedules and demerit points will be developed later in 2010 in consultation with industry and the relevant local registered training organisations. A strong regulatory system will support residential energy efficiency programs and make sure that resources will be directed into appropriate upgrade measures. Mr Speaker, I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MS LE COUTEUR (Molonglo) (11.46): I move amendment No 1 circulated in my name [*see schedule 2 at page 3702*]. The amendment responds to a human rights issue in the bill and improves the clarity of the administrative decision making process. Members would know that section 21(1) of the Human Rights Act relates to fair trial

in the context of administrative decision making. The scrutiny of bills committee noted the fact that, under proposed new section 52A of the bill, the registrar can revoke a licensee's licence on the grounds of public safety, but the registrar is not obliged to afford the licensee an opportunity to be heard on the matter of the suspension. The scrutiny of bills committee says that this suggests that the scheme is not fair.

I believe that it would be useful to articulate the right to be heard of a licensee whose licence is suspended. Submissions from a licensee need to be part of the decision-making process. While it may be normal practice for the registrar to consider information from various sources in making their decision to revoke a licence suspension, including representations from the affected licensee, it is better to have this articulated in the legislation. That is why the scrutiny of bills committee, with reference to the Human Rights Act, raises this as an issue.

Including this right explicitly will do no harm to the scheme. It will clarify the process and it will operate as a safeguard. The amendment I am proposing will clarify that the registrar must give a licensee the opportunity to respond and make submissions if the registrar is suspending their licence. These submissions must be taken into account in the decision making process.

The amendment also clarifies that when a registrar notifies a licensee that their licence will be suspended, they must also be told that they have an opportunity to make submissions. What this does is clarify that there is a proper internal review process. This is especially important in a situation where the decision is not a reviewable decision that can go to ACAT. The amendment I am proposing also applies to suspension decisions, not just public safety suspensions under section 52A. My amendment will make the bill clearer and articulate a person's rights in the text of the bill rather than relying on the executive to continue to afford these rights.

I also note briefly that the scrutiny committee also raised the issue of section 52A not being a reviewable decision under the act. I note that reviewable decisions under the Construction Occupations (Licensing) Act are listed in the Construction Occupations (Licensing) Regulation 2004 and that a number of discretionary decisions made by the registrar are also reviewable.

I am satisfied, however, that suspensions under section 52A are three months at the maximum and that longer term suspensions will also go to ACAT to be heard. A decision not to revoke a suspension is also a reviewable decision. I therefore do not think it will necessarily improve things to make the original section 52A decision a reviewable decision, especially as the time involved is only three months. It is important, however, that members support my amendment to clarify the internal review process. I seek support for this amendment.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing) (11.50): The government will support this amendment with a further minor amendment, since a suspension on public safety grounds is a discretionary decision rather than a defined event such as loss of insurance or other automatic suspension

provisions. Including information on the notification that an application for revocation can be made is practical and reasonable.

However, it is the government's view that it would be preferable if this was further amended to clarify the form that an application must take. We understand that the amendment moved by Ms Le Couteur only anticipates written submissions being considered, and that is clearly preferable from an administrative perspective. To pick up on this and to avoid confusion, the amendment to section 52A(2)(c) should be further clarified to read that the practitioner may apply in writing to the registrar to revoke the suspension.

Accordingly, I have circulated an amendment to Ms Le Couteur's amendment. That amendment is to insert the words "in writing" after "apply", just to further clarify the intent of this amendment. I formally move my amendment No 1 to Ms Le Couteur's amendment [*see schedule 3 at page 3703*].

MR SESELJA (Molonglo—Leader of the Opposition) (11.52): As I flagged earlier, the amendment is acceptable to the opposition. It seems to add some procedural fairness issues and we are pleased to support it. Mr Barr's amendment appears to clarify that by making sure that it is in writing. We have no issue with that either. We are happy to support Mr Barr's amendment and Ms Le Couteur's amendment.

MS LE COUTEUR (Molonglo) (11.52): With regard to Mr Barr's amendment to my first amendment—adding the words "in writing" to clarify that the licensed practitioner may apply for a revocation of the suspension in writing—I have no problems. It is an excellent amendment.

Mr Barr's amendment to **Ms Le Couteur's** proposed amendment agreed to.

Ms Le Couteur's amendment, as amended, agreed to.

MS LE COUTEUR (Molonglo) (11.53): I now wish to move amendment No 2 which has been circulated in my name [*see schedule 2 at page 3702*]. While recognising Mr Barr's amendment to my previous amendment, in my opinion that is not a reason to discard the rest of my amendments. They are still relevant. I believe that they would, in fact, complement Mr Barr's amendment. As I have said, they make it clear that the person whose licence has been suspended has a right to be heard and considered as part of the registrar's decision making process. On balance, I believe that my second amendment should also be passed.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing) (11.53): The government will not be supporting this further amendment. We do not believe it is necessary to give effect to procedural fairness. The registrar is subject to all of the standard constraints inherent in making administrative decisions. The current clauses affect all automatic suspensions, some of which are tied to defined but not discretionary events that affect a person's eligibility to hold a licence.

The current provisions do not restrict the registrar to considering only particular information in making a decision on revocation. Information may come from many

sources and not be solicited by the registrar or provided by the licensee. Given that regulations cannot be exhaustive in listing all possible ways that the registrar may come by information or what information should be considered, in the government's view it would be preferable to leave the provisions as they are.

Throughout the CO(L)A act and other legislation there are numerous processes that allow applications from practitioners or other parties to the registrar to make a particular decision or take a course of action. It would make legislation unwieldy to attempt to direct the registrar or other officers on what they must or may have regard to in every decision and to state each time that if an application can be made that the registrar must consider it. This is implicit in the words of the amendment bill. Accordingly, the government does not support the second Greens' amendment.

MR SESELJA (Molonglo—Leader of the Opposition) (11.55): The opposition will not be supporting the amendment either. We accept the government's argument that has been put to us in discussions that this is superfluous. We do not see the need to potentially confuse the issue with these additional words. Therefore, given we accept that, we will not be supporting the amendment.

Amendment negatived.

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

Bill, as amended, agreed to.

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

Sitting suspended from 11.56 am to 2 pm.

Questions without notice

Budget—expenditure blowouts

MR SESELJA: My question is to the Treasurer. Treasurer, the Treasurer's advance is intended to be utilised when there is an urgent need for funding and insufficient funds are available for the particular area of expenditure. On 24 June 2010, you tabled notices of a number of allocations from the Treasurer's advance. In your tabling comments, you noted that not all of the funds available for the Treasurer's advance had been allocated and you said that it "demonstrates the government's ability to control costs". Treasurer, it is reported in today's *Canberra Times* that "ACT government departments blow budgets by \$23 million". How can a situation where emergency funds are required for unbudgeted spending demonstrate your ability to control costs?

MS GALLAGHER: The reason the government—indeed, all governments in this place—have Treasurer's advances is to enable them to meet unforeseen and urgent expenditure requirements that could not be reasonably predicted at the time when the budgets were put together. If you look through the items included in the Treasurer's advance allocation, you will see that many of them are due to increases in activity

delivered through that agency. Indeed, in Education, for example, the number of students enrolled in public schools, the number of students enrolled in schools who have high and complex needs or disabilities—these are issues that cannot necessarily be predicted 15 months out, which is when you are putting budgets together.

All of the items that come to call on the Treasurer's advance are put through a rigorous test through the ACT Treasury around whether they meet the requirements for Treasurer's advance. Indeed, there is often some to-ing and fro-ing between agencies around that. The end result is what you see before you at the end of year, where we have returned \$13½ million back to the budget, which shows that we are seeking to control expenditure, but also recognises that government agencies across government, particularly those with large budget lines such as Health, TAMS and Education, will at times experience pressure on their budgets that needs to be dealt with towards the end of the financial year.

If you look at the case of TAMS, for example, with an appropriation of almost half a billion dollars—probably half a billion dollars—their call on the TA is actually coming down each year as they put in their own measures to contain their growth in service output and also in expenditure.

We are very pleased with how the Treasurer's advance is going, and the fact that agencies are taking very seriously the need to look at their budgets, to remain within budget. But where there are legitimate, unforeseen and urgent requirements, this government will ensure that government services are adequately funded through the line that the appropriation bill allows, and that is what the Treasurer's advance allows us. What is the alternative? That you do not fund students with disabilities in public schools and their needs? That you say no to supplementing education for the numbers of students enrolling in their schools? Why do you have a Treasurer's advance if you do not have a small pool of funds, one per cent of expenditure that is there, one per cent of the budget that is there, to deal with, in a \$3.9 billion budget, unforeseen and urgent expenditure requirements of government.

MR SPEAKER: Mr Seselja, a supplementary question?

MR SESELJA: Thank you, Mr Speaker. Treasurer, you said in your answer that many of the items were for unforeseen expenditure. Which of the items in the Treasurer's advance were not?

MS GALLAGHER: All of the items in the Treasurer's advance meet the tests required for urgent and unforeseen expenditure. A rigorous process is in place that the Treasury provide advice to me on every single request for a Treasurer's advance that comes across my desk.

Indeed, when I look back at previous governments and their use of the Treasurer's advance, what do I find? What do I find from when Mr Smyth was in the cabinet room using the Treasurer's advance? I found a whole range of approvals for expenditure for cost overruns in agencies. They may well have been urgent and unforeseen. I hope they were, because that is what they use the Treasurer's advance to meet. The Department of Justice and Community Safety—lo and behold: there is one

there for Education and Community Services. There is one there for ACTION—capital injection due to lower than expected revenue; cash injection for ACTION to meet operating requirements. Gee, what a surprise. What a surprise using the Treasurer’s advance to meet urgent and unforeseen over-expenditure across government agencies.

It happens to all governments. It happens to all governments of every political colour. That is why we have the Treasurer’s advance. And when you think about it, \$23 million as part of an overall budget of \$3.9 billion shows extreme expenditure control. Indeed, I think there was one year, when I looked back, when the opposition did return some money to the budget from the Treasurer’s advance, showing their extreme restraint. They had total expenditure of \$13.07 million against the Treasurer’s advance, which allowed \$13.1 million. So they returned \$30,000 to the budget.

MR SPEAKER: Ms Hunter, a question without notice?

Mr Smyth: A supplementary, Mr Speaker—

MR SPEAKER: Ms Hunter has the call.

MS HUNTER: Thank you, Mr Speaker.

Mr Coe: Nice one, Meredith.

MR SPEAKER: Order, Mr Coe! Before you go on, Ms Hunter—Mr Coe, I waited quite some time and nobody took the floor. Ms Hunter had the call. If you have got a judgement on that, you can let me know later. Ms Hunter.

MS HUNTER: Thank you, Mr Speaker.

Mr Hanson: You’re cranky, mate. You had a bad day yesterday.

MR SPEAKER: Order!

Mr Hargreaves: On a point of order, Mr Speaker, I think Mr Hanson should withdraw that comment about you. He should withdraw. By interjection you cannot describe the chair as “cranky”. It is unparliamentary.

Mr Smyth: He was just talking to me.

MR SPEAKER: Order! Mr Hanson, would you like to clarify your comment?

Mr Hanson: No, I was actually calling the Speaker cranky and I withdraw.

MR SPEAKER: Ms Hunter, you have the call.

Children—national foster care standards

MS HUNTER: My question is to the Minister for Children and Young People—

Members interjecting—

MR SPEAKER: Order! The next one of you will be warned and the next one after that will be out. Ms Hunter.

MS HUNTER: and it concerns the national foster care standards. Minister, comments in the media recently described the draft national foster care standards as “aspirational and challenging to implement”. Minister, what is the ACT government’s response to the draft foster care standards?

MS BURCH: I thank Ms Hunter for her question. It is interesting to the out-of-home care sector and to foster care placements in particular. The standards that we are looking to apply across the country will be easily met within the ACT, because our standards for foster care and kinship care—indeed, the work we have done across the centre to ensure that our placements are child focused—have the interests of the children at the absolute forefront.

We strive in our placements to ensure that there are ongoing connections as reasonably and sensibly as they can be with family, if there is family known to be about. We also have strong consideration of their educational and recreational needs. Whilst nationally they are strong aspirational standards, here in the ACT it is my view that we are well on the way to meeting them, and I would like to see them more as aspirational and as practical.

MR SPEAKER: Ms Hunter, a supplementary question?

MS HUNTER: Minister, when would you be able to give a more detailed explanation of the standards?

MS BURCH: I have not put a time line on it but I am quite happy to come back here or to offer a brief about how we are progressing those standards locally.

MR SPEAKER: A supplementary question, Ms Le Couteur?

MS LE COUTEUR: Minister, what percentages of funding are provided by the commonwealth and by the ACT governments?

MS BURCH: I do not have the information in front of me about the split between the commonwealth and ACT contribution to foster care. It is my understanding that we are well regarded in the foster care and kinship care arrangements.

Kinship care placements are increasingly becoming utilised. I think there is a tad over a 50 per cent split between kinship carers and foster carers. Here in the ACT our investment and support to kinship carers is through the department but with foster carers it is with our very strong partnerships with the community sector. But I am quite happy to come back with information on that.

MR SPEAKER: A supplementary question, Ms Le Couteur?

MS LE COUTEUR: Minister, will health check standards in the announcement also be applied to children in kinship care?

MS BURCH: Look, I think that is an important thing to do. We need to care for our children. As foster children, they are in the care of the territory, and we need to give attention to their educational needs and to their health and wellbeing needs. I would see that as being a critical part of that.

Distinguished visitor

MR SPEAKER: Members, before we proceed, I would just like to note that the Clerk of the House of Representatives, Bernard Wright, has joined us in the gallery today, and I would like to welcome him to the ACT Assembly.

Questions without notice Hospitals—obstetrics units

MRS DUNNE: My question is to the Minister for Health. On 25 February this year I asked you about a letter from doctors at the Canberra Hospital who wrote to you about concerns over workplace environment in the obstetrics unit. You replied to me that “they did not write to me about serious concerns”. Minister, given that the *Review of Service Delivery and Clinical Outcomes at Public Maternity Units in the ACT* found that there was “systematic and long standing reticence by management to address disruptive or inappropriate behaviour” and that staff who did complain felt that “their complaints had not been followed through”, do you now accept that the concerns raised by staff at the Canberra Hospital are serious and, as the report notes “urgent action is needed”?

MS GALLAGHER: You are asking me two different things. You are asking about letters written to me not by doctors that worked at the Canberra Hospital. The doctors who wrote to me do not work at the Canberra Hospital. You then asked me a question linked to that letter about staff who work at Canberra Hospital. The doctors who wrote to me do not work at the Canberra Hospital; they work as private—

Members interjecting—

MS GALLAGHER: The question Mrs Dunne asks is basically trying to imply that I was not telling the truth when I said that people had not raised with me serious concerns about inappropriate behaviour at the Canberra Hospital. Those doctors wrote to me about the vacancies that had been advertised for positions within the Canberra Hospital, and said that they would like to work at the Canberra Hospital. There was one line in each letter that said, “However, we do not feel that we can due to concerns about workplace issues”, I think they wrote. So what did I do? I wrote back and I said, “Can you expand on that please?” They wrote about workplace issues—they are the words. I wrote back and said, “Can you expand on them please, so that we can address these issues that are as yet unidentified in your letter to me.” I did not get a response to that. Subsequently, a whole range of other issues were raised.

Mr Seselja: What was not serious about their concerns?

MS GALLAGHER: They did not identify their issues. What I asked them to do was identify the workplace issues that they had alluded to. At the same time that I received those letters, and I think I have gone through this a number of times in this place, I also requested advice from my department about were there any concerns with the maternity unit specifically in relation to the letters that I received from these doctors, and the answer back from them was no.

Mr Seselja: They said there were no concerns?

MS GALLAGHER: As much as you do not like the answer I am giving you, that is the answer. I was written to, I sought to respond to the letters, they did not write back, I sought advice from the department, the advice back was that there were no issues, I met with the director of the unit, she said there were no issues. I did everything I could in the absence of any formal issues being raised with me.

MRS DUNNE: A supplementary question, Mr Speaker?

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Given the unequivocal findings in relation to disruptive and inappropriate behaviour and the fact that complaints had not been followed through, do you now think it is necessary that you apologise when you said that their complaints were not serious, as it has now been proven that their complaints are serious?

MS GALLAGHER: No, I never said the complaints are not serious. I said there were no complaints. The issues the doctors wrote to me about were—and they said—workplace issues. I will check—

Mrs Dunne: Disruptive and inappropriate behaviour, perhaps?

MS GALLAGHER: No, that is not what they wrote in their letter to which I was responding. So let us get the facts right about what occurred. I was written to by four doctors. I wrote back to those doctors. I also sought advice from my department and I sought advice from the director of the unit. Okay? And all the advice back to me was that there are no concerns within the unit. The minute that it was clear to me that there were issues within the unit, I acted to investigate those concerns. Okay? And that is the fact of the matter.

MR HANSON: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Hanson.

MR HANSON: Minister, what steps will you now take to ensure that you will take concerns about workplace bullying seriously rather than to allow the culture of reticence that you have created in your department to continue?

MS GALLAGHER: I have not created a culture of reticence in the department. I have acted on every single complaint that comes forward around bullying or

harassment in any portfolio area that I am responsible for, and I take them seriously. You come forward and show where I have been given a complaint of bullying or harassment and I have not acted. You come—and it is on your heads to prove that I have not acted.

Members interjecting—

MR SPEAKER: Order! Before we continue, I expect to be able to hear the minister's answer to the question. Mr Hargreaves, do you have a supplementary?

MR HARGREAVES: Thank you very much, Mr Speaker. In the context of workplace bullying, minister, would you like to compare the processes around satisfaction and workplace bullying within your department as opposed to the Liberal Party in this place over the last five years?

Mrs Dunne: Mr Speaker, how many times have I got to take a point of order on this?

MR SPEAKER: The question is out of order.

Mr Hargreaves: Can I have another one, then?

MR SPEAKER: No, you cannot.

Mr Hargreaves: No, a real one—not a supplementary; another one.

MR SPEAKER: Sorry, a question without notice, yes.

Mrs Dunne: Mr Speaker, I ask that you rule in relation to Mr Hargreaves's behaviour. It is vexatious. You have ruled on that question probably six or seven times in the last two or three sitting weeks. Every time Mr Hargreaves attempts to ask a question like this, you have ruled that it is out of order. I think it is time that you ruled he is behaving in a vexatious way. I raise this under standing orders 117 and 118 in relation to asking and answering questions.

Mr Hanson: What do you think about it, John? What do you think about that?

Mr Hargreaves: On the point of order, Mr Speaker.

MR SPEAKER: Order! Mr Hargreaves has the floor on the point of order.

Mr Hargreaves: Mr Speaker, I merely wish, through question time, to draw the parallels between those opposite asking questions about workplace bullying and their own record about workplace bullying. You have ruled me out of order. Mr Speaker, I have accepted your ruling. It is not vexatious. I seek information.

Mrs Dunne: Mr Speaker—

Mr Corbell: What is the point of this, Vicki?

Mrs Dunne: On the point of order, my point is that Mr Hargreaves is being vexatious on this issue and his interposing just then demonstrates my point exactly. You have ruled probably half a dozen times that questions of that order are out of order. For him to continue to ask, or to insist on his right to ask, is vexatious and brings into question your ruling.

Mr Hargreaves: On that point of order, Mr Speaker, I have never, ever challenged your ruling. I have accepted it instantly.

Mr Smyth: You continue to do it.

Mr Hanson: You do. You continue to do it.

Mr Hargreaves: And I will.

MR SPEAKER: Thank you, members. I have indicated that Mr Hargreaves's question is out of order. Mrs Dunne, I am not sure that it is as frequent as you have suggested. I have, however, raised the point with Mr Hargreaves before, but it has been some time, I think. So as I am mindful that supplementary questions should not excessively be used in a tactical way, I will be keeping an eye on it. Now, you want to ask a question without notice, Mr Hargreaves?

Commonwealth public service

MR HARGREAVES: Absolutely, Mr Speaker, and I accept your ruling with alacrity. My question is to the Chief Minister. Can the Chief Minister advise the Assembly of the likely impacts of an Abbott-led coalition policy as detailed yesterday by Mr Hockey and Mr Robb to increase the efficiency dividends applied to the commonwealth public service from 1.25 per cent to two per cent as it applies to the ACT?

MR STANHOPE: I thank Mr Hargreaves for the question. I think there is no more important question as we face the impending election, which is just three days away. We find in the lead-up to that election that we as an Assembly are faced with some very particular issues and some major challenges most particularly should the Liberal party win the election.

We have a stated policy position of the Liberal Party that they will remove \$24 billion from commonwealth outlays, were they to win the election on Saturday. We find yesterday that, not content with previous policy statements in relation to a \$24 billion reduction in outlays and an associated admitted 12,000 reduction in workforce, in order to actually keep pace with the rampant billion-dollar-a-day election pledges that the federal Leader of the Liberal Party is making, they have added an additional billion dollars of cuts to federal government outlays, with a promise to, in fact, increase the efficiency dividend from the current 1.25 per cent to two per cent. Another billion dollars, just like that.

The federal Leader of the Opposition is out making his election promises and his party's position in relation to the coming election, the promises he has made and how

he is going to pay for them, all about cuts essentially to Canberra. That is how they express it—“Oh, we’ll cut \$25 billion from commonwealth government expenditures. We’ll admit that this will impact to the tune of 12,000 jobs within the public sector.” External analysis and modelling reveals that if you cut 12,000 jobs from the public sector, there is a knock-on impact of a further 17,000 jobs in the private sector. So we are talking here about 29,000 jobs before we get to the extra billion dollars that was announced yesterday. We are talking about 30,000 jobs.

So, it is a very reasonable question that Mr Hargreaves asks: what are the implications for this territory in particular? We know of our vulnerability. We know of our particular exposure here in the ACT to major seismic shifts in commonwealth government activity and expenditure. We have the federal Liberal Party promising to take the axe to this town in a way that no government has since John Howard in 1996.

As we reflect on the implications of a Liberal victory, potentially, this Saturday, we Canberrans do need to cast our minds back to 1996 and the implications of the entry into the federal parliament of John Howard and his government at that time. The implications for us were massive. We went into recession as an economy. Our population fell. It is stunning to reflect that, in 1997, the population of the ACT declined as a result of the cuts that were wreaked on the public service and on Canberra. We went into recession. Our population declined. Unemployment increased by 2.3 per cent. There were massive cuts. House prices dropped. There was major trauma within the private sector as people were laid off and enormous impacts on this town, as you can imagine.

To add insult to this, Tony Abbott summed up his attitude to Canberra and Canberrans in responding to questions about where he would live—(*Time expired.*)

MR SPEAKER: Mr Hargreaves, a supplementary question?

MR HARGREAVES: Mr Speaker, my supplementary to the Chief Minister is: would you anticipate any particular sector of the Canberra economy to be significantly impacted by an Abbott-led coalition government?

MR STANHOPE: I thank Mr Hargreaves for the question. It goes to any specific aspect of Canberra or any particular sector. In relation to this particular issue, it is not a particular sector or a particular aspect of the operation of the town; it is every part of the town because of the extent to which the commonwealth as an employer is so dominant. The commonwealth or the government employs half of the people that are employed in the ACT.

It is not just in relation to employment, however. It is in relation to the economic effect or impact of the commonwealth presence in this town that half of state final demand in this town is generated by the commonwealth. That is the extent and the dominance of the commonwealth presence in this place, the national capital—not just on employment but on state final demand, on economic activity, on the flow of dollars through this city. It is inextricably linked.

It is difficult to pick out a particular sector, but we know that there were localised impacts last time. We can go back to 1996. We can go back and look at what happened to this town and specific parts of this town in 1996, when the then incoming Prime Minister kept the promises that he had made in the election campaign. He said that he would take the axe to Canberra, and he did.

The current Leader of the Opposition, the leader of the Liberal Party, has said the same. He has said exactly the same. He will take the axe. Of the massive promises that he has made, unfunded, in this election campaign—he will manage them by taking the axe to Canberra to the tune of a \$25 billion reduction in commonwealth outlays. And he targets Canberra particularly.

It is relevant for us Canberrans to reflect on the ease with which he makes those promises. When we look at his response to questions about whether he would live in the Lodge, we see that he said, “No. I prefer to live amongst ordinary Australians, amongst real people,” essentially—not Canberrans. What an absolute final insult. That sums up his attitude to Canberra and to us Canberrans. We are not ordinary Australians in the view of the Liberal Party. (*Time expired.*)

MS PORTER: A supplementary.

MR SPEAKER: Yes, Ms Porter.

MS PORTER: Thank you, Mr Speaker. Chief Minister, how will Canberra households be impacted by an Abbott-led coalition policy of 12,000 job cuts and a two per cent efficiency dividend imposed on the commonwealth public service?

MR STANHOPE: As I have been indicating, I think it is an issue we all do understand—most particularly, members of this place, including, of course, the Liberal Party. The impact will be massive. It was last time and it will be this time, if Tony Abbott and his colleagues take government.

With respect to the impact on Canberra, we cannot just brush this aside. We do need to be prepared for it, we need to discuss it and we need to understand it. We need to ensure that the people of Canberra understand it. I think one of the disappointing aspects of this relates to Tony Abbott’s party colleagues within this place—namely, Mr Seselja, the leader of the Liberal Party in the ACT, and Mr Brendan Smyth, the deputy leader of the Liberal Party in the ACT. Indeed, we should not ignore altogether, of course, the role of the great procrastinator, Gary Humphries. Gary Humphries sat in the Liberal Party party room, presumably, whilst Mr Abbott developed his policies to take \$25 billion essentially out of this town through cuts to commonwealth government outlays. Gary Humphries is a part of the decision-making process that led to those policy decisions, just as Brendan Smyth was back in 1996.

We see history repeating itself again there, too. The elected Liberal representative in the federal parliament in 1996, who sat in John Howard’s party room and agreed to those devastating cuts to the federal public service, which impacted so grievously on Canberra, was of course the then member for Canberra, Brendan Smyth, who sat in

the party room, who was part of and party to the decisions, who did not stand up for Canberra, and who said, “Oh well, I think it’s okay for the people of Canberra to bear that pain.” Gary Humphries came out I think yesterday and said he agreed with the increase in the efficiency dividend, that he agreed that another billion dollars should be taken out of Canberra. *(Time expired.)*

MR SPEAKER: A supplementary, Mr Seselja?

MR SESELJA: Thank you, Mr Speaker. Chief Minister, have you sought and received an assurance from Julia Gillard that no public servants will face forced redundancies if the Gillard government is returned?

MR STANHOPE: Mr Speaker, I am very pleased to say in the course of the last three years that I could not count the number of times that both I and my colleague the Treasurer, Katy Gallagher, have approached our federal colleagues in relation to—

Members interjecting—

MR STANHOPE: I spoke and met with Julia Gillard just a couple of weeks ago. I meet constantly with the Treasurer, the minister for finance and senior federal ministers, and on every occasion I do not hesitate to take the opportunity to explain to them. What they do every time is respond positively to overtures and representations which I make and which the Treasurer, Katy Gallagher, makes.

In the particular instance they say that they, of course, will work with us. As the record shows, over the last three years—and this is the difficulty and the issue which the Liberal Party in this place have—the federal government—

Members interjecting—

MR SPEAKER: Members, I cannot hear the Chief Minister.

MR STANHOPE: The difficulty the Liberal Party have, of course, to their great enduring embarrassment, is that over the last three years the current Labor government has increased federal public service employment by just over 10,000. There is the interesting number: 10,000 jobs in the public sector that were not there three years ago.

Mr Coe: On a point of order, Mr Speaker, on relevance. The question was: did he receive a guarantee? He still has not addressed that part of the question.

MR SPEAKER: The Chief Minister—

Members interjecting—

MR STANHOPE: There is an interesting equation. There are two issues here which I will conclude on. My federal colleagues have increased the public service by 10,000 in the last three years and you are going to cut 12,000. You are going to take away the 10,000 and then add 2,000 on top of it. The second point is that Brendan Smyth was

there in 1996 and was too gutless to stand up and say anything. Today Gary Humphries is similarly too gutless to stand up—

Members interjecting—

MR SPEAKER: Thank you, members. Let us restore some decorum. Ms Le Couteur, you have a question without notice.

Land—Yarralumla brickworks

MS LE COUTEUR: My question is to the Minister for Land and Property Services and concerns the Yarralumla brickworks and the proposed associated development. Minister, why did you instruct the LDA that funding for brickworks heritage restoration must come from the proceeds of new development in Yarralumla?

Mr Hargreaves: Are you going to pay for it?

Mr Smyth: There was a ban on the brickworks for nine years and Simon Corbell—

MR SPEAKER: Let us hear from the minister first.

MR STANHOPE: Thank you very much, Mr Speaker, and I thank Ms Le Couteur for the question. I have to say—though to be honest I will always check it, having been asked—that I cannot recall that I have given the LDA any such direction. In fact, I am not sure that I have given the LDA any directions in relation to the Canberra brickworks, other than through an exhausting, objective, transparent and inclusive consultation process—engaging through that process a number of leading architects, expert consultants, designers and heritage professionals—to work with them to develop some proposals for the preservation and protection of the Yarralumla brickworks as, indeed, one of the most significant heritage sites in Canberra and Australia and to develop proposals through a detailed community consultative process.

Through that process the consultants have come up with four essential models, the basest of them being, as you would have noticed, Ms Le Couteur, that we simply expend \$7 million on restoring the fabric and essentially lock the gate. That is option 1. That particular option would not require the sale of any land. It might be that, at the end of the day, the option, if accepted, is that we do that; we simply accept our responsibility to ensure that the building does not fall down, spend an anticipated \$7 million that would be required to achieve that and lock the gate. That is option 1.

To suggest that, in order to achieve that option, we are going to sell land and that this is some grab for cash and this is all about associated development, in the context of developing any of the value-added responses, three additional options have been proposed. Through those three additional options, there would be a significant capital investment. I understand that option 4, the most expansive, would require in the order of just under \$100 million of investment.

I would suggest that—and this would be my position; I am sure I have not instructed the LDA to this effect—if through this process option 4, the \$100 million option, were

accepted, it would be difficult for the government to just budget fund \$100 million. If there were options for associated development, why would one not seek to cover the cost of that \$100 million investment in the Yarralumla brickworks and environs through associated revenues that could be achieved through a genuine, broad-scale, community-minded, generally accepted, adaptive reuse?

The issue of how to protect, preserve and use heritage such as the brickworks is a major challenge for the community. It is a challenge which this community took on and accepted in relation to the powerhouse, with the establishment of the glassworks. I have to say that the up-front injection of \$11 million to \$12 million there was budget funded. But I do hope over time, as a long-term investment, the glassworks will generate a revenue. I believe, in the context of Treasury, tourism and other issues, it is a conversation worth having.

But to suggest, Ms Le Couteur, as your question poses, I have given some direction, I do not believe it is the case. But because you have raised it, I will check the nature of my instructions in relation to the review that is currently in place.

MR SPEAKER: Supplementary question, Ms Le Couteur?

MS LE COUTEUR: Thank you, Mr Speaker. Minister, the LDA on its website has said that it is seeking to establish if the brickworks and environs project could be cost neutral. Does that mean that all the proceeds from any new development in Yarralumla would be spent on the brickworks?

MR STANHOPE: I think that does better explain the nature of the process that is being pursued rather than, as was presumed in your opening question, me giving a direction. I think it is a reasonable question to ask, depending on the options that are pursued.

It depends so much on the outcome of the consultation and the option that is ultimately chosen. If, through the consultation, the community feedback and the reaction of people in this place, the level of political and community will is for a redevelopment of the site, there will be a determination by the government of the option that we will pursue.

But in response to your question, again, it is just so hypothetical that it is difficult for me to answer. I go back to the first option. The first option proposes spending \$7 million to ensure appropriate heritage protection. It might be that that is all we do, in which case the question you ask really does not arise. It might be that we will end up spending just \$7 million and we will fix the buildings up so that they are there in perpetuity but with no particular purpose or adaptive re-use.

My hope and desire is that, through this process and with the support of people in this place and the community, we will find an appropriate level of re-use that gives the brickworks a continuing life at the heart of this city. That is my hope. I think that the proposals that are put up give us plenty of food for thought. My instinct is to support a fairly expansive future use for the brickworks, but I would expect that, depending on which of those options we accept—once again, if we were to accept option 4 in its

entirety, then revenues from land sales would far exceed the \$100 million that we would expend on the brickworks.

MR COE: A supplementary.

MR SPEAKER: Yes, Mr Coe.

MR COE: Chief Minister, do you think it is a good rule of thumb to link the future of heritage sites to neighbouring land development projects?

MR STANHOPE: I think it is a good rule of thumb in government, whenever we look to protect and use a heritage asset, that we look to the most appropriate adaptive re-use that we can provide or find for that heritage asset. We have done it with the Kingston powerhouse in relation to the establishment of—

Mr Coe: It is an adjacent block, though, Jon. It is adjacent; it is not the same area.

MR STANHOPE: We should always seek to do that. We have done it with the powerhouse.

Mr Coe: It is not re-use, though.

MR SPEAKER: Mr Coe!

Mr Coe: It is separate.

MR SPEAKER: Mr Coe, you will get a chance in a moment.

MR STANHOPE: No, with the powerhouse, we have actually established a glassworks in it. We are adaptively re-using it. We are not using it as a coal-fired powerhouse. We are using it as a glassworks. We have found another use for a coal-fired powerhouse. We are not going to begin remaking bricks, Mr Coe. We are not going to reopen the brickworks as a brickworks. We are looking at the possibility of adaptively re-using it for other purposes so that we can justify a certain or an optimum level of expenditure and so that the place can be an adornment to the life of the city in any creative way that we can think of or imagine or afford. In the context of that site and the capacity for development, of course, I think it would be absurd to think about a future adaptive re-use of the Canberra—

Mr Coe: It is a separate site, though, Jon.

MR STANHOPE: Well, we are going to integrate it. We are all into integrating our development. It would be a nonsense to think about investing massively, say to the tune of \$100 million, in the Yarralumla brickworks, the Canberra brickworks, without looking at how we might utilise the large areas of land that surround it.

MR SPEAKER: A supplementary question, Ms Hunter?

MS HUNTER: Yes. Minister, why have the brickworks been allowed to deteriorate so rapidly? Will you allow this deterioration to continue while the development plans are finalised?

MR STANHOPE: The deterioration of the brickworks—the fabric? My advice in relation to that is that the actual fabric of the brickworks is stable. They are not actually suffering any deterioration at this point that would represent a concern in relation to the need to rush in and do work now.

Certainly, we accept that it is time for us to make longer-term decisions. We have actually funded and completed a conservation management plan. In the context of the conservation management plan that has been concluded over the last year, of course, it will be very relevant to decisions that are taken into the future.

To suggest or actually raise the spectre that we need to undertake urgent works—immediately, at this time—is not consistent with advice that I have received in relation to the structure. But certainly, going forward, subject to decisions that we make, we will ensure that we invest absolutely in the future preservation. There is work to be done but as I am advised it is not something that we need to do today. It certainly is on the horizon; hence, all the work that we are doing.

Canberra Hospital—pay parking

MR COE: My question is to the Minister for Health. Minister, I refer to an article in the *Canberra Times* of 11 July 2010 entitled “Parking chaos hits hospital”. The article states:

She—

that is you, minister—

ruled out pay parking but said the Government might need to reconsider it after the new car parks are built “even though it will be politically inconvenient to do it.”

Minister, how long will parking at the Canberra Hospital remain chaotic, and when will the government tell the Canberra Hospital staff, patients and visitors when and if pay parking will be introduced?

MS GALLAGHER: The construction of the southern car park is going very well. It will be due for completion, as far as I know—apart from the wet weather we have had this week, which might change it a little—on time. It is hoped that 600 car parks will be available for use in the lower storeys of the car park towards the end of November this year.

I have to say, enormous effort has gone into managing the car parking requirements at the Canberra Hospital whilst we build the new car park. That has included a range of different measures being put in place for staff. I have not had any complaints from patients and visitors visiting the hospital, which shows, I think, that we have got the visitor and patient car parking probably pretty right. In fact, I think using the Yamba Street car park for visitors has improved access to the hospital for visitors.

Mr Hanson: The number of nurses that are angry at you.

MS GALLAGHER: Thank you, Mr Speaker. In relation to staff parking, I think for morning staff the car parking arrangements are going very well.

Mr Hanson: You reckon?

MS GALLAGHER: They have access to good amounts of car parking, and the evening staff as well. The issues—

Mr Hanson: Have you tried? Have you spoken to the staff?

MR SPEAKER: Mr Hanson, you will have a chance in a moment.

MS GALLAGHER: The issues with where pressure has come on the hospital has been for those people working unusual shift arrangements. We have been working individually with those people—

Mr Coe: That happens in hospitals.

Mr Hanson: Nurses never do that, do they?

MR SPEAKER: Members, please!

MS GALLAGHER: Mr Speaker, you know, honestly, you try to—

MR SPEAKER: Ms Gallagher, just answer the question.

MS GALLAGHER: You come to question time and you just get the constant interjections from the arrogance of Mr Hanson. It is unacceptable, the behaviour of the opposition in question time. The staff—

Mr Hanson: I'd be embarrassed about it too, Katy.

MS GALLAGHER: Every single time I open my mouth, they interject. Considering I am getting every question from the opposition, I think it is pretty—well, I will leave it there. We will see if you can manage until the end of question time by allowing me to finish answering the questions you ask me. Pay me the courtesy to allow me to do that.

The pressure for staff car parking—I have spent a number of hours walking the car parks with staff—has been for those staff that start after 8 o'clock in the morning. There are not large numbers that start after 8 o'clock; most nurses are on site by 7 am. So it is those who work unusual shift arrangements, Mr Coe, those who start after 8 and work shorter days that finish up around 2. That is where the pressure has come. We have worked with those staff to look at solutions.

The other area is for those nurses who might work a 12-hour shift—they start at lunch time and they finish at 1.30 in the morning. What did we do? We responded, and our arrangements were flexible enough to extend the shuttle bus services and to extend the

security services. Instead of the shuttle bus finishing at 7 o'clock in the evening, it ran until 2 o'clock in the morning or 2.30 in the morning so that, individually, nurses and staff at the hospital could be ferried back to their cars to address some of the security concerns.

Mr Hanson: Didn't you ask about pay parking?

MS GALLAGHER: I see the challenge I threw out before lasted about one minute. The issue with pay parking—

Mr Hanson: What about pay parking, Katy?

MR SPEAKER: Mr Hanson!

Mr Hanson: Well, she wouldn't have got to the answer, otherwise.

MR SPEAKER: Mr Hanson, you are now warned. I have asked you a number of times. You keep interjecting, even over the top of my attempts to let Ms Gallagher be heard. Ms Gallagher.

MS GALLAGHER: As to the issue with pay parking, it is not the government's intention to introduce pay parking, but as we have seen with the new parking arrangements at Canberra Hospital, it is something that we will monitor, depending on use by non-hospital staff at the Canberra Hospital site.

MR SPEAKER: Mr Coe, on a supplementary question.

MR COE: Minister, what lessons have you learned from your failed efforts to introduce pay parking as part of the 2006-07 budget?

MS GALLAGHER: I think the idea to have pay parking at the hospital is not an unreasonable one. By far the majority of hospitals around the country have implemented pay parking. The issue with the pay parking when we introduced it was that people were unhappy about not having a system where they could pay for the amount of time they were there. There was not necessarily objection to pay parking; it was the fact that it was a flat rate and people wanted to pay for the parking time that they used.

Because of the layout of the different car parks at the hospital, that was not able to be introduced at the time. The multistorey car park does afford us the capacity to have a system like that in place. This government has not formed a view on that at all, but it is something that we will watch. For example, we opened a car park just near CIT, between CIT and the Canberra Hospital site, for the morning staff, and we learned very quickly that non-hospital staff from adjoining centres such as Woden were using that car park. Obviously if we build a multistorey car park at the Canberra Hospital and there is an issue with non-hospital visitors and non-hospital staff and people engaged in non-hospital related activity using that car park, then pay parking is something that this government will have to look at.

MR SPEAKER: A supplementary, Mr Smyth?

MR SMYTH: Thank you, Mr Speaker. Minister, has the government estimated the revenue that it would earn through the reintroduction of hospital pay parking and is this money included in the budget estimates?

MS GALLAGHER: No, it is not.

MR SPEAKER: A supplementary, Ms Le Couteur?

MS LE COUTEUR: Thank you, Mr Speaker. Minister, you mentioned security concerns as a reason for the shuttle bus. Could you tell us more about what those concerns are and what you are doing to address them?

MS GALLAGHER: The concerns that were raised with me by some nursing staff were about leaving the hospital between 9 pm and midnight, but even earlier during winter nights, and having to walk a further distance than they had in the past to their cars and feeling vulnerable about that, mainly due to lighting and distance. Those were probably the two issues. I think it was just about general moving around that precinct at evening time, regardless of how far away the car parks were, and just feeling that there were not any options, that the security guards did not necessarily have the capacity or the resources to go with them to their cars or that they could walk with other staff to their cars. We extended the shuttle bus and, indeed, we negotiated with the security guards around their ability to leave the campus to take nurses to their cars if they needed to whilst the new parking arrangements were being constructed.

I think there have been some concerns from Garran residents about people parking in the streets, which we have been trying to monitor every day as well. I think on the large part that has worked very well. People have been very good around Gilmore Crescent, just outside the school. I think the parking staff at the hospital are working very hard to make sure that they are covering off everyone's concerns, but I accept that there is still pressure, particularly for those staff that are working outside the core shift arrangements at the hospital. Every letter of issue I get raised with me we individually follow up.

Hospitals—obstetrics units

MR HANSON: My question is to the Minister for Health and relates to *A review of service delivery and clinical outcomes at public maternity units in the Australian Capital Territory*. It found:

On-call registrars are expected to cover the Labour and Delivery unit as well as the Birth Centre, the acute gynaecology presentations and some clinics or operating theatre lists. This creates a potential clinical risk for a patient who requires urgent attention.

Minister, what potential clinical risks are being faced by patients who require urgent medical attention and what have you done to address the clinical risks identified by the report?

MS GALLAGHER: I think the clinical risk that the report goes to there is around workloads for those doctors. So we have increased the resources in this area.

MR SPEAKER: Supplementary question, Mr Hanson?

MR HANSON: Minister, why did it take a damning review into this unit before you became aware of potential clinical risks to patients?

MS GALLAGHER: The way that we have monitored clinical risks across the hospital has been through the data that is submitted every six months against reports of performance at the hospital. As I said in this chamber last night, on any independent measure of the clinical outcomes at the maternity service, in 17 of 18 indicators it meets or exceeds every single indicator. I think the review points to the fact that workloads needed to be addressed in order to avoid clinical risk to patients due to heavy workloads of staff. We have addressed that, but in terms of clinical outcomes, that unit maintains the best outcomes across the territory.

MR SPEAKER: A supplementary question, Mr Hargreaves?

MR HARGREAVES: Thank you very much, Mr Speaker. In the interests of comparison around clinical risk, with the exception of the maternity provision, what other medical disciplines in the hospital are there that have their clinical risk addressed?

MS GALLAGHER: Any hospital monitors risk to patient safety. We have established the patient safety and quality unit at the hospital specifically for that purpose. We have very rigorous audit processes. We have the clinical audit committee. We have the clinical privileges committee. We have the clinical review committee. All adverse incidents at the hospital will go through a very rigorous process of analysis from senior clinicians who agree to sit on those committees.

Also, if there are clinical concerns from staff, they can be raised through these committees and be addressed. That may be about an individual's own clinical performance or some of the risks due to workload. These are monitored through Riskman, which has actually won a number of awards around the country for the processes that are available for staff at the hospital to identify and record risks, whether it be to OH&S, whether it be to patients, whether it be to their own individual situation.

I think the work that has been put in, particularly since the neurosurgery cases at the hospital and the reviews that came out of that and the processes that have been established, has been very rigorous to ensure that if there are clinical risks to patients, they are picked up early and they are addressed early. I am very confident that the systems at Canberra Hospital meet those challenges.

MR SPEAKER: Mr Seselja, a supplementary?

MR SESELJA: Thank you, Mr Speaker. Minister, how will you ensure that the systems you put in place will ensure that you are made aware of staffing procedures

that lead to potential clinical risks, so that we do not have more damning reports as we have seen recently?

MS GALLAGHER: I thank Mr Seselja for the question. I think if there are lessons to be learnt through the obstetrics review, they are around ensuring—and I think ACT Health has learnt this through the series of events that have occurred since February—the monitoring of workplace satisfaction and being very early to respond to any concerns that may arise at the workplace at that immediate level. There is a lot of effort going in to improve processes in ACT Health, not just in maternity but across the board, to make sure that if there are issues they are picked up early and responded to. We do have a pretty good system of matching up increases in activity with necessary increases in staffing, but it is always a juggling act with the health budget. You can always do more. You can always pour in more money. So there is, I guess, a process of prioritising as well, and we just make those decisions year by year about where the best use of that money is. Indeed, in November last year, we did recognise that there needed to be some extra staffing in this unit, and that was actioned very quickly.

Hospitals—ambulance bypasses

MR SMYTH: Mr Speaker, my question is to the Minister for Health. Have ambulances been required to bypass either Canberra Hospital or Calvary hospital at any stage over the past three months? If so, how often have ambulances had to bypass these hospitals?

MS GALLAGHER: I thank Mr Smyth for the question. You are not getting your daily bypass figures any longer? Mr Smyth used to get the bypass figures before me. We never did work out who was providing them to him, but obviously that person has moved on.

Mr Smyth: You are assuming that; you do not know what I know now.

MS GALLAGHER: It was always one of those ones where we scratched our heads—

Mr Coe interjecting—

MS GALLAGHER: Mr Smyth had his media release out before the data came across my desk, but we never did find out who that was. We might have to go and match it up.

Mr Smyth: And you never shall.

MS GALLAGHER: Fair enough. I must say that I did have to let that one go and just accept that you would be the first receiver of that knowledge and it was not really a huge catastrophe. Mr Smyth, I am very happy to provide you with that information. There have been occurrences of bypass, definitely in the last three months—certainly nowhere near the levels of when you were revelling in the figures, but there certainly has been on occasion a period of usually two hours. It has not been very often, but I will find that information out.

MR SPEAKER: A supplementary, Mr Smyth?

MR SMYTH: Yes, thank you, Mr Speaker. Minister, have patients who have recently presented at the Canberra Hospital emergency department been told that they could not be treated and to seek treatment elsewhere?

MS GALLAGHER: No, they have not. I understand that on Saturday, following the bridge collapse, a number of the workers were taken to Canberra Hospital for presentation. They arrived at Canberra Hospital at about four o'clock in the afternoon. There were a number of category 5 patients who nurses spoke to. They said that there were alternative options for them, that there would be a long wait because of the arrival of these construction workers. They said that for category 5 patients there would be a significant wait and that there were other options, such as CALMS, and the walk-in clinic, should they wish to attend, otherwise of course they were very happy for them to stay. They were just advised that there was a wait. Nobody was turned away. On that day the emergency department dealt with 173 presentations, which, on top of the collapse, was a very busy day anyway. Certainly nobody would be turned away from the hospital.

Housing—older persons

MS PORTER: My question is to the Minister for Ageing. Can the minister inform the Assembly about the progress in the development of the stimulus funded older persons' accommodation?

MS BURCH: I thank Ms Porter for her question, and I note her longstanding interest in public housing. Consistent with the ACT affordable housing action plan phase 2, Housing ACT is expanding its property redevelopment program by providing more appropriate housing for older tenants. Housing ACT is increasing the supply and diversity of affordable housing for older Canberrans and is exploring partnership opportunities with community care providers for the flexible provision of support and care services to its ageing tenant population.

Housing ACT is building a total of 297 mainly two-bedroom homes, with a small number of three-bedroom homes, on community facilities land for older public housing tenants. The eight community facility sites are Conder, Macquarie, Curtin, Kambah, Bonython, Chapman, Florey and Rivett. Information sessions were held on the use of the community facility land for supportive housing. The sessions were well attended and positive, and useful feedback was provided. That feedback is being taken into account in the layout and design of the dwellings at these sites. Construction has commenced at all eight sites, with a total construction value of \$60 million. This construction has helped the ACT economy and kept people in jobs. The flow-on effects from people staying in work has helped the entire ACT community.

The first site in Macquarie, with some 13 homes, is completed and is currently being allocated. Applications for the second site in Curtin are currently being assessed. The homes will progressively be handed over from October this year through to the middle of next year. I was thinking of inviting Mr Smyth to come to the opening of one these

great houses in his electorate, or Mr Doszpot, as the ACT Liberals have obviously back flipped on their position on the stimulus funds. I am increasingly calling it the Trinity twist. But, somehow, I do not think he will turn up, because the ACT Liberals hate public housing. That is why you never hear a peep from them on public housing. They hate it, and they are ashamed of their record. Understandably so—let us look at the record. Labor builds; the Liberals destroy. Brendan Smyth ripped 1,000 properties out of our public housing stock when he was in charge—1,000 families left out in the cold thanks to Brendan Smyth.

This question is about progress in development. Let me tell you about our progress: it has taken Labor many years to repair the damage done by Brendan Smyth and the Liberals—1,000 properties gone thanks to Mr Smyth. I will finish by saying the federal stimulus money was an excellent economic strategy, and this Labor government is using the money to build hundreds of roofs over the heads of needy Canberrans, above and beyond our targets.

Mr Hargreaves: On a point of order, Mr Speaker: the place sounds like a pub.

MR SPEAKER: Order! Ms Burch, have you finished?

MS BURCH: I have, Mr Speaker.

MR SPEAKER: Order! Ms Porter has the floor to ask a supplementary question.

MS PORTER: Thank you, Mr Speaker. Minister, how will these housing developments benefit older Canberrans and families currently on the waiting lists?

MS BURCH: The homes that will be built on these sites are located close to shops, to pharmacies, to doctors, to bus stops and to major transport links. The land is available because the ACT government has provided land to Housing ACT at no cost.

The land provided is currently valued at over \$30 million and it is located within existing suburbs. It will help our older Canberrans age in place. Most of the residents who will be living in these properties have brought up their families in and around these suburbs.

The construction of these older persons units will enable people currently residing in public housing that are now in excess of their needs to move into brand new, centrally located units. When they vacate their existing houses, homeless families in well established suburbs will be able to be accommodated. The properties that older clients vacate will be utilised to accommodate clients waiting on our application list.

These stimulus-funded older persons developments are a triple win for Canberra. Firstly, they provide much needed quality modern accommodation for older people. Secondly, when other economies were failing and unemployment was increasing, the stimulus package protected valuable building and construction jobs. Thirdly, as older people move into these excellent properties, we will free up larger homes that will be allocated to the families on our priority and high need waiting list.

Despite their yabbering over there, the Liberal opposition really cannot say much because they opposed the stimulus funding. So I would say to Canberrans that if left to the Liberals there would not be over 400 older Canberrans being supported and interested in older persons accommodation. We would not have over 420 accommodation units coming into our stock.

MR HARGREAVES: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Hargreaves.

MR HARGREAVES: Thank you, Mr Speaker. Notwithstanding the self-interest of those opposite, could the minister inform the Assembly of the level of interest shown by older Housing ACT tenants in taking up these new properties?

MS BURCH: I thank Mr Hargreaves for his ongoing interest in Housing ACT. Indeed, the requests for registration of interest were sent to Housing ACT tenants who wanted to be considered for allocation and who met the age profile and were over their bedroom allocation in their present dwelling.

Housing ACT received over 400 expressions of interest. All clients who are not successful for their first preference will be considered for their other choices. Housing ACT will be working very closely with those who registered their interest but are not part of the key target group. This includes clients who have other needs such as physical mobility concerns or who need to be closer to major health services.

This week, we saw 50 of Australia's leading academics sign their name to an open letter commending the Labor government for the stimulus strategy, including the money for public infrastructure. These aged person units are concrete proof of the benefits of this money.

Let me finish by noting the words of the former World Bank chief economist who said that the Australian stimulus was the "best designed stimulus program in the world and you should be happy that in fact it worked in exactly the way it was designed to work".

MR COE: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Coe.

MR COE: Minister, you referred to a couple of developments that have been finished. On what date were they handed over from the developer to Housing ACT and when will the tenants move in?

MS BURCH: The completed homes I refer to were in Macquarie and Curtin. The Macquarie applications are being assessed and letters will go out to those who are deemed suitable and acceptable. They have been given an offer. We have to wait for them to come back and say whether they accept that offer. They could change their mind. We will work with those between when they receive the letters and through to the middle of next year.

I can get back to you on the exact date on the calendar with a red circle around the handover, but I think the important thing here is that 297 older tenants—that is, those aged 65 and older—that are living in properties excess to their needs can be accommodated. The benefit of that is that those 297 properties—those larger, two, three or four-bedroom properties—will then be offered to other families, families in the ACT that are currently sitting on the priority and the high needs housing list. So that is 297 families that this project will help directly.

Hospitals—obstetric units

MR DOSZPOT: My question is to the Minister for Health and relates to *A review of service delivery and clinical outcomes at public maternity units in the Australian Capital Territory*. It found:

This increasing workload, within a fixed staff establishment, has placed unreasonable pressure on midwifery staff in particular. Staff report serious impacts on safe working conditions.

Minister, how has the situation developed under your management that unreasonable pressure is placed on midwives and safe working conditions have been seriously impacted?

MS GALLAGHER: As I said earlier this week in question time, the number of births at Canberra Hospital over the last five years has moved up and moved down and stayed stable for about three years. But since about—

Mr Hanson: It moved up, it moved down, it stayed stable. That is pretty good.

MS GALLAGHER: It did. It went from 2,000. It declined slightly the following year and after that it went back to just over 2,000 a year. Since 2006-07, there has been a steady increase in birth numbers at the Canberra Hospital.

I was alerted by the hospital to the workload pressures in November last year and we started immediately working on a budget response to that, which resulted in \$8.6 million in this year's budget being put in to supplement what looks to be a sustained level of birth activity at the Canberra Hospital, which is about 2,600 births a year.

We will continue to talk with Calvary around uncapping the public births that they have at Calvary, which, according to staff at the Canberra Hospital, has put additional pressure on them as well. We are continuing to do that.

The workload pressures were identified to me in November and we responded immediately.

MR SPEAKER: Mr Doszpot, a supplementary question?

MR DOSZPOT: Minister, isn't this another example of another total failure of your ability to manage your portfolio and provide a safe and reasonable work culture?

MS GALLAGHER: No. The answer, as I provided earlier, was that I was alerted to workload pressures in November last year. I responded immediately. Prior to increased budget appropriation, I required the hospital to advertise for extra doctors for that unit. That started in November. Indeed, when you look back at what has occurred, it started off the subsequent events that have occurred since then. It is the recruiting that I put in place in November last year that resulted in the doctors writing to me in around November last year about their hope to work at the Canberra Hospital. It was me responding to workload pressures that started this thing off.

Mr Seselja: So you fixed it.

MS GALLAGHER: I did.

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

Supplementary questions to questions without notice

MR SMYTH (Brindabella) (3.13): Mr Speaker, I seek your guidance. Mrs Dunne during question time asked whether it was appropriate for—

MR SPEAKER: This is today?

MR SMYTH: Mrs Dunne asked whether it was appropriate for Mr Hargreaves to ask spurious supplementary questions as a way of diverting and deflecting the attack. My recollection, and perhaps we could all check the *Hansard*, is that you said that it had not occurred that often. I note that it has happened three times in the last three sitting weeks, so it is continuous. On 23 June you ruled a supplementary out of order, on 29 June you ruled a supplementary out of order and you did so again today. And they are only the ones I have been able to find. I would ask your guidance as to what the tolerance of the chair is and how many times a question has to be ruled out of order before one gets warned for such behaviour.

MR SPEAKER: Thank you, Mr Smyth, for the question. As you might appreciate, there is no objective test on this. It is clearly a question of judgement. I think your research has indicated it is perhaps more frequent than my memory recalls. I suspect the winter recess has contributed to my sense that it has been a while but I appreciate your bringing the matter to my attention.

Aboriginal and Torres Strait Islander Elected Body Paper and statement by minister

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for the Arts and Heritage) (3.14): Mr Speaker, for the information of members I present the following paper:

Government response to a report on the outcomes of the Aboriginal and Torres Strait Islander Elected Body Estimates Hearing 2008-09 which was presented to the Assembly on 25 February 2010.

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

Leave granted.

MR STANHOPE: I am pleased to table the ACT government response to the report on the outcomes of the Aboriginal and Torres Strait Islander Elected Body Estimates Hearing. At my suggestion on 19 August 2009, the elected body, with the full support of the government, conducted a hearing process in a manner similar to budget estimates. Chief executives were called to present evidence supporting their agency's spending and decision making.

On 25 February 2010 I tabled the elected body's report on the outcomes of hearings. The elected body's recommendations reflect Aboriginal and Torres Strait Islander perspectives on access, quality and performance of the services delivered by the ACT government. These estimates hearings were an historic moment for Aboriginal and Torres Strait Islander Affairs in the ACT, if not Australia. For the first time, sanctioned by legislation, Aboriginal or Torres Strait Islander elected representatives had an opportunity to directly question those delivering services, holding the government and its agencies to account.

Since the inaugural election in 2008, elected body representatives have been called upon to provide advice on a range of existing and emerging policy issues. Beyond consultation alone, the elected body is mandated to drive reform. The estimates hearings were designed to bring to life the aspirations and experiences of Aboriginal and Torres Strait Islander people living in the ACT. The discussions, similar to any estimates committee, were robust and the questioning of senior officials direct.

The report contains recommendations for improvements to service provision for the Aboriginal and Torres Strait Islander community and focuses on six key issues: improved collection and management of Aboriginal and Torres Strait Islander data; a whole-of-government Aboriginal and Torres Strait Islander recruitment, retention and development strategy; better information about, and promotion of, ACT government services to Aboriginal and Torres Strait Islanders; improved support for Aboriginal and Torres Strait Islander students during their transition to high school and beyond to maintain literacy and numeracy achievements; an increased number of Aboriginal and Torres Strait Islander liaison officers in the Canberra Hospital; and recurrent funding for the Aboriginal and Torres Strait Islander support worker at the Women's Legal Service.

I am pleased to release the ACT government's response, which honours this government's commitment to fully engage in and respond to the circumstances of Aboriginal and Torres Strait Islander people. The government is committed to ensuring that all agencies fully and effectively support the elected body and will instigate a new approach to build the work of the elected body into government processes, ensuring Aboriginal and Torres Strait Islander people are involved in decision making at the highest level.

Senior officials will be identified within each department, to seek advice from, to inform and to work in partnership with elected body representatives with aligned

portfolio responsibilities. The chair of the elected body will continue to interact directly with ministers and chief executives at their discretion. The recent budget provides funding for an Indigenous liaison officer at the Women's Legal Centre. Delivery on the commitments outlined in this report is also an important aspect of the government's agenda and these agreed actions will become the point of reference for future reports to the elected body and to me.

A good deal of work has occurred over the last three months, as reflected in the timelines in the government's response. Productive consultation continues to occur with relevant members of the body. I note for example that members have already received a copy of the ACT contribution to the national Indigenous Expenditure Report.

Mr Assistant Speaker, we are all committed to equitable and quality service delivery across government and through partnerships between government and community, and I am confident the elected body will continue to work tirelessly to improve outcomes for Aboriginal and Torres Strait Islander people in the ACT.

Namadgi national park plan of management Paper and statement by minister

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for the Arts and Heritage): For the information of members, I present the following paper:

Namadgi National Park Plan of Management.

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

Leave granted.

MR STANHOPE: The Namadgi national park plan of management has been prepared in accordance with part 10.4 of the Planning and Development Act 2007. The plan is the culmination of many years work and I am pleased to be able to present the final plan to the Assembly today. Namadgi national park is the largest conservation reserve in the ACT, covering 46 per cent of the territory.

The park includes the rugged mountain ranges and broad grassy valleys in the western and southern parts of the ACT. It is part of the network of reserved areas known as the Australian Alps national parks, which covers 1.6 million hectares stretching from the Brindabella Range here in the ACT through the Snowy Mountains in New South Wales and along the Great Dividing Range in Victoria. Australia has little of this kind of alpine and subalpine landscape.

Namadgi national park is extremely important to the ACT for many reasons, not the least being its vital role in protecting the Cotter River catchment, which provides much of Canberra's drinking water. The park is also important for protecting a

diversity of ecosystems that provide refuge for plants and animals. More than 700 plant species, 200 vertebrate animals, 170 bird species, 41 reptile species and four native fish have been recorded there.

Namadgi has a rich heritage in our history. There is extensive evidence of Aboriginal use of the land, including quarry sites, ceremonial stone arrangements and rock art, and there are remnants of homesteads, huts and fences from early pastoral settlers. Namadgi is also valued as a destination for a range of sympathetic recreational activities including bushwalking, camping and rock climbing.

The Namadgi national park plan of management sets out objectives, policies and actions which aim to protect Namadgi's values. The plan introduces a zoning system for the park, which is based on key values such as wilderness, water supply, biodiversity, cultural heritage and scenic quality. The zoning system provides a graduation from remote areas which protect the wilderness and water catchment areas where access is restricted to ensure that Canberra's water is appropriately protected, and more accessible areas where there are more developed recreational facilities.

Three primary management zones are specified. Zone 1, on the western side of the park, has a focus on remote areas, which have a higher biodiversity value and include the Bimberi wilderness, the middle Cotter catchment and parts of the lower Cotter catchment. Recreation in this zone is limited to low-impact activities. The focus of zone 2 is on semi-remote areas which are mainly found in the eastern and southern parts of Namadgi. The biodiversity value of this zone is also very high with areas such as the Mount Tennant/Blue Gum areas having an unusual and rich assemblage of species.

The wild semi-remote areas of Booth Range and Blue Gum Creek do not contain public roads. The broad open grassy valleys of the Orroral, Gudgenby, Boboyan and Naas rivers include a high density of Aboriginal and European cultural heritage sites and only low-key recreational pursuits will be permitted in zone 2. Zone 3 covers road corridors and visitor service roads. It also includes the lower Cotter catchment, which has a network of minor roads which were built when the area was previously managed as a pine plantation.

Conservation and biodiversity is a central focus of the Namadgi management plan and, as I mentioned earlier, a large number of plant, animal, bird, fish and reptile species have been recorded there. Fifteen species are listed as threatened under the Nature Conservation Act including the Brindabella midge orchid, the northern corroboree frog, the two-spined blackfish and the spotted-tailed quoll.

Three vegetation communities have also been identified as requiring special protection and management, including the natural temperate grasslands of the southern tablelands, montane and subalpine bog communities, and black cypress pine.

Cultural heritage is also a focus in the plan. Humans have been part of the ecosystems that comprise the present Namadgi national park for over 20,000 years. Numerous Aboriginal sites have been recorded and evidence of low intensity land uses from the nineteenth and early 20th century are found throughout the park. The plan outlines policies and actions which aim to identify, protect, manage and interpret these values.

Fire is addressed in the plan. Fire management of the park aims to integrate fire protection, water supply and conservation objectives and to create a mosaic of areas across the park with differing fire histories, vegetation ages and fuel loads. Details are set out in the regional fire management plans, which have been prepared under the framework of the strategic bushfire management plan for the ACT.

Recreational use of the park is one of the key management issues extensively addressed in chapter 8. The plan commits the land managers, the Department of Territory and Municipal Services, to preparing a policy document to guide the assessment of applications for events within the park. This will cover events of different types and sizes and will take into account the need to protect natural and cultural heritage values.

There has been substantial consultation in the development of the Namadgi national park plan of management. The Department of Territory and Municipal Services has released a discussion paper, held numerous workshops and meetings and liaised with neighbours and other key stakeholders, including the Natural Resource Management Advisory Committee.

A draft plan was released for public comment in 2005. The draft plan was referred to the Standing Committee on Planning and Environment in 2008, and the government's response to the committee recommendations was tabled in the Assembly on 6 May this year. The government agreed to a majority of the committee's 22 recommendations and these have been incorporated into the plan.

Four of the committee's recommendations related to the Interim Namadgi Advisory Board, which had previously operated to provide advice on issues associated with the park. The government agreed with the committee's recommendations that the future role of board be finalised, and the government has committed to holding a meeting with former members of the board to discuss the creation of a permanent board of management for the park. This meeting will follow individual discussions with signatories of the *2001 Agreement between the territory and the ACT native title claimants*.

As a disallowable instrument, the Namadgi national park plan of management does not come into effect until late September 2010, as the Planning and Development Act requires a disallowance period of six sitting days after presentation to the Assembly. However, in order that members of the public have access to plan, I have asked that it be made available on the Department of Territory and Municipal Services website from today.

Printed copies of the plan will be widely distributed, including through ACT government shopfronts, libraries and from the Namadgi and Tidbinbilla visitor centres. Every effort will be made to provide a copy of the final plan to all of those individuals and organisations that provided comment on the draft plan of management.

ACT residents are privileged to have Namadgi national park providing a wonderful scenic backdrop for the national capital and are privileged to have access to such a

biodiverse and beautiful place. Namadgi national park makes a significant contribution to what makes Canberra special. It is my pleasure to present the Namadgi national park plan of management to the Assembly, and I move:

That the Assembly take note of the paper.

MR RATTENBURY (Molonglo) (3.25): I would like to take the opportunity to speak briefly to the tabling of the Namadgi management plan. Firstly, I would like to welcome the plan. It has been a long time coming, perhaps a little too long in fact. The draft management plan was first released in 2005, the revised draft management plan in 2008. The committee inquiry was in 2008 and we have been waiting since then for the plan to be released.

I know the National Parks Association, who are having their annual general meeting tonight, rather coincidentally, will be delighted to see that the plan has finally been released. However, there may also be some disappointment on some key issues that have not been addressed. For example, we know from the estimates hearing that no money was put aside this year for a state of the park report for Namadgi. This is something that the NPA have consistently called for and I know that they are keen to see annual reporting in the management plan. As I said during the budget debate, a state of the park report would come into its own as an indicator of the ecological values of the park. This would be welcome, especially against a backdrop of an increasing number of anthropocentric indicators for parks and reserves, as we saw in the budget papers and as I quizzed, to some extent, in estimates.

Secondly, with regard to the board of management, one of the difficulties for Namadgi over the past few years has been a lack of a functioning board of management. The Interim Namadgi Advisory Board concluded in August 2007. I understand that negotiations to re-establish a new board have been underway but I am unsure how they are progressing. Recommendation 5 of the Assembly's inquiry into the management plan was to re-establish a permanent board of management should the interim board cease to function.

Certainly, some time has passed since then and it can only be in the best interests of Namadgi to have an active and cooperative board of management into the future. I would welcome hearing from the government about how this is progressing and when we should expect to see it up and running.

The final measure I would like to touch on today is that of the recreational use of our national parks. This is an issue of some contention as there is increasing pressure on national parks across the country to accommodate requests from sporting groups and others to use parks for recreational purposes.

It is the Greens' view that, while parks do offer recreational value, the conservation value of our national parks must take priority. We believe that recreational pursuits should not be allowed in the parks if they put at risk the ecological values of the national parks. This is not to say that recreational park users should be forbidden but that the management of recreational events should be done in such a way as to protect the park ecology.

In the budget debate this year, I raised concerns that the government had not allocated funding for our recreational management plan for our parks and reserves. I do think this is important as, where there is potential for conflict, we need to bring groups together and get some clear guidelines on how we will proceed. There is no benefit to the park for groups to be at odds with each other, and much to be gained by groups that collectively value the park to understand where each other is coming from.

We have already seen a potential conflict over the orienteering event that was held at Namadgi at Easter this year. I would like to take this opportunity to thank the government for responding to conservationist concerns, however, and undertaking an independent scientific assessment of the impact of that event so that we could evaluate at least the short-term impact on the park. As such, when I get a chance to go through the plan of management in detail, I am hoping to see some clarity about how it is planned to deal with large-scale recreational events, because the Assembly inquiry recommended that a table providing an indicative guide to events should be reinstated into the final management plan.

After a quick flick through since the Chief Minister tabled it, I have noticed that on page 215, schedule 3, there is a table of sorts but I note that one of the interesting parts of it is that the original version proposed a cap of 600 people in some locations for a particular event, as a way of minimising the ecological impact on sensitive sites. Of course, one of the arguments was that 600 was somewhat of an arbitrary figure. I have some sympathy for that point of view but I think there was also an importance in saying that there was a cap of some description.

Certainly, at first look, the new table does not seem to address that point. I will be keen to undertake some further discussions with the minister and the department, once we have had a chance to look at this in some more detail. So I think it is important that the capacity of the major sites in Namadgi that can be used for large-scale events is understood. Then we are able to determine for each site what the capacity is and provide guidelines for those who wish to hold events, because it is the protection of sites that should sit at the heart of a decision about whether or not an event should go ahead. I look forward, as I said, to some further discussion with the minister and his department once I have had a chance to go through this in some detail.

In summary, though, the Greens welcome the tabling of this long-overdue plan. We hope it signals an opportunity to resolve in a constructive way some of the issues that have been difficult for Namadgi and we look forward to contributing to those conversations.

Question resolved in the affirmative.

Paper

Ms Gallagher presented the following paper:

Gene Technology Act, pursuant to subsection 136A(3)—Operations of the Gene Technology Regulator—Quarterly report—1 January to 31 March 2010, dated 19 May 2010.

Calvary Public Hospital—proposed purchase Ministerial statement

MS GALLAGHER (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations) (3.31), by leave: I would like to provide members with a statement on the progress in negotiations with the Little Company of Mary Health Care in relation to the future operation of public hospital services on the Calvary hospital site. There have been some comments suggesting delays and mismanagement in relation to this matter. However, the issues related to the nature of the role of Calvary Public Hospital are not straightforward.

In addition, as well as the complex and sensitive negotiations over the future management of the public hospital, we now know that the accounting interpretations for the public sector in relation to the operations of facilities like Calvary Public Hospital are likely to change. The territory's accounting policy is to apply officially endorsed accounting interpretations and this has major implications for negotiations over the future of the hospital.

The ACT government entered into negotiations about the transfer of Calvary Public Hospital with the Little Company of Mary Health Care, based on the accounting advice about the ownership of the hospital. However no-one—the Auditor-General, the Treasury, the government, the opposition, or indeed expert commentators like Tony Harris or Terry Dwyer—anticipated the accounting interpretation on which our negotiations were based would change dramatically. As such, it would be negligent for the government to try to rush a solution without being fully aware of all of the implications of the proposed new accounting interpretation.

I would like to note that, throughout this entire process relating to the sale of Calvary hospital, I have been committed to ensuring that our public health system is equipped to provide the best possible services to our community, and a fully integrated hospital system is a critical element of an effective public health system. It is my intention to have services working together across Canberra under a single governance structure, enabling ACT Health to better provide services to meet current and projected needs.

As the Assembly is aware, the territory entered negotiations with the Little Company of Mary Health Care in an attempt to bring the public hospital, operated by Calvary Health Care ACT, within ACT Health's direct management. In October 2009, the government and the Little Company of Mary Health Care announced in-principle agreement to a proposal for the ACT government to purchase Calvary Public Hospital from the Little Company of Mary Health Care and for the government to operate the hospital.

This agreement included proposals to enable Little Company of Mary Health Care to retain land on the Calvary hospital campus at Bruce for a private hospital to be built and operated by the Little Company of Mary Health Care. The agreement also included a proposal for Little Company of Mary Health Care to purchase Clare Holland House from the ACT government on the strict condition that the Clare Holland House site continued to be used solely for the purpose of providing a public

palliative care service. This proposal was subject to extensive public consultation as well as opposition from stakeholders within the Catholic Church.

Following the public consultation, the Little Company of Mary Health Care announced in February this year that it would not be able to proceed with the original proposal. Following this announcement, the ACT government held extensive discussions with Little Company of Mary Health Care to explore alternative options.

I personally met with the Little Company of Mary Health Care on a number of occasions to discuss possible options to enable a proposal to be developed and carried out. I outlined to the Little Company of Mary Health Care that the preferred way forward for the government, under the circumstances, would be for the territory to purchase Calvary Public Hospital and for Calvary Health Care ACT to continue to operate the hospital under a renegotiated operating agreement, which became known as the network agreement.

I also outlined that the government would introduce legislation to the Assembly to entrench the role of Calvary Health Care ACT under that operating agreement, with annual funding and performance agreements. Extensive negotiations on this proposal occurred and the Chief Minister and I also met with the archbishop, Sister Jennifer Barrow, Mr Brennan, Martin Laverty, Francis Sullivan and Father Brian Lucas around this time to further discuss an appropriate way forward that would be suitable to both parties.

Before proceeding to the formal signature stage, the territory sought advice, through Treasury, from PricewaterhouseCoopers on the accounting treatment of the draft network agreement that had been developed through negotiations. In April 2010, the Australian Accounting Standards Board released an exposure draft, ED194, of a proposed international public sector interpretation which proposed that the government apply the same principles as private operators when accounting for service concession arrangements.

In May 2010, PricewaterhouseCoopers provided accounting advice to the territory on the proposed arrangements. PricewaterhouseCoopers advised that the proposed Calvary network agreement, if signed, would result in a service concession arrangement which means that the territory would be able to register the hospital on our accounting books as our asset and would not need to buy the asset in order to achieve this. This advice was significant and obviously changed the course of action for both the government and Little Company of Mary.

ACT Treasury then provided a briefing to me as the Treasurer, advising of the PricewaterhouseCoopers advice that the proposed network agreement represented a service concession arrangement and that the territory would be able to capitalise Calvary hospital assets without proceeding to legal ownership. Given this advice and the changes it posed, Treasury then engaged PricewaterhouseCoopers to provide accounting advice on the existing Calvary Public Hospital arrangement.

PricewaterhouseCoopers advised that within the existing arrangements there is currently a service concession arrangement and informed Treasury that the territory

could still recognise the Calvary Public Hospital as a territory asset. Given the magnitude of this advice and the obvious changes it posed, the office of the Auditor-General was contacted to provide a view on the current and proposed arrangements.

The audit office then engaged a major accounting firm, which was not PWC, to provide them with advice on this issue and to review the advice received from PricewaterhouseCoopers. Treasury and ACT Health met with the audit office, and their draft report on the above confirmed that PWC advice that the territory can recognise a service concession asset. A final report was provided in early July 2010 which confirmed that the territory could choose to recognise a service concession asset.

I met with the Little Company of Mary to discuss this matter with them and I arranged for this meeting to ensure that the Little Company of Mary Health Care board was aware of the advice available to us and the implications of this advice. The Little Company of Mary Health Care have advised me that they do not support or agree with the government's interpretation that the current agreements constitute a service concession arrangement and, as you would expect, the Little Company of Mary Health Care have sought their own legal and accounting advice and continue to inform me that they do not agree with the government's interpretation.

If the territory was to invest hundreds of millions of dollars into building new facilities on the Calvary hospital site, under the previous advice and accounting standards that were in place at the time, and indeed still are, this would have resulted in the government gifting the facilities to the Little Company of Mary and not being able to capitalise on the investment made. The proposed purchase of Calvary hospital aimed to protect this investment for the territory. We did not know that the course of our negotiations with the Little Company of Mary would need to change in this way.

I believe that there are now four options available to the government and these include, first, Little Company of Mary maintaining the crown lease on the land with the establishment of a new activity funding agreement. The funding agreement could be for a 15-year term. Any new buildings required would be subleased back to the government for a period of 30 years and any newly constructed buildings would belong to Calvary hospital at the end of 30 years for a peppercorn amount.

The second option available to the government is to proceed with the network agreement in its current form. This is considered problematic, as it is anticipated that this may cause tension between the territory and the Little Company of Mary Health Care around the accounting and control issues I have described earlier.

The third option is to assist the Little Company of Mary Health Care in developing a standalone private hospital as a public-good investment. This would allow the existing beds at Calvary that are currently designated for private patients to be converted to use for public patients while still maintaining a private hospital on the north side of Canberra. If this option was to be pursued, it would be important to justify any such investment with regard to the public benefit.

However, it is important to remember that there will still be an interim need for the territory to purchase additional beds required to service the public health needs of the community. It also does not directly address the accounting issues and the underlying issues with the current agreement that are the major focus of the issue at the moment.

The final option available is to build a new acute public hospital on the north side of Canberra. This would allow Little Company of Mary Health Care to operate and run a private hospital separate to the running of the public hospital and the territory would then enter into a long-term service agreement with Little Company of Mary Health Care to purchase subacute beds within their private hospital.

As I have previously stated, the government now needs to review the options available and consider the most financially responsible way forward. Due to the Little Company of Mary Health Care's disagreement with the government's application of the interpretation on service concession arrangements, I requested that PricewaterhouseCoopers confirm their advice and I have recently been advised that PricewaterhouseCoopers have confirmed their advice on the current arrangements. And this is where we currently stand.

The government is still trying to achieve an outcome that will ensure that the objective of providing better health outcomes for the people of Canberra is obtained and protected for the future and continues to negotiate on possible options. Let us not forget that the demand for public hospital services continues to grow and we know that we are reaching the physical capacity limits of our public hospitals and that we need to heavily invest in additional bed capacity over the next decade to meet this demand.

What we want to achieve is to identify the most financially responsible way forward. It may take time for us to get this right but we will continue to maintain and improve current services while we work to make things better into the future. I will review all the options available to the government to ensure that the growing demand for health care is met and protected. And I will continue to discuss and negotiate with Little Company of Mary Health Care with the sole focus on reaching the best outcomes for the future health needs of our city.

These negotiations are all about ensuring that the ACT community has the best possible healthcare system into the future. We have a once-in-a-lifetime chance to seize the opportunity afforded to us by the need to rebuild our health infrastructure to get our health system right, a healthcare system that will serve our community's need in the most efficient, effective and coordinated way. This is not about the short term. It is about creating the system we will need to serve this community over the next 50 years.

These negotiations are extremely complex and they will take time to resolve. I am determined to finalise these negotiations as quickly as possible and I thank the staff at Calvary for their patience during this time. I present the following paper:

Calvary Hospital—Statement by Minister Katy Gallagher MLA.

I move:

That the Assembly take note of the paper.

MR HANSON (Molonglo) (3.43), by leave: I will just make the point first up that, other than the point about the new options that are on the table, there were a lot of excuses and self-justification in that speech. We are at a point now where we are in disarray. The minister talks about this being a once in a lifetime opportunity. She has been saying this for almost two years now, and we have had two years of wasted opportunity and two years of delay while she obsessively followed a single course of action whilst others in the community were presenting other options to her. The Canberra Liberals were saying that there are other ways of doing this and that we needed to have a number of options on the table.

Ms Gallagher: What were they?

MR HANSON: The options that were put on the table by people like Andrew Podger—

Mr Stanhope: What are you going to do, Jeremy? Tell us what you're going to do, Jeremy.

MR ASSISTANT SPEAKER (Mr Hargreaves): Order, members! Mr Hanson has the floor.

MR HANSON: Options by Terry Dwyer and by Tony Harris, and R S Gilbert was even writing to the newspaper with some good options. The point that we made is that we needed to look at this rather than the obsessive desire to buy the hospital and spend the \$77 million. What the Canberra Liberals have been saying is that a number of options have been discussed and a number of options need to be examined to weigh the benefits and the costs of each of those options.

What is without doubt and without question is that, if this minister had had her way and she had pursued her time line without the objections which were being raised by members of the community—from the Canberra Liberals through to the Palliative Care Society through to the Catholic Church and others—she would have spent \$77 million of taxpayers' money without it being needed to be spent. That is beyond refute. We would now be in a situation where \$77 million would have been spent now. The Treasurer calculated that figure over 20 years to be \$160 million. That was the once in a lifetime opportunity. That would have been a significant cost and an unnecessary cost.

Ms Gallagher: It would have been money well spent.

MR HANSON: Well, you are saying it would be money well spent. You still—

Ms Gallagher: To operate the hospital, it would have been.

MR ASSISTANT SPEAKER: Order, members, please.

MR HANSON: The minister still has the opportunity to buy the hospital. She still wants to do it, and I think what we are seeing coming forward from the minister and from the Chief Minister is that this is actually driven far more by their ideological desires than any rational calculation of what are the best options both fiscally and in terms of delivering the hospital system that we need in the north of Canberra.

The minister has told us all along—she started this process in secret—when it came to light in April 2009 that there was only one way of doing this, there was only one option. She has been proved categorically wrong today in her tabling statement, because what she has presented are four options. There may be others as well, but she has admitted today that she was wrong. She said there is only one way of doing this. What we have seen today is a comprehensive backflip on that position—she is now presenting four options as a way to move forward.

I say quite openly that I am happy to be engaged in this process, as we were when we first received a brief. We received a brief when this first came to light.

Mr Stanhope: Garbage. That is garbage, Jeremy.

MR ASSISTANT SPEAKER: Order!

MR HANSON: We spent six months in deliberations. I had a couple of briefs with the minister and with Treasury officials. We looked at this in a lot of detail and we spent a lot of time formulating our opposition. I remember the minister and the Chief Minister hectoring, “Where’s the opposition? Where’s your position? Tell us what you’re going to do.” What we did, after due consideration, because we were not going to be rushed, was that we then came out with a very clear position in November last year—that is, we should not be proceeding with the purchase because we do not need to spend \$77 million and that there are other ways around it. That was our position, and that has been proved entirely correct, which we see in this paper.

Ms Gallagher: So you saw into the future?

MR HANSON: Indeed we did, but it was not us alone because—

MR ASSISTANT SPEAKER: Order, members. Minister, please do not stoke Mr Hanson. Mr Hanson, please address your remarks through the chair.

MR HANSON: Mr Assistant Speaker, yes. Indeed, we recognised, as many others did in this community, that spending \$77 million on the hospital was but one way of achieving the desired outcome, which was to enhance and improve our hospital system in northern Canberra. We saw it as the least attractive, and we saw a number of other options. Those options are now on the table. There are four there, and there are others that have been suggested by Tony Harris and by others.

What I would like to now say is that we want to be engaged in that process, if the minister wants to provide us with briefings as she moves forward. We are happy to be engaged in that process, but we will not be rushed into making our decision because

we will look at those options. We will study them, we will examine them and we will do what we did last time. We will look at two things: what principally is in the best health interests of the ACT, in particular the residents of the north of Canberra, and what is the best option fiscally for our budget. We did that last time, and we will do that again as we move forward with these options.

I look forward to seeing the detail of these options so that we can make the same detailed response that we made when the last option was put on the table. I would ask that the minister table the advice that she has received from PricewaterhouseCoopers and also the advice that she said the Audit Office has also provided her.

Ms Gallagher: No, no, I did not say that.

MR HANSON: So she is refusing to do that. It will make it difficult for us to make those decisions that we have got to make as we have a look at this information and the options moving forward if we are not provided the full remit of information. If we are not provided with the advice, if, again, the minister and the government are going to withhold information, then we are going to end up in the same situation we had last time—deals being cooked up behind closed doors and only parts of information being provided to the Assembly and the community.

These options should be examined and passed to the Auditor-General. I remind you, Mr Assistant Speaker, that I tried to have this looked at by the Auditor-General in October, and that request was denied by the crossbench and by the government. If the detail and the advice are hidden, it will make it difficult for us to come forward to say, “Yes, we embrace this plan because it is the right plan,” whichever option they decide.

I have only had a very brief opportunity to look at the options, but it does appear to me that some of these options are actually not dependent on this new advice and that these are options that could have been put on the table previously. Maybe one or two of them are, but certainly a couple of the options appear to be options that could have been put on the table two years ago. One option is basically to say, “We’re going to help you build a new private hospital,” and another is that you are going to go off and build a new public hospital and, I assume, gift the other entity to Little Company of Mary to run as a private hospital.

Ms Gallagher: They legally own it.

MR HANSON: Well, on one hand you are saying that and on the other you are not. But the point is that these options appear to be options that we could have looked at earlier. They are not dependent on any change of advice. When we said there were a number of options that we could consider, that has been proved entirely correct.

I ask again that the advice be provided to us so that we can understand why these changes are being made to the government’s position from a single option—buy—to four options. I say again that we do want to work constructively. There will always be some political argy-bargy, but it is the role of the opposition in this place to hold this government to account and to scrutinise. I make the point that we were the party in this Assembly that said we were going to look at this in detail, and when we saw that this was not the way to proceed, that we did need to start spending \$77 million

because there were other options, we were the only party in this place that made that case—not the Greens. We will continue to hold the government to account, and we will continue to scrutinise this.

So, whichever option you finally put on the table, we will continue to scrutinise. I just make the point that, if you do give us the information in a timely manner, it will make it easier for us to come to the table with you and agree so that you can have this passed through the Assembly.

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for the Arts and Heritage) (3.53): Mr Assistant Speaker, one really does need to correct some of the record in relation to the amazing spin that Mr Hanson seeks to put on what really was just opportunistic opposition for opposition's sake politics that have been at the heart of everything that the Liberal Party have done and said in relation to this government's desire to develop a truly integrated, united public hospital system for the people of the ACT.

It has always been about political point scoring. It has always been about opposition for opposition's sake. It has always been about seeking political advantage. At no stage has it been about seeking to work with the government to enhance the health outcomes for the people of the ACT. At no stage, at absolutely no stage—

Mr Hanson: If we had accepted your proposition we would have wasted \$77 million.

MR ASSISTANT SPEAKER (Mr Hargreaves): Mr Hanson, you are on a warning.

MR STANHOPE: At the heart of everything that Mr Hanson now says, with the benefit of hindsight, is that the Liberal Party always knew—

Mr Hanson: The paper was released in November last year—

MR ASSISTANT SPEAKER: Mr Hanson, that is the last time. Next time I call you, you will be out of here.

MR STANHOPE: Mr Hanson always knew, anticipated and foresaw that a national accounting standard would change. The draft was only issued in April 2010. The entire debate in relation to the government's position on this and the opposition's oppositional position—the crass, political opposition for opposition's sake that Mr Hanson put and traded on—was all in advance of April 2010.

The ACT government's position on this, based on advice from Treasury and the Department of Health in order to seek the optimal outcomes which we need for this community, was based on explicit advice in relation to the accounting standards that apply in relation to investment in Calvary hospital, a hospital we do not own.

Interestingly, it is the precise same accounting standard that applied during six long years of Liberal government and which the Liberal government complied with. So we have this remarkable position—

Mr Hanson: The Liberal government did not try and buy it.

MR STANHOPE: We have this remarkable position—

MR ASSISTANT SPEAKER: Mr Hanson, that is the last time I will call your name. Understand me?

MR STANHOPE: We have this remarkable—

MR ASSISTANT SPEAKER: Chief Minister, please sit down. Mr Hanson, there is a note here saying you are on a warning. I suggest that you have a good look at the standing orders. I am not going to put up with it. If you do not desist immediately, next time I call you, I will call you and name you under the standing orders. Please do not push me.

MR STANHOPE: Thank you, Mr Assistant Speaker. We just see this sort of reflexive, “Oh, we always knew. We always knew that the accounting standard was not appropriate.” The accounting standard was drafted in April 2010, post the entire debate, post your errant opposition to this particular position, a position designed by the government, at the request essentially of the Little Company of Mary, to purchase the hospital they own so that they could invest in additional hospital facilities and we could fulfil what I think every government since 1989 sought to achieve—namely, a truly integrated public hospital network in the ACT.

That is what we were seeking to do. For you to come in here today and posture as you have been over the last couple of weeks in relation to this, saying, “We always knew and we had this sterling advice from these leading citizens around the town,” denies the fact that every single one of them put a different position in relation to what they thought the government might do.

There was no unified position. There was never a suggestion that the accounting standard did not apply. There was never a suggestion that the advice in relation to the accounting standard was wrong. At no stage did you ever in the debate in relation to this issue insist that the accounting standard that we were seeking to apply should not be applied in the way that we were applying it and proposing it.

At no stage was it the case, as Mr Hanson just now wrongly and falsely asserted, that we only ever had one position or one option. The Minister for Health always stated it was our preferred option. It was always the language of the government in relation to this issue. It was our preferred option. Indeed, had the accounting standard not changed, it would still be our option. If the accounting standard had not changed, it would still be our option, as of course, coincidentally, it remains the option—the preferred option—of the Little Company of Mary.

The Little Company of Mary continues to insist that the accounting standards, even with the mooted draft change, still do not operate in the way that we believe they have operated in the past and that they have operated in the past. We have this attitude, “Look, we’ll give consideration to supporting whatever option you place on the table

if you provide us with the advice justifying the change to the accounting standard.” In relation to your traditional position on this, Mr Hanson, you have always claimed, or you claim now, that the accounting standard issue is irrelevant, that there were ways around it. Now you are saying, “We will condescend to actually support the government in relation to this if only you actually substantiate your advice in relation to the accounting standard.”

Why do you need advice in relation to the accounting standard if you think the accounting standard is irrelevant? You do not. It is just another concocted reason to justify the position that we all know you are going to take in relation to whatever option we pursue, and that is you oppose it.

No matter which of the options is ultimately accepted, you will oppose it. We know you will. Just as you opposed everything we tried to do in the past, you oppose it because you are called the opposition. You have a single-track mind about it. It is not you, Mr Hanson—I know it comes as a dreadful shock to you that you are not in government—who will be at the negotiating table.

MR ASSISTANT SPEAKER: Excuse me, Chief Minister. Could you please address your remarks to the chair.

MR STANHOPE: Well, I am.

MR ASSISTANT SPEAKER: Thank you.

MR STANHOPE: Through you.

MR ASSISTANT SPEAKER: Mr Hanson is not in the chair, Chief Minister.

MR STANHOPE: I am addressing the spurious nonsense that actually was part and parcel of Mr Hanson’s recent address. I just cannot believe that anybody could be that dumb. I need to respond to the position and the points that he has made. That is all I am doing. I am rebutting and refuting the nonsense that was his presentation.

He and the Liberal Party need to understand that it is the government that is engaged in detailed, complex negotiations around this issue. Those negotiations continue. They will be part and parcel and at the heart of the successful achievement of any outcome in relation to this. In that context, we take technical advice from experts in accounting firms. Always in relation to these issues around commercial negotiations it is easy for oppositions to say, “Give us the documents, give us the advice.” That sort of advice is provided to governments involved in complex negotiations with strict understandings in relation to its commercial sensitivity and its commercial confidence.

You stand up and you posture. You are going to oppose for opposition’s sake, and you do not understand the business of government or the nature of government. But you stand up now and you say, “Our support is conditional on you providing us with a whole range of commercial-in-confidence information,” which you know we are not going to provide, which we cannot provide.

Here we are already before day one getting your oppositional position we know you are going to take on the basis of a request which you know we will not agree to in relation to the release of commercial-in-confidence documentation. Let us just keep that rabbit where it is and not have it run down holes all over the place. Those documents are sought and provided on an understanding by everybody involved that, of course, they are commercially sensitive. We are talking here about a commercial arrangement, commercial negotiations in relation to property.

We are not in a position to just say, “Yes, of course, we will release that information or that advice.” There is a whole raft of advice and documents that governments get or negotiators get in relation to any commercial negotiation which just simply, appropriately, cannot be released. There are some, as you know, in relation to these negotiations.

We know what you are going to do. The people of Canberra know what you are going to do. You are going to do what you have always done. You are just going to oppose. You are going to obstruct, you are going to oppose, you are going to put at jeopardy the healthcare needs of this community, and you do not care.

But we will continue to work in the way that we have. The minister will continue to work to achieve good outcomes, because we are committed to the pressing need to invest in the healthcare infrastructure and to develop seamless integrated healthcare systems for this community. We are committed to it, and we have identified the funding. Up to a billion dollars will be required over the next decade or so.

We are the government that identified the need. This minister is the minister that developed the plan. This is the minister that is in the process of making the most massive investment consistent with the strategic plan in public health in the ACT in our history, and she will do it with or without your assistance.

Mr Hanson: I seek leave to speak again briefly.

Leave not granted.

MR SMYTH (Brindabella) (4.03): Mr Hanson just wanted to explain a few things. If that is the case, if that is the pettiness of the Chief Minister, then so be it.

The inconsistency of the Chief Minister in that speech! It is one of the largest rambles he has ever undertaken in this place. I have sat through all his speeches; I have heard them all. That one bears so little relevance to the reality of what has happened over the past two years that it is quite amazing. He is quite hidebound to stand up here and say what he said.

Let us go back to 2001 when the Chief Minister promised to be more honest, more open and more accountable. He said he would not hide behind commercial in confidence. He said, “We will not do that. We don’t like the use of commercial in confidence. We won’t hide behind it.” Yet here he is hiding behind commercial in confidence. There is the opening premise. This is the man who said “more honest,

more open, more accountable”. He said, “We will not hide behind commercial in confidence.” And what does he do at every turn? He hides behind commercial in confidence.

What have the Canberra Liberals said from the start of this sad and sorry affair? The secret plan started in August 2008, when the Minister for Health said, “All our plans are on the table”—all of them except this one, the largest and probably the most far-reaching plan, to purchase the Calvary hospital from the Little Company of Mary. Recall, members, that she wanted this deal stitched up with a heads of agreement before the caretaker convention kicked in in September 2008. That is the sort of deal Katy Gallagher does. The minister has said repeatedly that this is the deal—

Ms Gallagher: It was actually LCM that wanted it signed before caretaker.

MR SMYTH: But you agreed to it. She said, “That is what the LCM did.” You did not have to agree to it, Treasurer.

Ms Gallagher: They wanted it.

MR SMYTH: You did not have to agree to it.

Ms Gallagher: And we did not.

MR SMYTH: If that is the way you want to conduct your business, that is fine. What we have said from the start is that this is an accounting treatment. We were right. Right from the start—if you go back to everything Mr Hanson said and everything that I said—we said that fundamentally this is an accounting treatment. It is confirmed by the fact that this work was not done by the Department of Health; it was done in Treasury. It was looking at the bottom line. Initially there were no health outcomes in this. They wanted to find a way to spend the money.

Four individuals that I can now name gave them options to spend the money without purchasing it. It is interesting to note that at last the minister finally acknowledged two of them in her speech. Tony Harris, the former Auditor-General of New South Wales, said that it was a contrivance—that the way that this government was going about it was a contrivance. It is a contrivance. And Terry Dwyer—Dr Dwyer MBA, doctor of law from Harvard, MBA at Harvard, a reasonably well qualified individual—

Mr Hanson: PhD.

MR SMYTH: PhD from Harvard. Andrew Podger, a well respected individual with decades of service in the federal public service, said—

Ms Gallagher: And they all said something different, every single one of them.

MR SMYTH: That is right. They all said something different. They all offered you alternative routes to end this dilemma. You chose to simply ignore them. Sinclair Davidson did the analysis. Remember that the Treasurer cum health minister said,

“Our analysis from Treasury has withstood all the scrutiny.” It did not. Sinclair Davidson said, “This is a concoction.”

Ms Gallagher: No-one has found a mistake with the Treasury minutes.

MR SMYTH: Nobody found a mistake. Oh, it shifts and it changes.

Ms Gallagher: No, it does not.

MR SMYTH: No-one found a mistake. Yes; the numbers added up. But what they said was that it was not worth doing that way. Four eminent individuals from different fields, from different backgrounds, all said that this is not the way to do it. And it fell over. Why? Because the Treasurer did not do her work properly. Why? Because the health minister was not looking for health outcomes; she was simply looking at an accounting treatment to protect her bottom line.

The inconsistency continues. In the end, the Little Company of Mary pulled out. Yes, there have been proposed changes in the accounting standards. That has given the Treasurer cum health minister another opportunity to change her story. But at the end of the day, from the very start, Mr Hanson, on behalf of the Canberra Liberals, said, and is now proved right, that there was no need and no case to spend the \$77 million on the purchase of Calvary hospital. That is true. That is irrefutable.

Mr Hanson said that from the start—well, not quite from the start. We looked at it; we made a decision; and then we said we found no case for the justification of the spending of this money. It is unfortunate—you can see it today in the four options, as Mr Hanson has pointed out—that a number of those options do not seem to be reliant on the new accounting standards. It is quite interesting that some of those options are now there on the table. These are options that could have been on the table before, but they were not stated, because it was the minister’s intention to get the hospital back come what may.

That is why we are here today. Again, the Treasurer is forced to come in here and explain why this has been such a debacle—why, over the last two years, it has distracted Treasury officials and health officials from doing their jobs, because she did not get it right in the first place.

Now we see that there is not only one set of advice but a second set of advice. Another group was employed to look at what PricewaterhouseCoopers had done. But nobody is going to see either set of advice, because the more honest, more open, more accountable Stanhope-Gallagher government will not release the information. It is not unreasonable information. It is commercial in confidence? The deal is off—there is no deal—so I am not sure what we are protecting here. And the Assembly has the right to ask for this advice. It is the government’s advice. The government can choose whether or not it releases that advice. What we have got is a government that yet again hides behind commercial in confidence even though—

Ms Gallagher: We have got nothing to hide.

MR SMYTH: Nothing to hide? Then release the advice. The minister, the Treasurer, just said, “We have nothing to hide.” If you have got nothing to hide, release the advice. If you are not releasing the advice, you need to give us a reason as to why you will not release it.

The sad and sorry saga of Calvary goes on. The minister is clearly distracted by it. We have known from the start that there are no additional health outcomes from what the minister is attempting to do. That was the stated principle. That is why Treasury handled this. It was not about health; it was about Treasury and the bottom line. It would appear that the saga will continue.

It is important that yet again we see the government hiding, as they always do. No doubt this will continue. We have now got a bullying review that we will never see. We have got, apparently, two pieces of advice that the public of Canberra will never see, even though it is their money that is being spent to purchase an asset which, apparently, by the new accounting standard, they already own.

People need to go back to history and the 1960s when this whole issue started, when the Archdiocese of Canberra and Goulburn, under Eris O’Brien, negotiated with the federal government to get the public hospital in the first place and to have Calvary.

Mr Hanson: Here you go. Here is the quote.

MR SMYTH: Mr Hanson has skilfully found the quote:

Under Labor, the ACT Government and its agencies will restrict the use of commercial confidentiality to the narrowest possible application.

It seems that the narrowest application would apply to just about all commercial in confidence. It is a kind of reverse Pareto principle: the 80-20 rule is backwards.

Ms Gallagher: You are not at the negotiating table; you are not having the negotiating documents.

MR SMYTH: “You are not at the negotiating table.” Yes, we hear the cry. But wait; there is more:

Labor won’t hide behind a cloak of confidentiality.

Yet here we are, yet again, hiding behind the cloak of confidentiality.

Mr Barr: You are still fighting the 2001, 2004 and 2008 elections this afternoon, are you?

MR SMYTH: The Treasurer has made her statement. She was outed last Friday by the Chief Minister on talkback, when a concerned listener rang—

Mr Barr: I like it that you can never, ever see the point.

MADAM ASSISTANT SPEAKER (Ms Le Couteur): Mr Barr, please be quiet.

MR SMYTH: It is all right. Let him go. You let him go yesterday. It is fine. Let him go. I am not worried by him at all. The concerned reader at the—

Ms Hunter: Point of order, Madam Assistant Speaker.

MADAM ASSISTANT SPEAKER: Ms Hunter.

Ms Hunter: Mr Smyth has just put forward a slur on your chairing.

MR SMYTH: Under what standing order? What is the standing order? He was let go yesterday; it is the truth.

Ms Hunter: It is a slur on your chairing, and he needs to be pulled back into line.

MR SMYTH: He was let go yesterday. You did not interject yesterday when he was interjecting. I am not worried.

Ms Hunter: You are getting out of control, mate.

MR SMYTH: He can go for his life. I don't mind.

Ms Hunter: You need to start pulling your head in.

MR SMYTH: It is normally inane, like it always is.

Mr Barr: Brendan, you wound me! You wound me!

MR SMYTH: I know—the same as you wound all of us with your prattle.

MADAM ASSISTANT SPEAKER: Mr Smyth, reflecting on the chair is normally regarded as disorderly. Could you please withdraw that.

MR SMYTH: Madam Assistant Speaker, I withdraw.

MADAM ASSISTANT SPEAKER: Thank you, Mr Smyth.

MR SMYTH: The problem is that the Chief Minister does not care because he is going. The Chief Minister responds to the caller on the ABC and outs the fact that they have got this advice. Then we have this undignified scurry around on Friday when people are chasing the advice. And at five to five on a Friday afternoon the information is finally put into the marketplace. This is the way the Treasurer and health minister conducts negotiations. It has been a debacle since the start. They are now going to hide behind confidentiality. The event, no doubt, will continue. We will all watch with great interest.

Question resolved in the affirmative.

Economy—policy

Discussion of matter of public importance

MADAM ASSISTANT SPEAKER (Ms Le Couteur): Mr Speaker has received letters from Mr Coe, Mr Doszpot, Mr Hanson, Ms Hunter, Ms Le Couteur, Ms Porter, Mr Seselja and Mr Smyth proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, Mr Speaker has determined that the matter proposed by Ms Porter be submitted to the Assembly, namely:

The importance of maintaining a strong and stable economy for Canberra and the region.

MS PORTER (Ginninderra) (4.14): I welcome the opportunity to speak on this important topic. As we know, the ACT economy faces enormous risks if the coalition win the upcoming federal election. They are planning to cut both spending and staffing levels and increase the efficiency dividend for government departments. This will effectively stop economic growth in the region, lead to higher unemployment and place immense pressure on local businesses.

The ACT has one of the strongest economies in the nation. We are on track to achieve gross state product much higher than the national average. Our unemployment rate is one of the lowest in the country at 3.4 per cent. We have a strong housing sector and, notwithstanding the lingering impact of the global financial crisis, our retail sector is doing well. The election of a coalition government would put all this in jeopardy.

Who can forget the damage the Howard government wrought when they embarked on their vicious cost cutting attack on Canberra in the region in 1996—a 2.3 per cent decline in employment levels, a 3.5 per cent fall in average house prices and negative population growth? The job losses had a huge impact on the community and resulted in great hardship for many. Many people in our community struggled with such hardship, and the anxiety and depression seen in many members of our community at the time was palpable. Just for Mr Hanson's benefit, that was anxiety and depression—for the alternative minister for health—who does not seem to know the difference between depression and recession.

It will be no different if the coalition government are elected and it could potentially be much worse. Who would have thought that a coalition government would be an even more damaging force than a global financial crisis? The job cuts proposed by the coalition will not only affect those individuals whose employment ceases but also put the jobs of many others at risk, including consultants and contractors, retail workers and cleaners. Just like in the dark Howard years, every family in the region will be affected. The proposed reduction in health and education spending will directly impact on our teachers and our nurses, further affecting our community. Why would we trust the federal opposition on the provision of services? They have form and history on this and those opposite should be very ashamed of that.

Yesterday I stood in this place and reminded the Assembly about the \$1 billion which was taken out of the health system when Mr Abbott was health minister. It is worth

repeating: in just over a span of five years under the Howard government the commonwealth's contribution to the territory's hospital costs reduced from 31 per cent to just 23 per cent; the commonwealth's contribution towards disability services reduced from around 18 per cent to around 14 per cent; and per capita specific purpose payments from the commonwealth—contributions for services such as hospital care, disability services, housing assistance and home care—actually decreased by around 10 per cent in real terms.

ACT Labor has picked up the slack, in many cases not just making up for the comparative decline in commonwealth contribution but catering for growth too. The community should be rightly worried that we will have to do it all again if there is a change in the government federally. I am worried, the government is worried, justifiably so, and the opposition should be worried. Mr Abbott has form and we should be worried that that history will be repeated.

In fact, we already know that \$1 billion will be taken out of the pharmaceutical benefits scheme. Who are the people that rely on the PBS? It is mainly the sick and the elderly. This morning on *AM* the Liberals were saying that this would not have any effect on the most vulnerable. Who are they trying to fool? This is just another example of why this territory needs a strong and stable federal government.

Having the seat of Australian government and its associated bureaucracy here in Canberra is so much part of the fabric of this city that it is very easy for us to take it for granted. Unfortunately, it is often only when there is a real threat to the ongoing strength and stability of the commonwealth public sector that we stand back and really examine its importance and remind ourselves of its crucial role in maintaining the health and vitality of our economy.

It is almost stating the bleeding obvious to say that Canberra would not be the place it is without a strong and stable commonwealth public sector. The city's role as the national capital means that we are unique amongst the states and territories in our relationship with the Australian government. As we all know, while the territory has existed as a self-governing entity since 1989, the commonwealth retains control over large areas of our city, including the airport, the parliamentary triangle and major transport corridors. Any erosion of the funding or stability of these important activities, such as the slash and burn policies of the federal colleagues of those opposite, would not only denigrate Canberra as a national capital but also compromise the role of the national capital and the successful delivery of the centenary of Canberra celebrations in 2013.

The territory's strong economic performance has not just happened by luck. It has happened due to the hard work and commitment of both territory and commonwealth governments which share a common ideal of working in partnership with our community, employees and businesses, so that the combined effort of all is by far greater than any effort alone. This common sense of purpose comes about from the stability afforded by a strong commonwealth public service and can simply not be replicated with a depleted and ground-down public service, particularly one that is in turmoil.

A stable public service also serves to reduce uncertainty and allow local businesses to invest with confidence and contribute to employment growth. And, yes, we understand that the commonwealth government needs to make some tough decisions to constrain its expenditure, as we have also had to do as a result of the global financial downturn. The federal government has made no secret of its plan to repair its own budget over time. Indeed, this has been the same strategy of this government, one that is appropriate to our circumstances, to our economy, to our community. This strategy was incorporated into the 2009-10 budgets for both governments. We share a long-term vision.

But let me be quite clear. There is a world of difference between the well considered and the well known, the gradual and strategic policy direction of the current federal Labor government, and the knee-jerk, slash and burn, short-sighted Canberra-bashing declarations of the federal opposition.

Ask any household what is easier: to gradually adjust a household budget over time to a change in financial circumstances or to suddenly lose your primary source of income without any warning? For households in the ACT, it is quite obvious that, under the federal opposition, they are facing the second scenario.

Ask any business what is better: to operate in an environment of stability, notwithstanding your major client says that they will be revising down their activity while remaining positive, or to have your major client suddenly just stop buying? There is no doubt for businesses in the ACT the stability and certainty currently provided by the federal Labor government will be replaced with a period of turmoil, uncertainty and increasing challenge under a coalition government.

The key element that I believe is in danger of being overlooked in this debate is the positive influence of a strong ACT economy on the surrounding region. The ACT is the heart of a dynamic and growing region. As the largest city in the Australian capital region, Canberra is the economic centre. It is also the main employment and service centre. The ACT provides many services and opportunities for residents in New South Wales, in particular transport, education, health, retailing, tertiary industry and cultural facilities. The territory's ability to continue to provide these high-quality services will be eroded under a coalition government.

Additional population and revenue from the surrounding region has assisted Canberra-based businesses to grow and become more sustainable. This is anticipated to continue to grow into the future. By 2031, current projections indicate that the ACT and surrounding region will have a population of nearly 600,000 people. The ACT's population alone is projected to reach 438,000.

The outlook for growth in the region is predicted on a strong ACT-based economic performance. Development in those regions surrounding the ACT has reached fever pitch level in recent times. Of the five fastest growing inland regions in New South Wales, three of these areas—that is, Palerang Council, Yass Valley and Queanbeyan—share borders with the ACT. For example, from 1996 to 2006, the ACT grew by 8.4 per cent, compared to Queanbeyan which grew by 29.3 per cent, and

Yass which grew by a whopping 91.8 per cent. Such high rates of growth will be a thing of the past if the coalition wins this Saturday's election.

The population of the south-east region of New South Wales is projected to grow at a faster rate than the ACT. The current population of the region is approximately 218,000. This is projected to grow by 28,000 over the next 10 years and 55,000 over the next 20 years. Again, much of this growth will occur in the areas closest to the ACT—Queanbeyan, Palerang and the Yass Valley.

There is a strong employment link between the ACT and the surrounding region. Based on the 2006 census, 22,500 non-ACT residents were travelling to the ACT each day for work, and over 9,000 of those were Australian capital region residents. This represents about 10 per cent of the ACT's workforce. Almost all of them—that is, 17,500—are from the ACT's commuter belt, including Queanbeyan, Jerrabomberra and the semi-rural areas surrounding Canberra, with the majority coming from Queanbeyan—that is 11,700. In return, 4,248 ACT residents travel to the surrounding regions for work each day. Also, a significant number of students from the surrounding regions are enrolled in ACT schools. Approximately 15 per cent of the ACT student population is from outside the ACT.

Given the extensive links to the Australian Capital Territory region, there are clear advantages for all governments of the region in working more closely to develop regional economic strength. Under a federal coalition government, this cooperative approach would be threatened. The ACT government strongly supports regional engagement and is committed to strengthening its relationship with, and position within, the region.

The ACT government has embraced its role in the region and will continue to lead and promote the interests of the region in interstate, national and international forums. The ACT government has supported a number of initiatives and partnerships to help secure the economic growth and development of the ACT and region, including the regional leaders forum, the ACT Regional Development Australia committee and a regional management framework agreement with New South Wales.

The ACT government has a sound economic framework to support a strong and stable economy for the ACT and region. *Capital development: towards our second century*, released in September 2008, is the government strategy to build a stronger, more dynamic and sustainable economy for the ACT and region. *Capital development* is a high-level strategic framework which sets enduring objectives and themes to guide the government's economic policies. It also reaffirms our commitment to work with the region to increase economic opportunity and activity.

The ACT government's ability to continue delivering service at the high standard expected, not only by the ACT community but by many people in the national capital region, relies heavily on the ongoing strength and stability of the commonwealth public service. Internationally, national capitals are recognised as expressions of national pride and achievement. It is important that this country's national capital continues to reflect the visions of our forebears and is maintained to a level that all Australians can be proud of.

A large and vibrant community is essential to maintaining the national capital and maintaining the public service is vital to supporting the community. In this regard I think it would be very useful for those opposite to take into account the considered views of their colleague, former Chief Minister of the ACT and current ACT senator, Mr Gary Humphries, who said in electioneering material recently distributed throughout Canberra suburbs:

If the Federal Government grows, Canberra benefits. If it contracts, Canberra suffers.

I do not believe that I can put it any plainer than that: if the federal government grows, Canberra benefits. If it contracts, Canberra suffers. That is what Mr Humphries said. He also said:

Protecting the Australian Public Service goes hand in hand with protecting Canberra. The public service is a critical national asset—and also one vulnerable to day-to-day decisions of the Federal government. But without a well-resourced public service, our national capacity to overcome challenges is undercut.

For once, I wholeheartedly endorse Mr Humphries' sentiments and I strongly encourage those opposite to do the same.

Only this week Mr Smyth tried to score some cheap political points by quoting figures from the commonwealth budget papers and by trying to paint a picture of falling public service levels under federal Labor. He conveniently focused on those staffing levels that were estimated to decline from 2007-08 to 2008-09. However, Mr Smyth failed to include the predicted increases. There were a number of increases where, in fact, he said that the public service would decline.

MR SMYTH (Brindabella) (4.29): Madam Assistant Speaker, that is just an amazing speech from Ms Porter, making unsubstantiated claims and trying to present this picture of what a wonderful job the Rudd government has done for Canberra. She made the fabulous statement that the ACT needs a strong and stable federal government. I do not know of any strong and stable federal government that, six weeks out from a federal election, ditches, knifes and assassinates a first-term prime minister. It is unheard of in Australian political history.

That is neither strong nor stable. Perhaps the strong she meant was the bib and beanie approach of the gang of four that did him in. It was not the MPs and the senators, because we know Senator Faulkner did not know. Indeed, in some ways the current prime minister did not know. To present the current federal government as strong and stable is to defy the newspaper reports of the last six weeks.

You would think that a first-term government would be running on their record. But are they running on their record? No, we are moving forward away from that record. We are moving forward from the pink batt disaster. We are moving forward from the border policy. We are moving forward from the building the education revolution which has been such a disaster in most of the other jurisdictions. They are moving away from that record because they have not been a strong and stable government.

Then Ms Porter then went on to say that we will compromise the role of the national capital. The greatest compromising of the role of the national capital occurred when senator for the ACT Kate Lundy, in the most vindictive personal attack on the leadership of the NCA, removed 40 per cent of its staff and most of its budget. That is not protecting the role of the nation's capital and this is what Ms Porter seeks to protect.

What did they call the NCA? They called it "bloated". We had the public hearings. Senator Lundy had to eat humble pie. She never apologised and the current strong and stable federal government that Ms Porter speaks so highly about never replaced the money. That compromises the role of the nation's capital and I note that Ms Porter has no answer to that.

Then, of course, she says that changing government might compromise the centenary celebrations. There are no centenary celebrations according to the federal government. There is money in this year's federal budget for the centenary celebrations of ANZAC in 2015. That is fantastic—five years out and doing the work. But this Chief Minister, this ACT Labor government, cannot get the federal Labor government to commit to the centenary celebrations. Not a zack! How is that going to compromise the role of the centenary celebrations?

We all know why we are debating this motion today. It is great to see Ms Porter finally, after all her time here, taking interest in matters of the economy, for the future of Canberra and the region. But you only have to look at the early years of the Stanhope government when he ignored the region. So many of the procedures for the cross-border discussions that were in place were just simply ignored.

Then Ms Porter went on to say that it will have an effect on the surrounding region. She quoted figures—the huge growth in Queanbeyan, 29 per cent; Yass, 90 per cent. Why is that? It is because the planning policies and the land release policies of the ACT Stanhope-Gallagher government have forced people across the border. They could not afford to buy a house here. This government refused to match the stamp reduction policies of the New South Wales government—give them their due there—because they are addicted to revenue and they are addicted to spending.

That is why those people are across the border. They cannot afford to buy here. It is pure and simple. It is the Ted Quinlan policy: squeeze them until they bleed but not until they die. That is the economics of the ACT Labor Party. You have to give Ted Quinlan his due. He tried. He put his economic white paper on the table. He kept it simple for his colleagues. He called it a statement of the bleeding obvious because he had to get it through Jon Stanhope and Katy Gallagher.

They did not get it because it disappeared. The things that may have helped to set up a strong and stable economy for Canberra and the region in Ted Quinlan's white paper never happened. It had key nodes that were to be developed, key industries that were to be looked after, 47 actions that were to be fulfilled. If you ask the Chief Minister, and I have done it on a couple of occasions, to outline the results, you never get a decent answer. You do not get an answer because it never happened. The statement of the bleeding obvious would not happen under the local Labor government.

Let us not bleat about a strong and stable economy for Canberra when this government has done everything in its path to slow that down. Let us face it: Ted tried, Jon did not understand it and Katy did not care. That is the summary, because when you ask Mr Stanhope he says, “Yes, I lament the lack of a broader economic base.” But he did nothing about it. Ms Gallagher, when she was asked in this place, said, “You just cannot wind yourself off the federal spending. That is all we have got. That is all we are ever going to be.”

If you have got that sort of attitude, of course that is all you are ever going to be. If you look at the recent Sensis report, conveniently published this morning, support for the ACT government and its policies is at minus 18 per cent. It is minus 18 per cent. The ACT government is an impediment, according to the businesses of the ACT.

Support for the federal government in the June quarter was minus three per cent, and it is consistently flat. In the June quarter for the ACT it was minus 18 per cent, in the August quarter it is minus 18 per cent. Congratulations on consistency! But support for the federal government was at minus three per cent in June 2010. By August 2010 it was minus 20 per cent. No-one in the business community has faith in the federal government that we currently have.

The key problems facing ACT small businesses are finding and keeping staff—something the Chief Minister has gone on about for a long time but has not been able to fix—lack of work and the economic climate. You can put the economic climate down to the mismanagement of the economy by the Rudd-Gillard government. There are the prospects. It is great that you brought this on. I am very pleased that you brought this motion on, because there is a lot that we can do. It is a very important matter. You have got right to the heart of it, which is economic development.

This MPI is timely on a day when the ACT recorded the largest fall in business confidence, when across Australia confidence among small and medium enterprises decreased and when the key problems, as I have said, facing us in the ACT were the economic climate, the lack of work, and finding and keeping staff. I think it is that environment as summarised by the Sensis survey that really we are considering in this MPI. So it is timely; well done in that regard.

The ultimate objective for any jurisdiction is to achieve economic stability and economic strength to the greatest extent possible. A key requirement of achieving this objective would be the resources that are available to that jurisdiction. It is incumbent upon a jurisdiction to utilise its own resources as effectively and efficiently as possible and to engage in trade with other jurisdictions to obtain any good or service that it does not have or cannot generate efficiently. This approaches the general principle on which economic development and trade are based. A jurisdiction needs to identify its resource base. It then needs to utilise that resource base as effectively as possible and by doing this, extend and strengthen its domestic economy and its employment base.

How do you relate that approach to the ACT? The simple answer is that well up until the ACT Labor government in 2001, we actually performed pretty well in that regard.

The ACT recorded sound growth in its economy and after many years of having a relatively narrow employment base depending predominantly on providing public services, the ACT started growing its private sector labour force from the mid-1980s.

This was achieved, as we are well aware, in a jurisdiction that has virtually no deposits of minerals to support a mining industry and had a very limited capacity, at least at that time, to support an extensive manufacturing sector. We all know that we will never have a large manufacturing sector here and we do not have a significantly large agricultural sector.

How it was achieved was by utilising more effectively the key resource that the ACT has available, its people. Our people are highly educated, they are clever, they are innovative and they have a good entrepreneurial spirit. Indeed, everything was evolving very well from the mid-1980s until the early years of this century when a Labor government, initially the Stanhope-Quinlan government and now the Stanhope-Gallagher government, was elected in the ACT. Ever since that point things have changed.

The analysis of major sectors of employment in the ACT show that from the period 1998-99 to 2001-02 when public sector employment comprised only 41 per cent of total employment, now the public sector share of employment has increased to almost 50 per cent of the total employment. There has been an increase of nine percentage points in public sector employment while we have had an ACT Labor government.

Unfortunately, this outcome is not surprising. Both the Chief Minister and the current Treasurer are on the public record as saying that diversifying the ACT economy is just too hard. The Chief Minister said on 8 April in this place, "We have to acknowledge that economic diversity opportunities are limited." The Treasurer said on 6 May 2009, "The ACT will have a large government sector for a long time to come." She went on to say that it would be unrealistic to think that the proportion would change in any significant way even with major government intervention. She said, "I cannot do it. I am not even going to try."

Clearly both the Chief Minister and the Deputy Chief Minister and Treasurer have given up on diversifying the ACT economy. Indeed, you would have to wonder if the Treasurer even knows what she is talking about, because she also said on 6 May 2005 "Does Mr Smyth mean that having a diversified economic base would mean having a larger share of the private sector in the economy?"

If the ACT is to truly and effectively develop a stable and strong economy, to use the words in the MPI topic, we must diversify our economy. Yet both the Chief Minister and the Treasurer have already given up. Even the positive industry priorities that were spelt out by the former Treasurer, Ted Quinlan, in the economic white paper are not a good portent for the future of our economy. Of course, it is important to have a strong and stable economy. It is equally important to maintain and, I would add, enhance such an economy to make it even more secure.

I also need to make reference in this context to some of the far-reaching economic policies of the Greens, policies such as not only agreeing with the Labor Party's

absurd mining tax, but seeking to increase the rate at which it is applied, removing concessions within the capital gains tax regime, then introducing an estate tax to double dip on the capital gains tax, increasing the rate of company tax, and shifting the basis of taxation into natural resources and away from what are called work-based taxes.

There is no provision for economic strength and prosperity for the ACT from either the Labor Party or the Greens. The only idea we have of the approach of these two parties is to continue slugging business to pay for increasing profligate spending promises.

That brings me to the current election campaign and the twisting and turning of the Labor Party as it seeks to attack the Liberal Party on the prospects for the public service in the ACT. Employment in the public service, commonwealth and ACT, is integral to the prosperity of the ACT. That is a statement of reality and we all know it. The Liberal Party has made certain commitments relating to the public service. They can be judged on their own merits. People have obviously made their own decisions. Of course, the Labor Party is using these commitments in an attempt to engage in scaremongering.

It is essential for the community to realise, however, that the Labor Party has been targeting, and is continuing to target, the commonwealth public service in the ACT. We recently saw sackings with no notice from the current Prime Minister's former department of employment of a number of IT professionals working in the ACT. How ironic—just terminate them.

We saw the massive cut to the budget of the National Capital Authority and the resultant sacking of 40 per cent of the NCA staff. We saw the Rudd Labor government abandon the Howard commitment to the Griffin legacy projects. It not only ripped \$40 million off these projects and off the agenda. It also refused to compensate the ACT for the gift of land that we made to the commonwealth.

We have seen the effect of the so-called efficiency dividend on national institutions in the ACT and reductions in the critical marketing budget. I see that the chief cheer leader for those cuts is with us today. We have seen the promise of the federal Labor Party to cut \$840 million from the budget for administration and technology.

This will save the taxpayer but it will hurt the ACT. If that series of cuts is not enough, we now have the Labor candidate for Fraser, Andrew Leigh, joining in the public service cuts. What did he say on ABC Radio 666 this morning? How did he respond to the following question from Ross Solly? Ross Solly asked:

Can you stand here this morning and say to us nobody—nobody—in the public service here in Canberra will lose their job or be forced to take a redundancy under the Gillard government?

This was Andrew Leigh's response:

Ross what I can confidently say to you is that the public service is going to be far better under a Labor government ...

We are not going to answer that question, are we Mr Leigh? Ross Solly said:

You cannot give that guarantee can you?

Andrew Leigh replied:

No-one can give that guarantee.

After all the Labor Party's posturing, after all their claims, all their crocodile tears, where does this leave the Labor Party? It is the party that cannot provide any guarantee to public servants that they will not lose their jobs or be made redundant by a Gillard federal government.

The Labor Party must be judged on this statement from Andrew Leigh. Under a federal Labor government there will be uncertainty and there will be instability in the public service. There can be no escape for the Labor Party from this conclusion. The only way in which a strong and stable ACT economy can be maintained and enhanced in the longer term is for the encouragement to be provided for increased diversification of our economic state. (*Time expired.*)

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (4.44): A strong and stable economy means an economy that can provide the opportunities for all members of the community to make a contribution to the community and provide for themselves and their families. According to the traditional measures, we do have a very strong economy in the ACT. We have the third lowest unemployment rate in the country, about one per cent lower than the national average. We have no mining industry, yet, by one measure, we were the best performing economy and only recently lost that position to Western Australia.

No-one doubts that a stable, prosperous and sustainable economy is vital. I think it is fair to say they we all differ on how we achieve those three things and how much work there is to be done. As I said, we do currently enjoy a stable and prosperous economy here in the ACT. We are the most well educated and well paid community in the country. In spite of this, there are many in the community who are doing it tough. As a decent and caring society, we have an obligation to do something to ameliorate their difficulties. There is much to be done to improve the social inequity in our community and provide the safeguards needed for those who do not enjoy the prosperity of the majority.

There can be no doubt either that we also need to do an awful lot more to become a sustainable economy. This is indeed a challenge that all economies face. Developed or developing, we still rely on fossil fuels. As one of the wealthiest economies in the world, we have an obligation to lead the way, to change the way we do things. For long-term stability and prosperity, we need to shift to a low carbon economy. We know, and it is shown in many reputable economic studies, the most notable being the Stern and Garnaut reports, that those who act first will do best. Those who listen to the science, acknowledge the reality and act on it will ultimately come out best. They will be the economies rewarded with diversified income streams, with new and sustainable jobs and world-class industries for which there is a long-term demand.

A low carbon, green economy that provides for the community's livelihood but does not do so at the expense of the environment is the best way to ensure long-term prosperity. We must recognise that the four key forces affecting the Australian economy are climate change, the ageing population, the information and communications technology revolution and the re-emergence of China and India. As much as these are challenges, they are also opportunities.

Climate change is a significant economic risk. We have to fundamentally change the way we power our homes, business and transport networks. In the ACT we are very well placed to be encouraging emerging industries that will diversify our economy and provide greater long-term stability. We now have innovative people in Castlemaine, Victoria, building electric cars. There is no reason why the ACT cannot be cultivating this type of innovation as well.

We have a generous domestic feed-in tariff scheme for renewable energy generation. We now need to be expanding that scheme to commercial scale production to further encourage investment in the energy sector of the future. Solar energy represents a huge opportunity for Canberra.

The information and communications revolution is not over and the low carbon economy is just beginning. The ACT's resources are not in the ground but in our heads. We are a knowledge-based economy, and we should be investing in our strengths. The Greens support improvements to our IT infrastructure and the national broadband network. It is in both the ACT and the nation's economic interests to pursue this technology so that we can participate in the knowledge economy and capitalise on our educational resources.

I should make the point that our educational institutions make a significant contribution to our economic prosperity, and the Greens' view is that greater investment in education will lead to more sustainable, long-term economic prosperity. Other economies have recognised the environmental and economic imperative to shift to a low carbon, green economy and have begun the process.

We have a great opportunity to build an economy that will not only help the ACT prosper but will ensure our fair contribution to a more sustainable world. We need businesses and infrastructure to be delivering better returns on natural, human and economic capital investments, while at the same time reducing greenhouse gas emissions, extracting and using fewer natural resources, creating less waste and reducing social disparities.

The ACT is well placed to become a leader in renewable energy, energy efficiency, sustainable water systems, biomaterials, green buildings, waste and recycling. The ACT has a small but dynamic manufacturing industry, a less than average proportion of industry share, but, nevertheless, a valuable part of the ACT economy. Given that our education services are more than 50 per cent greater than the national average proportionate share, we should be linking these two sectors and creating a world-class and technology-leading manufacturing sector that produces environmentally sustainable products that are also economically sustainable. The Greens' view is that

this is what we need to do here in the ACT to maintain our economic prosperity into the longer term. I must say, however, that the need for significant change is very immediate, and the longer we wait, the harder it will be.

Another very important part of long-term economic prosperity and the overall improvement in our economy is productivity. The better return we get on both our natural and human resources, the better off the economy will be. This means not only taking advantage of technological advances that facilitate better production methods, but also providing the health care system and working conditions that lead to better outcomes.

In other debates on the economy this week, I have mentioned the importance of the region to the ACT economy and the importance of the ACT economy to the region. We are the regional centre. We know that many people live and work on opposite sides of the border and that we do need to consider how our actions impact on those people. Our economy relies very heavily on both public sector employment and expenditure.

We are subject to the whims of the commonwealth. Much has been said this week about the impact of changes in commonwealth expenditure on the ACT. It is undoubtedly true that significant expenditure reductions have a disproportionate impact on us. The Greens' view, as has been put many times before, is that there should not be a reduction in the number of public service jobs. It is not in anyone's interest.

We know that Mr Howard at the start of his term did cut jobs. By the end of that, however, there were actually more public servants than there were at the start at his term. The fact is that we need people to work in the public service to deliver quality outcomes. The Greens know it, and the people of Canberra know it. Significant public service job cuts will have a massive impact on the people and the economy of Canberra. The Greens do not support the proposal, as it is undoubtedly not in the best interest of Canberra, the region and its people.

Just on economic prosperity and stability, our Greens' senators did support the stimulus package that kept us out of recession. It is well accepted by mainstream economists that it is appropriate for public money to be spent to smooth out the fluctuations in the economic cycle. There are benefits in governments spending beyond their means to smooth out these economic cycles. The test is, of course, that that expenditure is in productive resources that deliver a long-term, sustainable and useful return for the community into the outyears, into the future. The Greens, both in this place and at the commonwealth level, have consistently argued for improvements in the sustainability of expenditure and have delivered better outcomes for Australia and particularly for the ACT.

MR DOSZPOT (Brindabella) (4.54): This is an extraordinary matter of public importance from an ACT Labor government who has recently been involved in big budgets, big spends, big spin, big blowouts and small outcomes. During the budget, it was stated that revenue was forecast to grow to \$4.234 billion in 2013-14, the most ever collected in the territory. Yet the Stanhope government is still talking in terms of

deficits, not surplus. To be exact, we are looking at a predicted \$470 million underlying deficit over the next four years.

There is no doubt that it is important to maintain a strong and stable economy. After all, the famous saying goes: “It’s about the economy, stupid!” This was the rallying cry in the 1992 US presidential election. The importance of the economy has never changed. I do not think anyone here will contest this. But we do disagree on how we would go about managing the economy.

In light of this, at this juncture I can already say that this matter of public importance, coming from across the floor, on the importance of maintaining a strong and stable economy, is farcical. It is a straw-man argument. Hence the crux of this matter is: “When will Labor’s addiction to big wasteful spending end?”

In fact, let us look at ACT Labor’s take on what they mean by the importance of maintaining a strong and stable economy in Canberra and the region: a rise in taxation per capita from \$1,794 since ACT Labor’s election in 2001 to \$3,126, almost double; a massive new \$89 million tax slug to homeowners; a 30 per cent increase in parking fees; a reduction in business and development programs in 2010-11 of \$4.8 million; a blow-out on a \$53 million four-lane road to \$120 million and only two lanes; buses that go nowhere, which cost ordinary taxpaying Canberrans \$27,726 every working day; and approximately \$50 million on that arboretum.

I do not wish to list the litany of bad economic management—we do not have time—but how does this translate to what Ms Porter calls the importance of maintaining a strong and stable economy for Canberra and the region?

Today, we learn that the Treasurer has lost control of the budget. According to the *Canberra Times*:

More than \$23.2 million of unbudgeted spending was allocated to government departments from the Treasurer’s advance last financial year.

Over half of this money went to the Department of Territory and Municipal Services and the Department of Education and Training. TAMS, for example, incurred a \$7.234 million overspend, including a \$400,000 consulting fee to Ernst & Young last year to fix this problem, a further \$3.168 million for additional ACTION buses and an additional \$1 million to cover personal injury payouts.

Let us put this in its proper context. As a result of nine years of Labor, 23 schools were forced to shut, dozens of GPs have disappeared, and people with disabilities still face a lack of services and support. We Canberrans should be as mad as hell. We are having to pay more but we get less in return. This is under the stewardship of ACT Labor.

As much as the Kate Lundy of this world would like you to believe otherwise, Labor is planning to slash \$840 million out of the public service. In a radio interview with Ross Solly this morning, as Mr Smyth has already mentioned, Andrew Leigh could not and would not guarantee that there will be no cuts to the public service.

Jon Stanhope just today said he would work with the Gillard government when the job cuts came. She will be the executioner and Jon will be holding the axe.

We have suffered the biggest federal deficit on record, followed by the second biggest federal deficit on record, an insulation program that took \$1 billion to fix, BER rip-offs that led to a \$1.5 billion blow-out, a \$1 billion blow-out on school computers and a broadband project that was estimated to cost around \$4.7 billion, now at around \$43 billion. The billions just roll off the tongue. This is the new Labor direction. There are no more millions. We are talking billions. This is relief from Labor's economic policies!

Mr Barr: Are you unhappy with your experience?

MR DOSZPOT: I can hardly wait for you to be Chief Minister to see what happens. This is having to fix Labor's economic policies. This is Labor having to fix its own economic policies.

Madam Deputy Speaker, I return again to your matter of public importance, the importance of maintaining a strong and stable economy for Canberra and the region. Here is what Labor has done. Today's Sensis business index reported that, in the last quarter, the ACT experienced the country's biggest downturn in business confidence due to falling demand and deteriorating trading conditions. Furthermore, what is unique with the ACT is that our businesses are impacted by both supply and demand issues, which is not the case for the rest of the country.

So the question is not that a strong and stable economy is important but how ACT Labor intends to make this happen. And in light of examples of Labor's economic record already given, their solution is to invent more public projects in the name of innovation, competition or whatever the flavour of the month may be. But the gains of such projects are lost in taxation and a stunting of sustainable economic diversification.

Of course, it is important to maintain a strong and stable economy for the ACT. However, given Labor's record on the economy, Ms Porter's matter of public importance today begs the issue. As a proud, taxpaying Canberran who has a passion for this city and feels a stake in its ongoing and future prosperity, a matter like this from across the floor is hard to stomach.

In fact, this matter reminds me of the great George Bernard Shaw's *Saint Joan*. When she was told of Pythagoras's theory that the earth was round and revolves around the sun, she replied, "What an utter fool. Couldn't he use his eyes?" This is what Ms Porter's matter wants us to be like. Fortunately, the Canberra Liberals are more sophisticated than that. We cannot support a Labor economic policy that is only for Labor's sake.

It is time to be mindful of the debit side of the ledger for a change. We will continue to hold the government to better fiscal accountability, foster economic development and industry diversification and ensure that local and disadvantaged communities reap the benefits of our economic policies.

Madam Deputy Speaker, we thank you for bringing on this matter, although it is rather leading with the chin, with the record that this government has. Thank you for bringing this matter of public importance to this Assembly.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing) (5.03): It is always a pleasure to rise in an economic debate in the Assembly, particularly after a telling contribution from Mr Doszpot. He seems to indicate a somewhat bipolar economic position within the Canberra Liberals. We had 10 minutes, or nine minutes anyway, of hairy-chested neoclassical economic theory, as espoused by a staff member on the first floor—that was fairly apparent in the delivery, and I do not think Mr Doszpot entirely believed everything he just told us. It did contrast markedly with the almost Keynesian speech of Mr Smyth—I do not think we can go quite that far; he was perhaps dipping his toe into a bit of new Keynesian economics.

But there was this little element of difference between the frontbench and the backbench of the Canberra Liberals over when it might be appropriate for a level of government intervention in the economy. It would appear that those on the first floor in the Canberra Liberals are all for a certain level of government intervention under the guise of diversifying the economy. It is all right for the government to significantly invest in areas that might perhaps favour the Liberal Party constituency or might be seen under some criteria as diversifying the economy, yet public expenditure in other areas, such as the investment in education through the building the education revolution program, is thought of differently.

I am now aware that Mr Doszpot and Mr Coe are more familiar with the application of those commonwealth funds within the ACT—and I am sure, from all the feedback from Senator Lundy and others who were able to attend in particular the launch on Wednesday, that it was indeed a good event and the particular school in question in the Tuggeranong Valley was able to put that money that was provided—

Mr Doszpot: Say it—the Trinity Christian school, Andrew.

MR BARR: The Trinity Christian school in the Tuggeranong Valley was then able to provide—

Mr Doszpot: And why weren't you there? Why don't you even turn up to any of the Christian school activities?

MR BARR: It was then able to provide—

Mr Doszpot: Why don't you turn up?

MADAM DEPUTY SPEAKER: Mr Doszpot!

MR BARR: Thank you, Madam Deputy Speaker. Indeed, the Trinity Christian school, together with all schools in the ACT, government and non-government, were most

welcoming of the federal government's investment in the building the education revolution program.

Mr Doszpot: But you still will not go out to see them.

MADAM DEPUTY SPEAKER: Mr Doszpot. It would be a pity to warn you again today, would it not?

MR BARR: They were able to put that investment from the commonwealth government towards a most constructive education purpose. Not only are there improved educational outcomes that result from that investment here in the territory but also it kept the construction industry working and kept a number of apprentices in employment.

I know Mr Hanson attended the construction industry training council awards that were held last week. He was there representing the Liberal Party and it was good to see him there. He would be aware, and I am sure he has passed it on to his colleagues, just how important the building the education revolution funding package was to maintain employment in the construction sector of the ACT economy—a very important investment. On that point I do note, and I will acknowledge that this is probably the best I will ever get from Mr Smyth, that he stopped short of criticising the implementation of the BER in the ACT.

Mr Smyth: Have I ever?

MR BARR: No, and I will acknowledge—and this is confirmed by the Orgill report, and indeed confirmed by those who were involved in delivering projects in the ACT and in those schools—that in fact, as a result of the actions of this government—

Mr Smyth: The non-government schools did particularly well, though, across the country.

MR BARR: The ACT public system got the best results in terms of costs per square metre of any system in Australia, public or private. That, Madam Deputy Speaker, is testimony to the outstanding efforts of the capital works area within my Department of Education and Training—the best results of any school system in Australia, and they deserve to be congratulated.

While we are on the subject of the public sector and the matter of public importance before us today, it would be remiss of me not to respond to Mr Smyth's observations about changing employment levels within commonwealth government agencies. Of course, in the context of a change of government and a change of priorities at a federal level it is not unusual that there would be a change in employment levels within agencies. Mr Smyth read out a list the other day of agencies that had had a reduction in staffing levels. What he did not, of course, read out was the list of agencies that had an increase and nor did he look at the totality of employment within the public sector.

It is worth noting that in 2007-08 the total general government sector employment, across all federal government agencies, was 248,217. The budgeted average staffing

levels for 2010-11 see an increase of 10,487 to 258,704. So, yes, while some agencies have seen a reduction in their staffing levels, other agencies have seen an increase, as you would anticipate with changing priorities in the context of a new federal government and a new policy agenda in a number of areas. That is not surprising; it is as you would expect it to be.

One would anticipate that, with future new policy initiatives and perhaps less of a need for investment in public sector employment in other areas, we will continue to see changes. But what we would need to look at, and look at to take a long run view, is the overall level of employment in the public sector. It is again not surprising that, as the population of this country grows, as the range of services that are being provided by the commonwealth government grows, you would anticipate there to be a modest level of growth in the public service in the months and years ahead.

This is except, of course, if Tony Abbott is elected on the weekend. It is entirely legitimate for the federal Liberal Party to indicate a position in relation to cutting public service numbers, but what is a problem for the Canberra Liberals is their incapacity to walk away from the position of their federal colleagues. I understand the difficulty that they face, but in the end they are probably better off just being honest and saying, "Look, yes, we are the neoclassical economics party; we are the party that does not believe in the public sector, that does not believe in any public provision of services or that we are the low tax party." They could say that and people would probably have more respect for them than for the positions that they have been adopting, with the contortions that we have seen over the last few weeks.

This makes it very hard for Senator Humphries, we know. Every time the coalition is in a little bit of difficulty trying to find money for another one of those vague, uncosted policies that Mr Abbott has been announcing on a day by day basis through the campaign, where do they reach for to try and get the money? They rip it out of the Australian Capital Territory. Why do they do that? Because in the end they do not particularly value Senator Humphries that much and they do not particularly value their lower house candidates in Canberra and Fraser. There is no particular surprise there. We know what the federal Liberal Party think of Canberra. We know what Tony Abbott thinks of Canberra.

In that context the people of the Australian Capital Territory, when they vote on the weekend, will know exactly where the Liberal Party stand at a federal level and also at a local level. That is very challenging for the Canberra Liberals. But at least in hearing from Mr Doszpot this afternoon we have finally stripped away all of the facades—we have got neoclassical action man, Steve Doszpot. He has risen from the backbench to say that, no, he is the economic champion of the Canberra Liberals; he is the one who is the low tax, no government spending action man—and that, Madam Deputy Speaker, has been the highlight of this afternoon's debate. (*Time expired.*)

MADAM DEPUTY SPEAKER: The discussion has concluded.

Adjournment

Motion by **Mr Barr** proposed:

That the Assembly do now adjourn.

Capital Football commemoration

MR DOSZPOT (Brindabella) (5.13): This afternoon I had the privilege of attending a Capital Football commemoration to celebrate 100 years of football being played in the ACT. It was on 19 August in 1910 that a team from Ginninderra and Yarralumla played the first recorded game of association football at Ginninderra showground in what was then the Federal Capital Territory. One hundred years later, football is the biggest participation sport in the Australian Capital Territory region. I would like to compliment the executive of Capital Football, President John Logue, CEO Heather Reid and General Manager Steven McIntyre for a very professional event that commemorated this major milestone in their code's history in Canberra.

Heather Reid spoke about today being the opportunity to dedicate 100 years of football to all those who have lived the dream and made it possible for us all to enjoy our part in the world's greatest game. Ms Reid also spoke about the listed life members of football in the ACT, whose hard work on and off the field have helped build the game in the region. For eminent service given to the Australian Capital Territory Football Federation, the following have been inducted as life members of the federation over the last 40-odd years: in the 1960s, Rod Jory, Hal Leslie, Gerry Martens, John McAvoy, Ray McGregor, Bob Tomlinson, J McMahon and L Dean; in 1971, Dennis McDermott; in 1974, J Brown and Nick Szego; in 1979, John Van Der Lende; in 1986, Heather Reid and Robert Mee; in 1987, Cass Hampton, Ron Harris and Stephanie Quinn; in 1988, Con Poulos and Don Rushan; in 1989, Roger Grylls; in 1991, Carlyle Thayer; in 1993, Brian Golledge; in 1995, George Dobbin; in 1996, Paul Murphy and Peta Winzar; in 1998, Ken Allen and Chris Conti; in 1999, Carmel Carters, Gordon Dunster and David Oner; in 2000, Margaret Taylor; in 2001, Ken Carter, Joe Fusca, Cass Hampton and Ross Jones; in 2002, Jimmy Hayes, Paul Murphy and Bill Van Der Vlist; in 2003, Clive Mackillop and David Oner; in 2004, Steve Doszpot and Keith Tournier; in 2005, Hendrik Thijssens and Alan Ward; in 2006, Carolyn Lamaro; in 2007, Bill Semeonovic and Walter Valeri; in 2008, Neils Hummel; and in 2009, Paul Whittingham.

Mr Barr: You could have just gone "and myself".

MR DOSZPOT: Mr Barr, it would not be becoming to falsify the record of foundation and life members. Thus, with all due humility, I had to mention that name. But turning back to the serious part of this, let me say, as Heather Reid stated: "Finally, to our pioneers, we salute you and say thank you for your forthright vision in bringing the game we all love to Canberra 100 years ago."

Tandem

Prostate Cancer Federation

Motor sport

MR COE (Ginninderra) (5.17): Yesterday I gave a plug for the organisation Tandem and the great work they do. I failed to mention a few people and I would like to put

those names on the record now. I did speak about Cheryl Pollard, the chief executive officer, and her great team. I would also like to read into *Hansard* the names of that great team, and I apologise if this is slightly inaccurate.

The operations manager is Lisa Grant. The senior coordinator of the children and young people's program is Barry Newport. Also in that team is the Woden and inner south coordinator, Jill Blazko. The Tuggeranong coordinator, who is also the living skills service support case manager, is Cath Warren. The Gungahlin-west Belconnen coordinator is Giovanni Nirta. The Belconnen coordinator is Julie Devlin. The inner north and part Tuggeranong coordinator is Stephanie van der Linden. And the scheduling officer is Lee French.

The AFFIRM program includes the senior family support practitioner, Catherine Bickmore; the family support practitioner, Hamish Glasscock; and the family support practitioner, Graham Bourne.

In the adults program, the senior coordinator is Estelle Anderson; the Belconnen-Gungahlin coordinator is Sally Wooldridge; the inner north-south Canberra coordinator is Chris Sakul-Thongbai; the south Canberra coordinator is Yvonne Lucas; the living skills coordinator is Susan Williams; and the scheduling officer is Robyn Cole.

In the mental health program, the senior coordinator is Liz Alexiev. In the LeisureLink program the senior coordinator is Michelle Preston. And the OHS manager and clinical adviser is Ann Murphy. I would also like to give a plug to the patron of the organisation, Air Vice-Marshal Gary Beck AO.

A few weeks ago, I had the pleasure of presenting a cheque to the Prostate Cancer Foundation on behalf of the Council of ACT Motor Clubs. The funds were raised at the Shannons Wheels 2010 charity car display held in March this year, which is one of the key events on the annual program of the council. The event has been running for almost 30 years and has raised hundreds of thousands of dollars for charities. Next year's event is taking place on 27 March. I encourage all Canberrans to get involved.

This year's event was hosted by the EJ-EH Holden Club; the Lions Club of Canberra Belconnen also assisted on the day. I congratulate and thank members of those clubs for their participation and for making the event and the fundraising possible.

I would also like to congratulate the team at Shannons Insurance on their support of the charity display and the other great work they do in our community. They offer a great product to their customers, and the fact that they have such a huge share of their market demonstrates the quality of the service they offer.

I would like to acknowledge those at the cheque presentation: John Podovan from the Vietnam Veterans Federation, who also did a great job in assisting on the day; Neal Miller and Brian Inall from the Lions Club of Canberra Belconnen; Damien Hawkes from Shannons Insurance; John Darragh from the EJ-EH Holden Club ACT; and Chris Hansen from the Prostate Cancer Support Group ACT Region. I apologise if I have missed anyone.

In Canberra, motor sport is having a tough time. Whether it be rallying, drag racing, hill climbs or other activities, these people are doing it tough. Motor sport, and indeed cars and motorists in general, are not very popular with this government. The government's disrespect for our motor sport heritage and their lack of comprehension about the layout of our city and the dependency we have on cars are extremely disappointing. I said in a speech in this place on 18 March this year:

The sport and the vocation has its challenges: the financial costs, the growing towns and cities encroaching on established circuits, bureaucracies, insurance and environmental issues are just some of them. However, none of these challenges are insurmountable. We as a parliament should be working with the motorsport community to work out how we can get the balance right so that we can see the continuation of motorsport in the ACT. I look forward to working with the motorsport communities, including the many clubs, which make Canberra a great place to live.

Mr Stanhope and his government should be working with motor clubs and with motorists to help bring some balance to this issue.

I would like to give a plug to the Council of ACT Motor Clubs and their committee. Their president is Sue Walker. The vice-president is Ross Stephens. The secretary is Paul Burke from the Triumph Car Club ACT. The treasurer is Graham Bigg. A committee member is Allan Boyd; another one is David Rogers; and a further committee member is Harvey Miles of the EJ-EH Holden Club ACT. Non-committee positions include the publicity officer, Graham Gittins, of the Canberra Antique and Classic Motor Club; and the website editor, Tim Miller, from the FE-HR Holden club. The AHMF delegates are Graham Gittins and Bill Lewis.

I encourage Canberrans who wish to find out more about the council or their affiliated and non-affiliated clubs to visit www.actmotorclubs.org.au.

Finally, let me commend the Prostate Cancer Foundation, which was the recipient of the contribution from the council. The foundation is a very worthy cause. It is committed to funding research into the cause, diagnosis, prevention and treatment of prostate cancer; raising awareness about prostate cancer; and providing support, information and advocacy to men and their families impacted by prostate cancer.

The stats speak for themselves. What is the chance of diagnosis of prostate cancer? For a man in his 40s, it is one in 1,000; for a man in his 50s, it is 12 in 1,000; for a man in his 60s, it is 45 in 1,000; and for a man in his 70s, it is 80 in 1,000. In 2010, 20,000 men will be diagnosed with prostate cancer, and 3,300 of these will die due to this cancer. It is often a tough subject for men to talk about, but it is a conversation that needs to be had.

Next month, September, is Prostate Cancer Awareness Month. I encourage Canberrans to host a barbecue and to ask each attendee to make a donation. I urge all Canberrans to visit www.prostate.org.au to find out more about the cancer, its treatment and how we can contribute to the foundation. On 2 September, I will be attending the Prostate Cancer Support Group ACT Region, when a new website will be launched. I look forward to the event.

Question resolved in the affirmative.

The Assembly adjourned at 5.22 pm until Tuesday, 24 August 2010, at 10 am.

Schedules of amendments

Schedule 1

Justice and Community Safety Legislation Amendment Bill 2010 (No 2)

Amendment moved by the Attorney-General

Schedule 1
Proposed new part 1.8A
Page 9, line 10—

insert

Part 1.8A **Firearms Act 1996**

[1.26A] Section 127

substitute

127 **When temporary international firearms licences may be issued**

The registrar must not issue a temporary international firearms licence earlier than 28 days after the day the application for the licence is made unless—

- (a) the applicant has a genuine reason to possess or use a firearm under section 128 (1) (a); and
- (b) the Minister authorises the issue in writing.

Schedule 2

Construction Occupations Legislation Amendment Bill 2010

Amendments moved by Ms Le Couteur

1
Clause 18
Proposed new section 52A (2)
Page 9, line 26—

omit proposed new section 52A (2), substitute

- (2) The licensed construction practitioner's licence is suspended when the registrar gives the practitioner notice—
 - (a) of the nature of the conduct; and
 - (b) of the nature of the risk; and
 - (c) that the practitioner may apply to the registrar to revoke the suspension.

2
Proposed new clauses 20A to 20C
Page 10, line 24—

insert

20A Section 53 (2)

after

must

insert

, on application by the licensed construction practitioner or on the registrar's own initiative,

20B Section 53 (3)

after

may

insert

, on application by the licensed construction practitioner or on the registrar's own initiative,

20C New section 53 (3A)

insert

(3A) If the licensed construction practitioner makes an application to revoke a suspension, the registrar must, in considering whether to revoke the suspension, have regard to any written submissions made in the application.

Schedule 3

Construction Occupations Legislation Amendment Bill 2010

Amendment moved by the Minister for Planning to Ms Le Couteur's amendment No 1

1

Clause 18

Proposed new section 52A (2) (c)

Page 9, line 26—

after

apply

insert

in writing

Answers to questions

Government—grants programs (Question No 810)

Mrs Dunne asked the Attorney-General, upon notice, on 24 March 2010:

- (1) How many grants programs are administered by each agency within the Department of Justice and Community Safety, including ACT Courts and the Director of Public Prosecutions.
- (2) What is the cost of administering each grants program.
- (3) What is the total value of grants paid during 1 July to 31 December 2009.

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

- 1) The Department has provided one grant in 2009-10.
 - 2) The cost of administering this grant program is minimal.
 - 3) The total value of the grant payment during 1 July to 31 December 2009 was \$20,000. In addition, the Department also provides a number of community organisations with service payments.
-

Government—advertising (Question No 813)

Mrs Dunne asked the Attorney-General, upon notice, on 24 March 2010:

- (1) How much has been spent on advertising in 2009-10 to date for each agency within the Department of Justice and Community Safety, including ACT Courts and the Director of Public Prosecutions.
- (2) On what campaigns was the money referred to in part (1) spent.
- (3) What form of media was employed to undertake the advertising.
- (4) Which businesses were employed to undertake, or consult on, each campaign.
- (5) How many of these are small businesses based in the ACT.

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

- (1) The Department of Justice and Community Safety (excluding the Emergency Services Agency, Public Trustee and the Independent Competition and Regulatory Commission) spent approximately \$86,950 in 2009-10 up to 23 March 2010. This figure does not include recruitment advertising.
- (2) The above expenditure relates to general advertising of business activities in the areas of:

- Fireworks
 - Worksafety and dangerous goods (including the WorkSafety Awards)
 - Cancellations of associations
 - Changes to legislative requirements
 - Information on the Health Services Commissioner
 - Human Rights Survey Ad
 - Human Rights Commission Art Award
 - Community forum on Rights to Housing
 - Community forum on International Human Rights Day
 - Promotion of the Human Rights Commission Training Calendar
 - Notified the receipt of an application for a change to the register of political parties.
 - Supreme Court Public Tours
 - Coroners Public Notices
 - Advertising the Review of the Human Rights Act
- (3) A mix of media was used including television, radio, website and newspaper advertising.
- (4) Canberra Pamphlet Distributors, Silver Sun Pictures Pty Ltd, The Canberra Times, Canberra Weekly, Radio Canberra Pty Ltd 2CA, City News, Radio Canberra Pty Ltd 2CC, Nimic Productions, WIN Television NSW, PRIME Television Southern Pty Ltd.
- (5) The Department is not aware of whether the above businesses fall within the definition of a 'small business'.
-

Utilities—connection delays (Question No 869)

Mr Seselja asked the Treasurer, upon notice, on 25 March 2010:

- (1) What is the average length of time it has taken for utilities, including water, sewerage, telecommunications, electricity and gas, to be connected to new homes in new sub divisions in 2010 to date.
- (2) On how many occasions has settlement on new homes or blocks been delayed due to utilities not being connected in 2010 to date.
- (3) How many (a) staff and (b) ACTEW staff currently work to connect electricity to new homes.
- (4) What is the current wait time for electricity to be connected to new homes.
- (5) What is the marginal cost of an additional employee to connect electricity at current staffing levels.

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

1. **Water and Sewerage:** Water and sewerage connections are constructed by the suburb or estate developer. When work begins to construct a residential property, water and sewerage connections are available for use immediately.

Gas: The time for gas connections is 20 days or less from the receipt of the request.

Electricity: Connection of electricity supply to new dwellings is a two stage process. The first stage involves installation of the service cable and revenue meter(s), the second involves energisation of the supply after the installation has been inspected and passed by ACTPLA, and the customer has arranged a contract with their preferred retailer.

The first stage requires a lodgement of the Request for Service (RFS) by an electrical contractor with ActewAGL Distribution. When the electrical contractor submits a RFS for a connection to the network of a new dwelling, ActewAGL Distribution will initiate the installation of the underground service cable and a new revenue meter. The current average time for the connection of electricity to new homes, which includes underground cable installation and meter installation is around 15 business days. The average time includes properties which have been found to be not ready for the connection despite the lodgement of an RFS and the required ACTPLA approval. ActewAGL records show that for RFS's received in 2010, that in around 37 per cent of cases, the site was not ready for a full service connection. Consequently, completion of a connection is delayed and often multiple site visits (around 200 cases in 2010) are required due to problems involving access to site, no actual house on site, obstacles on site, or no meter panel in the meter box.

ActewAGL has improved the connections process significantly by routinely calling the electrical contractor immediately after lodgement of an RFS to confirm the readiness for connection to the Network. Please note that this percentage was much higher (around 50 per cent) for requests received in the second half of 2009.

If an electrician previously requested an installation of a cable only and later asked for the installation of the meter (after the site has been inspected and approved by ACTPLA), the average waiting time for the meter installation is currently 6 business days.

Any requests for energisation of the customer's premises can only be actioned after the installation of a cable, meter, approval of the installation by ACTPLA, and establishment of a customer contract with a retailer of choice.

2. The Government does not have access to information about the reasons settlements may have been delayed on new homes or blocks.
3. (a) ActewAGL currently has 18 "field" personnel available in the services team with a further 4 currently in training. This team is responsible for new connections and alterations to existing services. This number does not include back office administration personnel or personnel working for any retail company, that the customer may have a supply agreement with.

(b) No ACTEW staff work to connect electricity to new homes. ACTEW's 50 per cent ownership of the electricity network in the ACT is vested in the ActewAGL Distribution partnership. Please refer to part (a) above.
4. Please refer to question 1 above.
5. If an additional employee was engaged for new connections it would cost approximately \$125,000 per annum. This includes the full allocation of on costs and overheads but does not include the cost of a vehicle if a new vehicle was also required.

**Public service—staffing
(Question No 950)**

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 25 March 2010:

- (1) In relation to staffing, for the department and each agency within the Minister's portfolio, what is the average oncost for each officer and what is included in the oncosts.
- (2) What is the marginal oncost of an additional worker at the current staffing levels.
- (3) What (a) specialist qualifications are required by staff to undertake their roles and responsibilities and (b) skills are currently lacking in the staffing base.
- (4) How many employees are currently employed and at what level is each.
- (5) What is the average salary for employees with a specialist skill that is required for the department or agencies to undertake their roles and responsibilities.
- (6) What training must employees undertake on a regular basis to maintain their specialist skills and what is the cost of this training.
- (7) What specialist equipment is required for officers to undertake their work.
- (8) For each piece of equipment referred to in part (7), (a) how many are required, (b) what is the capital cost of each, (c) what is the running cost and (d) over what period is each piece of equipment depreciated.
- (10) How many graduates are currently employed in the department and each agency.
- (11) What is the average cost of employing graduates for the department and each agency.
- (12) How many graduates, on average, have been employed each year since 2001.
- (13) How (a) many staff have been recruited and (b) much has been spent on recruitment, in 2009-10 to date.
- (14) In relation to staff who leave, (a) how many staff have left in 2009-10 to date.
- (15) What is the average amount of recreation leave and long service leave held by staff.

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

- (1) The Department uses the Department of Treasury Salary and Administrative On-Cost Model (October 2008) to determine salary on-costs estimates for each generic classification based on an average salary cost for each classification, and a standard figure for administrative on-costs. The Salary and Administrative On-Cost Model is updated annually to assist with budget preparation.

The salary on-costs include estimates for Superannuation; Employer Productivity Superannuation Contribution; Long Service Leave Provision; Annual Leave Loading; Worker's Compensation Premium, and other issues as necessary on a case-by-case basis. The salary on-cost total is 16.41% of the average salary.

The administrative on-cost model is based on average estimates for IT and communications related costs; accommodation; insurance; training; fleet; other administrative items including OH&S expenses, office machines and equipment, stationery and postage; and a corporate component covering payroll and human resources costs per FTE across Government. The total standard figure for administrative on-costs (in the October 2008 Guideline) was \$15,790.

- (2) See response to question one.
- (3) This information is not separately recorded, and I am not prepared to authorise the use of the considerable resources that would be required to answer the Member's question.
- (4) Headcount 2939, FTE 2742.95 (as at end March 2010).

Classification Level	No. Staff
ACTPS Trainee A	8
Admin Service Officers 1	852
Apprentice	19
Bus Operator	610
Bus Operator Trainee	27
Capital Linen Officers	85
Contract Chief Executive	1
Contract Executive	29
General Service Officers	409
Graduate Admin Assistant	1
Indigenous Trainee	2
Information Technology Officer 1	39
Information Technology Officer 2	74
Information Technology Trainee	11
Manager	2
Park Rangers	30
Senior Park Ranger 3	9
Professional Officer 1	48
Public Affairs Officer 1	6
Senior IT Officers	65
Senior Officers	389
Senior Professional Officers	46
Senior Technology Officer C	56
Technical (Electronics) Officer 4	1
Technical Officers	119
Veterinary Officer 3	1
Total Headcount	2939

- (5) See response to question three.
- (6) See response to question three.
- (7) See response to question three.
- (8) See response to question three.
- (9) There is no question nine.

- (10) One.
 - (11) \$15,500
 - (12) Two.
 - (13) a) 266 staff recruited since July 2009
b) \$467,439 spent on recruitment 2009-10 to date.
 - (14) a) 219 staff have separated from the Department since July 2009.
 - (15) Average annual leave: 173.89 hours per person (as at end February 2010)
Average long service leave: 2.207 months per person (as at end December 2009)
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Bushfires—controlled burns (Question No 977)

Ms Bresnan asked the Minister for the Environment, Climate Change and Water, upon notice, on 22 June 2010 (*redirected to the Minister for Territory and Municipal Services*):

- (1) In relation to the burning off of parks and reserves, who decides when and where burns in the ACT are undertaken.
- (2) Who is notified when a burn off is undertaken and how is that notification undertaken.
- (3) What are the reasons that burn offs are undertaken in the ACT.
- (4) What is the Government's policy on the impact of burn offs near residential areas.
- (5) Is pollution from burn offs measured or monitored; if so, who by.
- (6) What information does the Government collect about the impact of burn offs on air quality and where is this information made available.

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

- (1) *The Emergencies Act 2004* requires the Emergency Services Agency to develop a Strategic Bushfire Management Plan (SBMP). The SBMP (which is informed by the Regional Fire Plans) requires all land managers to produce a Bushfire Operations Plan (BOP). The BOP is required to be endorsed by ACT Bushfire Council and approved by the Commissioner for Emergency Services. The BOP details the hazard reduction activities including individual hazard reduction burns. The timing of these burns is determined by seasonal conditions.
- (2) The Department of Territory and Municipal Services (TAMS) provides notifications via letterbox drops to immediate neighbours and makes contact by telephone with relevant local community groups including Park Care and Community Fire Units.

A press release is issued as a general public notification and relevant ACT, NSW and Federal agencies are individually advised.

- (3) Hazard reduction burns are undertaken to reduce fuels and mitigate the risk from uncontained wild fires. They are an important part of ensuring the Government meets its legal obligations for bushfire fuel management under the SBMP.
 - (4) TAMS has an Environmental Authorisation from the Environment Protection Authority (EPA) to undertake hazard reduction burns. This authorisation sets parameters around wind and smoke direction and all TAMS burns are undertaken in appropriate weather conditions in accordance with the EPA authorisation to minimise impacts on residential areas.
 - (5) Burn offs are generally planned and undertaken in conditions which would take the smoke away from the urban area. Monitoring by Health Protection Services (HPS) ACT Health indicates that ACT burns are generally not detected. This is because the smoke management guidelines contained in all burning off authorisations are designed to minimise the smoke impacts in built up areas. The major smoke impacts that have occurred in Canberra in the last few years have come from large scale burns conducted in NSW.
 - (6) The pollutant of concern for smoke pollution is particulate matter. HPS currently monitor particulate matter less than 10 and 2.5 micrometres equivalent aerodynamic diameter (PM10 and PM2.5) This data is included in the ACT air quality report.
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Health—autism spectrum disorder (Question No 981)

Ms Hunter asked the Minister for Disability, Housing and Community Services, upon notice, on 23 June 2010:

- (1) Has the ACT Government considered funding training courses for parents of children on the Autism Spectrum to help alleviate some of the demand for therapy services in the ACT.
- (2) Is the ACT Government considering increasing numbers of therapists given that anecdotal evidence from parents suggests that there is still a critical shortage.

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

(1)

Since 2005 Therapy ACT Autism service has offered a family group program to families of children (up to the age of 12 years) who have received a diagnosis of Autism Spectrum Disorder (ASD) within the past eighteen months. To date 214 families have completed the family group program.

This program is comprised of a series of six three hour workshops that aim to equip parents (and grandparents) with a variety of skills and strategies to assist in the management of their children. At the completion of the program, families are offered a goal setting session to focus on specific family needs.

The workshops incorporate many interventions which:

- develop communication skills;
- identify and manage sensory difficulties and develop play skills;
- implement specific behaviour management strategies to address specific behaviour problems; and
- provide counselling and support for the family unit.

The ACT Department of Education and Training (DET) facilitates the organisation and delivery of two day workshops and information sessions to parents/carers of students on the Autism spectrum as part of the Positive Partnerships: Supporting School Aged Students on the Autism Spectrum initiatives. Workshops were held in Canberra in March 2009 and May 2010 and a third workshop is planned for August 2010. These initiatives are funded by the Department of Education, Employment and Workplace Relations (DEEWR) through the Australian Government's Helping Children with Autism package. This Positive Partnerships initiative is being developed and delivered by the Australian Autism Education & Training Consortium (AAETC).

Therapy ACT staff deliver these sessions together with colleagues from DET and the Autism Association.

(2)

The ACT Government 2009-10 budget provided Therapy ACT with additional funding for twelve therapy positions, eight of these were for additional Speech Pathologists. In February 2010 the Therapy ACT Autism Service (TAS) was expanded to increase the number of therapists available to provide intervention, play-based therapy and playgroup programs for younger children (under 8) with a diagnosis of autism.

In 2009-10, Therapy ACT implemented a Demand Management Strategies Plan which was aimed at increasing the effectiveness of available resources and decreasing waiting times for services. The additional therapist positions and the implementation of other demand management strategies has led to a reduction in waiting times.

The Government will continue to monitor the need for additional resources.

Children—care and protection (Question No 982)

Ms Hunter asked the Minister for Disability, Housing and Community Services, upon notice, on 23 June 2010:

- (1) What supports are available, within Care and Protection Services, to parents with a disability whose children have been deemed at risk.
- (2) How many families and children in the ACT are in the situation referred to in part (1) and how many are engaged with the Care and Protection system.
- (3) What is the ACT Government doing to address concerns in the community that positive outcomes for these families are hard to achieve because of a lack of family support services.

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

1. On a case by case basis caseworkers develop individualised plans with parents with particular emphasis being placed upon ensuring information sharing with the parent is suitable and accessible for them. This may include calling on the expertise from disability specific services such as Vision Australia.

As a requirement of good practice, parents with a disability whose children have been deemed at risk would be encouraged and supported to engage with an advocate service to ensure that they have an independent service provider to help them navigate the child protection service system. Noting it should not be assumed that parents with a disability have impaired decision making capacity.

In the ACT through the Child and Family Centres there is the Healthy Start Program that is a national training initiative providing training opportunities for services that work with parents with a disability in the ACT. The workshops explore what is known so far about parenting with a learning difficulty and common barriers for working with this client group. Identification of parents with learning difficulties, communication strategies and interviewing skills will also be covered. It is hoped through raising worker awareness this will translate into improved outcomes for families, and enable workers to respond with an increased awareness and sensitivity to individual family needs.

2. This information cannot be readily attained as a data set is not currently held by Care and Protection Services.
3. DHCS provides targeted services to these community members through Disability ACT, Child and Family Centres and Therapy ACT, each of whom can assist to develop a personalised response for individual families.

There are a number of community based family support services funded by both the ACT Government and Australian Government to provide support to vulnerable families in the ACT. The Department of Disability, Housing and Community Services, through the Family Support Program provides funding to 20 non-government organisations to provide services to children, young people and their primary carers that focus on enhancing parenting capacity and the wellbeing and safety of the children and young people.

Families with additional support needs resulting from parents with a disability are included in the target group for ACT Government funded services, and will continue to be within the target group for services funded through the framework under development for the provision of services to vulnerable and in need children, young people and their families.

Children—care and protection (Question No 983)

Ms Hunter asked the Minister for Disability, Housing and Community Services, upon notice, on 23 June 2010:

- (1) Can the Minister advise whether any of the 2010-2011 budget allocation to Care and Protection Services will be used to support and deliver better outcomes for young people transitioning out of care.

- (2) What mechanisms currently exist within Care and Protection Services to support young people who are transitioning out of care.
- (3) How are young people involved in the planning for their exit from care and at what age does planning begin.

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

1. The Care and Protection budget allocation includes funding to Out of Home Care agencies which includes transition planning as part of their case management frameworks. There are also contingency payments that can be drawn upon for young people over the age of 18 years. For example payment of vocational / educational programs that have not yet been completed.
2. Young people leaving care in the ACT have an individual Leaving Care Plan which focuses on key areas that need to be addressed in preparation for leaving care, including living arrangements, education, training, employment or means of financial support, now with particular reference to the Australian Government 'earn or learn' requirements, health and mental health and support networks.

Once a young person attains 18 years of age, the Out of Home Care and community support agencies may oversee a young person's Leaving Care Plan and provide the young person with needed support and follow up.

Some young people in long term foster care continue to live with their carers. For those moving onto independent living arrangements, material support to establish themselves is available through Commonwealth and Territory funds

Authorised foster carers may continue to receive subsidy payments until the young person in their care has finished their secondary education/training past 18 years.

A Compliance Officer within the Department monitors the development of all care plans, including leaving care plans.

3. In line with the legislation and current policy, a Leaving Care Plan is developed with a young person at least one year prior to their transition from care. Care and Protection Services procedures encourage staff to commence the development of a Leaving Care Plan soon after the young person turns fifteen years of age.

The young person and relevant support agencies/services working with the young person are involved in the preparation and planning for their transition from care. Young people receive a 'time to fly' kit, which contains important information and contacts for young people leaving care.

The Child Protection Case Conference Team within Care and Protection Services prioritises case conferences for all young people leaving care. The young person is invited to attend and contribute at this conference.

**Children—care and protection
(Question No 984)**

Ms Hunter asked the Minister for Disability, Housing and Community Services, upon notice, on 23 June 2010 (*redirected to the Minister for Children and Young People*):

- (1) Can the Minister provide an update on the progress of the two person Case Conference Team within Care and Protection Services.
- (2) How many young people have been assisted in preparing a case plan for exiting care since the Case Conference Team was established.

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

1. The Child Protection Case Conferencing Team has been operational since November 2009. For the period November 2009 until the 23 June 2010, they have convened 251 case conferences. Feedback from families and service providers has been positive and provided opportunities for good case collaboration with families and service providers across the sector.
2. Of the 251 conferences held, 48 were convened in relation to young people leaving care, to assist in developing plans for exiting care. The plans were developed in consultation with the young people and significant others involved in their lives.

**Territory and Municipal Services, Department—rangers
(Question No 985)**

Mrs Dunne asked the Minister for Territory and Municipal Services, upon notice, on 24 June 2010:

- (1) In relation to the answer to question on notice No 106 from the Estimates inquiry, how many rangers are (a) employed permanently and (b) employed in the ACT's nature reserves and national parks.
- (2) How many, of the 18% of rangers identified as being on limited contract, are employed on short-term or specific projects with an identifiable end date and what are the projects.
- (3) What is the projection for the employment of rangers (a) permanently and (b) on contract during the 2010-11 financial year.

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

- 1 (a) There are currently 31 rangers employed permanently.
- 1 (b) There are currently 38 rangers employed in ACT nature reserves and national parks.
- (2) One ranger is employed to deliver two specific projects through funding provided via the Commonwealth Government's *Heritage Stimulus Projects (Jobs Fund)*. The

projects are the Historic Huts Conservation project; and the Namadgi National Park Historic Huts Interpretive Trail. The end date for these projects is 30 September 2010

The other six rangers are back-filling permanent positions and are not employed to deliver specific projects.

- (3) It is projected that a similar number of rangers will be employed in 2010-2011 as were employed in 2009-10. The number of rangers employed on contracts varies from month to month as the demand for rangers to fill temporarily vacant positions changes (such as when staff take long service or maternity leave or are seconded into other agencies).

Transport—infrastructure (Question No 987)

Ms Le Couteur asked the Chief Minister, upon notice, on 24 June 2010 (*redirected to the Minister for Transport*):

- (1) In relation to the motion passed by the Assembly on 5 May 2010 concerning active transport, what steps has the Government taken, so far, to investigate the different aspects of this motion, and what steps are planned, for (a) implementing a 'safe routes to school' project, (b) reviewing lighting for paths and at public transport stops, (c) investigating building improved cycling infrastructure in Canberra and what work will be done specifically to assess each of the different types of infrastructure and locations, (d) engaging in projects to benchmark walkability and cyclability in Canberra as compared to other cities around Australia and the world and what projects has the Government identified, so far, that it is considering, (e) providing improved active transport facilities at bus stops and interchanges and what type of facilities will be considered specifically, (f) using travel demand management techniques, including by converting appropriate areas into pedestrian priority spaces and has the Government identified any areas, so far, to convert to pedestrian priority space, and what process will it use to identify others and (g) investigating formalising the principles from the Healthy Spaces and Places design guide and the International Charter of Walking into the Territory's planning rules.
- (2) Which departments/agencies will be responsible for each of the different elements of the motion.

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

- (1) The Government will provide a detailed progress report to these items by December 2010, as agreed in the motion passed by the Assembly on 5 May 2010.
- (2) The Department of Territory and Municipal Services, the ACT Planning and Land Authority, ACT Health and the Department of Education and Training all have responsibility for active transport activities as in the motion.

**Aussie Junk
(Question No 988)**

Ms Le Couteur asked the Minister for Territory and Municipal Services, upon notice, on 24 June 2010:

- (1) How were the assets of Aussie Junk at the Mitchell and Mugga sites dealt with after Aussie Junk was evicted.
- (2) Were the assets referred to in part (1) liquidated.
- (3) Who ultimately retained ownership of the assets referred to in part (1) and what has been done with them.
- (4) How much money has the Government spent on the Mitchell and Mugga reusables sites since Aussie Junk was evicted and can the Minister detail what any money spent was used for at each site.
- (5) How was paint waste dealt with at the Mugga Lane and Mitchell sites prior to the awarding of the Chemsal contract in March 2009.
- (6) Is the amount of paint waste currently weighed and recorded, and was it also weighed and recorded prior to the Chemsal contract.
- (7) What was the amount of paint disposed of at Mugga Lane and Mitchell in each of the last five years.
- (8) Does the ACT Government have a copy of written authority from ACT No Waste allowing Aussie Junk to operate as a subcontractor to Thiess services at Mitchell, as it did before being evicted from the reusables site in 2009, and can the Minister provide a copy of this document.
- (9) Does the ACT Government have a copy of the contract between Thiess and Aussie Junk for the operation of the reusables site at Mitchell; if so, can the Minister provide a copy of this document.

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

(1, 2 & 3) The Territory, through the Department of Territory and Municipal Services (TAMS), has a contract with Thiess Services that includes management of the reusables facility at Mitchell. Aussie Junk Pty Ltd (Aussie Junk) provided services to Thiess Services Pty Ltd (Thiess Services) under sub-contract to manage that facility. The Territory also had a direct contract with Aussie Junk that included the management of the reusables facility at Mugga Lane.

On 30 July 2009, Aussie Junk was placed into liquidation. Following this, the Territory and Thiess Services independently terminated contracts with Aussie Junk. From 30 July 2009 Aussie Junk was no longer operating either reusables facility. Thiess Services continued to operate the Mitchell facility. An interim arrangement at the Mugga Lane facility ensured the continued acceptance of second-hand goods of saleable quality.

A liquidation involves realising the company's assets, distributing the proceeds of realisation among creditors and distributing any surplus among shareholders. In the

Aussie Junk matter, the liquidator was responsible for implementing this process. The Department understands that the liquidator did in fact follow this process.

On 31 July 2009, a Notice of Disclaimer of Onerous Property was lodged with the Australian Securities and Investments Commission. The liquidator provided further advice that this disclaimer applied to stock and shop fittings. The Department's records indicate as follows.

- The liquidator asserted possession over some assets.
- Former staff members from Aussie Junk that made out claims over goods to the liquidator and had those items released to them.
- Aussie Junk customers who had purchased but not collected goods prior to liquidation made out claims to the liquidator in the first instance and had those items released to them.
- The Department released some other items to customers who asserted their reasonable claim over stock purchased prior to liquidation.
- Remaining stock, which belonged to the Territory due to the liquidator's disclaimer, was assessed. Stock assessed as having no resale value was recycled or discarded. Stock assessed as having resale value was retained and became initial stock for the new reusables facility operator.
- Fittings were repaired, removed or retained depending on their condition.

Any further questions about the liquidation should be directed to the liquidator. The Department did not administer that process and cannot provide definitive advice.

4) The Territory incurred expenses of around \$148,400 as a result of the termination of Aussie Junk. Most of these expenses were repairs to the facility, clean up of the facility and staffing costs to keep the facility open for the acceptance of reusables, until a new contract was awarded. These expenses also included outstanding site rental owed by Aussie Junk and outstanding commercial landfill charges owed by Aussie Junk.

The Territory has spent money approximately \$50,100 on upgrading the reusables facility at Mugga including repairs and improvements to the storage yard, signage, additional shelving, security screens on windows and a sales counter.

At Mitchell approximately \$39,500 has been spent on upgrading the reusable facility with a new sales office, additional shelving, a shipping container for material storage and electrical upgrades.

(5) Prior to March 2009, on-site contractors (Thiess Services at Mitchell and Aussie Junk at Mugga Lane) received, handled and stored paint dropped off by residents at collection points. These services were performed under contract. Chemsal then collected the paint under similar arrangements as under the current contract.

(6) Chemsal weighs and records paint on collection. Chemsal weighed and recorded paint on collection under prior arrangements.

(7) Under the arrangements outlined at (5) – (6) above, no paint is disposed of at Mugga Lane and Mitchell and none was disposed of over the last five years. Paint is recycled.

Over the past five years the following amounts of paint were received and recycled at Mugga and Mitchell: (NB: 1 Tonne = Approx 1000 Litres)

- 2005- 17.6 tonnes
- 2006- 38.1 tonnes
- 2007- 31.1 tonnes
- 2008- 41.1 tonnes
- 2009- 51.4 tonnes
- 2010 (first 6 months)- 21.5 tonnes

Note that until recently all paint was transferred to Mitchell and collected from there for recycling. Data on tonnages from individual sites is not available.

(8) ACT NOWaste has on file a copy of written authority from ACT NOWaste allowing Aussie Junk to operate as a subcontractor to Thiess Services at the Mitchell reusables facility. I have attached a copy of this document.

(9) ACT NOWaste does not have a copy of the contract between Thiess and Aussie Junk for the operation of the reusables site at Mitchell.

Green Square—water use (Question No 989)

Ms Le Couteur asked the Minister for Territory and Municipal Services, upon notice, on 24 June 2010:

- (1) How often is the newly renovated area of Green Square being watered, including the native grasses, trees, planters, and any other watering.
- (2) What is the amount of water being used to water this area currently, and what is the expected amount to be used annually.

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

- (1) Following planting in March, initial watering was undertaken by the construction contractor to assist plant establishment. Watering ceased on 8 June 2010. The grass at Green Square has been replaced with drought-tolerant plants that require minimal water after establishment. The new deciduous trees planted in the refurbished area will be hand watered with non-potable water during the growing period (September – March) until they become established.
- (2) With the exception of the trees, the plantings are intended to survive without additional watering. The plants are not currently being watered and unless there is an extended dry period, ongoing watering of these plantings is not anticipated.

The trees will be watered using approximately 50 litres of non-potable water as described above.

Children—care and protection (Question No 990)

Mrs Dunne asked the Minister for Children and Young People, upon notice, on 30 June 2010:

- (1) Does the department develop care plans for children and young people in care and protection; if not, why not; if so, who is consulted in the development of those plans.
- (2) Do those plans referred to in part (1) include management of and, support for, grandparents as they age to the point of being elderly or even frail when caring for children and young people; if not, why not; if so, what management and support elements are included.
- (3) Do those plans referred to in part (1) include transition to adulthood and self-care for children and young people in care and protection; if not, why not; if so, (a) what issues are considered and (b) who is consulted in the development of those transition plans.
- (4) What post-care and protection support does the department provide both to carers and young people formerly in care and protection.

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

1. All children and young people involved with Care and Protection Services have care plans. There are policy and procedures that guide practice and influence the development of plans that include consultation with the child/young person if age appropriate and significant others.
2. Care plans are developed to meet the needs of the child or young person. This may include services to support carers such as respite and school holiday arrangements. The Caseworker, through the assessment and consultation process, should be aware of the carers needs (including the needs of grandparent carers) and this would be discussed and strategies developed on an individual basis to support the placement. Care plans are reviewed on a regular basis, and in undertaking this task, the potential changing needs to support the placement will also be addressed.
3. Young people leaving care in the ACT have an individual Leaving Care Plan.
 - a) The Leaving Care Plan focuses on key areas that need to be addressed in preparation for leaving care, including living arrangements, education, training, employment or means of financial support, with particular reference to the recent Australian Government 'earn or learn' requirements, health and mental health, and support networks.
 - b) Consultation with appropriate stakeholders varies from case to case as each young person has a different set of needs and networks. Consideration would be given to the young person's social, emotional, physical, psychological and educational / vocational needs and then an appropriate agency may be identified to become involved with the young person.

The Child Protection Case Conference Team within Care and Protection Services prioritises case conferences for all young people leaving care. The young person is invited to attend and contribute at this conference.

4. Once a young person attains 18 years of age, out of home care and community support agencies may oversee a young person's Leaving Care Plan and provide the young person with support and follow up needed.

Some young people in long term foster care continue to live with their carers. For those moving on to independent living arrangements, material support to establish themselves is available through Commonwealth and Territory funds.

Consideration can be given to contingency payments for young people over the age of 18 years on a case by case basis. For example payment of vocational/educational programs that have not yet been completed.

Consideration may be given on a case by case basis to authorised foster carers receiving subsidy payments until the young person in their care has finished their secondary education/training past 18 years. Out of Home Care agencies also provide support to carers beyond a child in care's 18th birthday.

A Compliance Officer within the Department monitors the development of all care plans, including leaving care plans.

Children—care and protection (Question No 991)

Mrs Dunne asked the Minister for Children and Young People, upon notice, on 30 June 2010:

- (1) In relation to training offered to people who provide out of home care for children in the care of the Chief Executive, what training is provided to (a) foster and (b) grandparent and kinship carers.
- (2) What was the per head cost of training for (a) foster and (b) grandparent and kinship carers in the 2009-10 financial year.
- (3) Can the Minister explain why any differences arise between the training and support given to (a) foster and (b) grandparent and kinship carers in the replies to parts (1) and (2).

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

1. a) Foster Carers are provided with pre-service training called '*Positive Futures Caring Together*'. Kinship carers are also able to attend the relevant modules of the '*Positive Futures Caring Together*' training. In addition to this training foster care agencies also provide training as required based on requests from carers or needs identified by the agencies.
- b) Kinship Carers including grandparents can choose to access training from a range of courses specifically provided for kinship carers by DHCS. Examples of the topics covered include:
 - Understanding and Responding to Complex Trauma
 - Grief and Loss
 - Navigating the Care and Protection System
 - Dealing with Mental Health Issues
 - Dealing with Drug and Alcohol issues

These modules are a part of the training that foster carers undertake when becoming a foster carer in conjunction with the training their specific agency provides.

2. a) Information from Learning and Community Education unit states that the cost per head for the foster care training program '*Positive Futures Caring Together*' is affected by a range of variables as delivery is shared between the foster care agencies and DHCS. The number of attendees per training group also varies. An approximate cost per head is in the order of \$688 per person for the ten module program.
- b) The Learning and Community Education unit also report that the cost per head of training for Kinship carers and grandparents is affected by a range of variables including the number of carers attending and also if the training was provided by ACT government staff or other providers. The cost per head can vary from \$345 per person to no or minimal cost depending on the course.
3. Foster carers become carers via unique pathways and this is reflected in the training needs. The '*Positive Futures Caring Together*' is pre-requisite training for all new foster carers and is designed to meet the needs of carers who have no previous experience of the child / children they will be caring for. This training is a combination of sessions provided by the Department and the agency to that the Foster Carer is registered with.

Kinship carers and grandparents generally have some prior knowledge of the child/ children they will be caring for. Whilst having some similar training needs, kinship carers require specific and unique training. DHCS is developing a training package to address these unique needs. Training is voluntary for Kinship Carers and Grandparents, however they can choose to access training from a range of courses specifically provided for kinship carers by DHCS. Examples of the topics covered are described in question 1(b).

The training provided for Kinship carers and grandparents is usually provided in a one day or half day format. *Positive Futures Caring Together* has ten modules and is generally delivered over a series of evenings and / or weekends resulting in greater cost.

The Department has established a Carer Liaison Officer (CLO) to act as a point of contact for support, information and problem solving for carers (including Foster, Kinship and Grandparent Carers). This position is an acknowledged success. The CLOS distributes a newsletter to all carers with information, details of courses and contact details for a range of useful supports.

The Department funds a range of supports for carers and families through its programs including the Family Support Program and Youth Service program. Carers have access to the full range of services and support in the community for all families in need of help including Child and Family Centres, Parenting Programs and other government and non-government services, for example grandparent networks, through the CLO and Belconnen Regional Community Service (BRCS).

Care and Protection Services have two teams of case managers focusing specifically on the support needs of kinship placements.

Children—care and protection (Question No 992)

Mrs Dunne asked the Minister for Children and Young People, upon notice, on 30 June 2010:

- (1) Does the department, as parent, currently give an information kit to carers upon asking them to care for babies, children or young people in care and protection; if so, (a) when was that kit developed, (b) what information is provided in relation to carer entitlements, responsibilities and support and (c) what other information is provided; if not, (a) why not, (b) is a kit being developed and when will it become available
- (2) Is the information given to carers consistent across all case managers; if not, why not; if so, can the Minister explain why carers report receiving different information from different case managers.
- (3) Does the department, as parent, currently give an equipment kit to carers upon asking them to care for babies, children and young people in care and protection; if so, (a) what equipment is provided for (i) babies, (ii) children and (iii) young people, (b) when was the kit developed and (c) who was consulted on its contents; if not, is a kit being developed and when will it become available.
- (4) Is the equipment provided consistent across all case managers; if not, why not.
- (5) Given that at the Select Committee on Estimates 2010-2011 hearing on 27 May 2010 the Minister stated that "Part of the dialogue is the offer of assistance. Back in August, we saw practical assistance in response to comments made by carers around library, toys, car seats, those types of things. Groups chose not to take up that offer of funding, for their reasons, but certainly the offer was there", (a) what offer of assistance was given, (b) in what form was the assistance, (c) to whom was the assistance given, (d) what documentary support for the offer exists, (e) which groups took up the offer, (f) how much assistance was given to each group that accepted the offer and (g) what accountability arrangements are in place for that funding.

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

1. I am advised that the Department does not currently have a specific information kit for carers.
 - a) The Foster Care Handbook was developed and went out for consultation in October 2005, however a decision was taken not to progress the publication until the 'Roles and responsibilities' document (a joint collaborative work between Care and protection Services and the Out of Home Care Committee) was completed in late 2007. With the subsequent rise in the number of children in kinship care, work commenced in 2008 to update the handbook to include relevancy for Kinship Carers and to ensure its compliance with the *Children and Young People Act 2008*.
 - b) The final draft of the Foster and Kinship Care Handbook will be provided to the Out of Home Care Committee meeting in July 2010 to finalise and complete the Handbook for publication. All Foster and Kinship Carers will be provided with a copy upon publication.

It is however important to note that Foster Carers are provided with pre-service training called *Positive Futures Caring Together*. Foster Carers are also able to access training provided by foster care agencies. Kinship Carers have access to training offered by the Department.

At the time of placement of children and young people with a Kinship Carer, Care and Protection Services undertake comprehensive Kinship Carer Assessments to ensure suitability, capacity and safety.

Care and Protection Services may also provide advice and support to carers on court processes and offer financial support to ensure that carers have the practical necessities to provide day to day care, depending on the circumstances of the care. Kinship and Foster Carers are entitled and receive the same financial support dependent on case circumstances.

2. Information given to carers is based on the complexity and needs of each child or young person involved. Each situation is unique therefore information must be tailored to address the individual needs and circumstances of each child and young person and the needs of the foster or kinship family.
3. I am advised that the Department does not have a standard equipment kit that is given to all carers. This is due to the unique and complex nature of each placement, which is assessed on the individual needs of the child or young person, and those of the carers. Care and Protection Services have had an operational resource room since 2005. The resource room includes items such as spare clothes, overnight bags, toiletries including nappies, books, toys and games. The items in this room are utilised to supply children and young people as needed.

In addition to the resources in this room, the Legacy Laurel Club has developed 'personal care kits' for children. Caseworkers distribute these kits as needed, but particularly in emergency care situations. These packages include personal care items and a soft toy.

At times equipment is not needed as the children and young people coming into care may bring their personal property with them. The Department may also provide vouchers so that goods and services may be purchased, and in some cases the Caseworker will purchase goods on behalf of children and young people.

4. The equipment provided to children and young people is not consistent across all Caseworkers as each case is assessed individually with each child or young person's unique needs being addressed. Caseworkers complete a financial plan as part of care planning, and work within the Office for Children, Youth and Family Support Contingency Guidelines.
5.
 - a) An offer of \$40,000 was made to the Grandparent and Kinship Carers group at meetings in August and December 2009.
 - b) The \$40,000 was to be provided in the form of a grant or grants. The money was to be used for items such as library books, toys and car seats. The group had previously asked the Department for items such as these.
 - c) I have been advised that the offer was to the Grandparent and Kinship Carers group, which was subsequently incorporated as Grandparent and Kinship Carers (ACT) Inc. The group refused the offer and declined to discuss the issue further saying that they wanted \$200,000 per annum on an ongoing basis. A further offer of the \$40,000 without prejudice to future discussions was also declined.
 - d) I was further advised that as the group were adamant that there was nothing further to discuss, there was no requirement to confirm the offer in writing. The meeting was attended by five members of the group, including the current president, and three staff from the Office for Children, Youth and Family Support.

- e) The group did not take up the offer.
 - f) As the group did not take up the offer, no assistance was required.
 - g) As the group did not take up the offer there were no accountability arrangements necessary.
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Children—kinship carers (Question No 993)

Mrs Dunne asked the Minister for Children and Young People, upon notice, on 30 June 2010:

- (1) How many kinship carers has the Minister met and spoken with since her appointment.
- (2) What were the outcomes of those meetings and discussions referred to in part (1).
- (3) What policy and response/action decisions did the Minister make as a result of those meetings and discussions referred to in part (1).

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

- 1. I have met with several kinship carers and the various groups representing kinship and foster carers. I am continuing to work with the kinship carers and have committed to meeting them regularly.
- 2. I have had broad ranging discussions, including but not limited to subsidies and contingency payments, training, procurement, support, respite, case management and parental responsibility. For outcomes see (3).
- 3. I have asked my department to thoroughly brief me on what they are doing to support kinship carers and foster carers. I also called a special briefing on the previously unmade claims of 'institutionalised abuse' that were made by Vice-President (now President) Ms Marion Le of Grandparent and Kinship Carers (ACT) Inc in Budget Estimates. I was satisfied that this was not the case but will continue to monitor the relationship between kinship carers and the department with input from their representative bodies, who I meet with regularly and which are represented on Departmental Committees.

There are three further issues which the kinship carers raised which relate to specific actions:

- a. A handbook for kinship carers: the *Foster and Kinship Care Handbook* was already under development by the Department and is almost complete. The final draft will be provided to the Out of Home Care Committee (on which kinship carers are represented) meeting in July 2010, to finalise and complete the Handbook for publication.
- b. A factsheet on court processes: The Kinship Carers and the Children's Court factsheet was also already under development and further consultation with Kinship Carers is occurring.

- c. The development of further brochures/factsheets which kinship carers have recommended is being discussed with the department.

At this stage no substantive policy reform has been proposed by kinship carers from the meetings for a decision by me, although general out of home care issues have been discussed with the kinship carers.

The Kinship Carer Program is currently subject to a procurement process.

Children—care and protection (Question No 994)

Mrs Dunne asked the Minister for Children and Young People, upon notice, on 30 June 2010:

- (1) In relation to children in out of home care, what decision-making is allowed to be made by (a) foster and (b) grandparent and kinship carers in relation to (i) education, (ii) health, medical and hospital, (iii) legal matters, (iv) respite care, (v) recreation, (vi) excursions and holidays outside the ACT, (vii) clothing and other personal requirements and (viii) other matters.
- (2) Is there any difference in the decision-making powers of foster carers vis-à-vis grandparent and kinship carers; if so, why.
- (3) What consultation is undertaken with the carer in relation to decisions made by the Chief Executive.
- (4) What is the process by which these matters are decided.

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

1. Decision making responsibilities of a foster carer or kinship carer will vary dependent on the type of Parental Responsibility the Chief Executive has been granted by the ACT Children's Court. Parental Responsibility can be granted in a number of ways including the transfer of day to day care responsibility and long-term care responsibility to the Chief Executive; parental responsibility or parts of parental responsibility may also be shared between a number of people (either day to day and/or long-term care responsibility) including the Chief Executive and a parent(s) or a kinship or foster carer/s.

Where the Chief Executive holds parental responsibility for a child or young person, the Chief Executive may authorise a foster or kinship carer to exercise all or part of this on the Chief Executive's behalf. There are no differences in policy about what parts of parental responsibility the Chief Executive will authorise a carer to exercise.

(a/b) (i-viii) A person who has been authorised to exercise daily care responsibilities may make the decisions about health and medical assessments including dental check-ups, school excursions, day to day education decisions; however, not including choosing the child's school. A person who has been authorised to exercise long-term care responsibility on behalf of the Chief Executive may make decisions about education, health, medical and hospital, respite care, recreation, excursions and holidays outside of the ACT, legal matters, and other personal requirements.

As a matter of practice and current departmental policies (Chapter D15: Out of Home Care Case Management of Children on Long Term Orders Policy), where the Chief Executive holds long term care responsibility (and an Order of the Court is not made to others) this remains with the Chief Executive, authorisation of daily care responsibility will be given to a foster or kinship carer.

2. There is no difference in the decision making powers of foster carers vis-à-vis and kinship carers (including grandparents) where this is made by authorisation of the Chief Executive's parental responsibility. However, it is to be noted that the Court may order that daily care responsibility and/or long term care responsibility is held between the Chief Executive and others. In these circumstances, decision-making power of a carer may vary.
3. Decisions made by the Chief Executive that are non-crisis driven are made in a Review of Arrangements meeting, at home visits and/or office visits, through case conferences and at times through discussions via telephone. When a Review of Arrangements meeting is held, which is usually every three months unless stated differently on a child or young person's care plan, all important persons in the child and young person's life are contacted and invited to attend the meeting, for example, parents, carers, counsellors, teachers, medical officers and health professionals. The meeting aims to obtain all the views from these people and to review the previous three months of the child or young person's life and to discuss future planning for the child or young person. If age appropriate, children are consulted outside of this meeting and their views are brought to the meeting. Where appropriate, young people are invited to attend the meeting and express their views.
4. Parental Responsibility is decided by the Magistrate of the ACT Children's Court and authorisation of parental responsibility is decided by the Chief Executive. See response to question three in regard to how the Chief Executive and those involved with the child or young person make decisions about the child or young person's best interests.

Children—care and protection (Question No 995)

Mrs Dunne asked the Minister for Children and Young People, upon notice, on 30 June 2010:

- (1) In relation to the Government budget commitment of an additional \$5.7 million over four years being provided to support the increasing number of children who need to be provided with out-of-home care, Budget Speech 2010-11 page 11, what programs, activities or other support services will this new funding provide.
- (2) How will those programs, activities or other support services referred to in part (1) be delivered and by whom.

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

The member should note that the response covers the entire Department of Disability, Housing and Community Services

- (1) The additional commitment to the Out of Home Care Budget will be expended on:

- placement costs to non-government agencies who provide staff in residential placements as well as recruitment, assessment, training and support to foster carers;
- subsidies to kinship carers and foster carers as a contribution to the costs of raising children and young people;
- contingency costs which cover one off or special additional needs including transport and supervised contact, counselling, tutoring and some medical expenses;
- additional therapeutic services including consultation and assessment; and
- case conferencing to divert children and young people from the Out of Home Care system as well as to better coordinate the range of services supporting children and young people in care.

The exact distribution of funds across these areas is flexible and reflects changing pressures at any given time.

- (2) Services will be delivered in close cooperation and coordination with the Office for Children, Youth and Family Support and in particular through joint work with Care and Protection Services. The current providers of services under the Out of Home Care Program are: Richmond Fellowship, Marymead, Barnardos, Life Without Barriers, Premier Youth Works, Galilee and the Australian Childhood Foundation.

Children—kinship carers (Question No 996)

Mrs Dunne asked the Minister for Children and Young People, upon notice, on 30 June 2010:

Given that in the Select Committee on Estimates 2010-2011 hearing on 27 May 2010, it was stated that “we are in the process of developing a kinship carers’ handbook” and that Ms Lambert also stated at that hearing that “I think we have doubled our numbers in formal kin care in the last ... five years”, why has it taken five years for the department to begin the process of developing a kinship carers’ handbook.

Ms Burch: The answer to the member’s question is as follows:

The ‘Foster Care Handbook’ went out for consultation in October 2005, however a decision was taken not to progress the publication of this handbook until the ‘Roles and Responsibilities’ document (a joint collaborative work between Care and Protection Services and the Out of Home Care Committee) was completed in late 2007.

As the numbers of children in kinship care increased, work commenced in 2008 to update the handbook to include relevancy for Kinship Carers and to ensure its compliance with the then impending new legislation *Children and Young People Act 2008*. Extensive consultation has been undertaken with the out of home care sector in the development of the Foster and Kinship Care Handbook and a final draft will be provided to the Out of Home Care Committee late July 2010, to finalise and complete the handbook for publication.

**Children—court appearances
(Question No 997)**

Mrs Dunne asked the Minister for Children and Young People, upon notice, on 30 June 2010:

- (1) How many children and young people, in the care of the Chief Executive, have appeared before the courts on criminal matters for each year since the new Children and Young People's Act came into operation.
- (2) Were any of those referred to in part (1) remanded or sentenced to Bimberi; if so, (a) how many and (b) for how long.
- (3) How many children and young people in the care and protection system are currently before the courts.
- (4) What is the nature of matters that have brought those children and young people referred to in part (3) before the courts.
- (5) When children and young people in the care of the Chief Executive appear before the courts on criminal matters, does that have to be reported to the Public Advocate under section 507 of the Act; if so, what reporting processes are in place.

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

- (1) I refer the Member to my response to Question on Notice 658 approved for circulation to the Standing Committee on Estimates 2010-11. This information cannot be readily attained as a comprehensive data set is not centrally held.
- (2) On an average day, approximately 40% of the population of children and young people on remand or under sentence at Bimberi Youth Justice Centre are known to the Chief Executive for care and protection concerns or are subject to a care and protection order giving the Chief Executive parental responsibility for the child or young person.
- (3) I refer the Member to my answer to question one (1) above.
- (4) I refer the Member to my answer to question one (1) above and note that any child or young person appearing before an ACT Court will have been charged by ACT Policing with an offence against the criminal law applying in the Territory.
- (5) Section 507 of the *Children and Young People Act 2008* ('the Act') does not require the Chief Executive to report to the Public Advocate if a child or young person in the care of the Chief Executive appears before an ACT Court on a criminal charge.

**Children—care and protection
(Question No 998)**

Mrs Dunne asked the Minister for Children and Young People, upon notice, on 30 June 2010:

- (1) How many children and young people are in the care of the Chief Executive as at 29 June 2010.
- (2) Of those children and young people referred to in part (1), how many are in (a) home care, (b) foster care, (c) kinship care, (d) institutionalised care and (e) group housing without an adult in loco parentis.
- (3) In relation to any young people in group housing without an adult in loco parentis, (a) why are they in that situation, (b) where are they accommodated and (c) what supervision or mentoring is provided.
- (4) Of the children and young people in out-of-home care, (a) what is the breakdown by age, (b) how many are indigenous, (c) how many are from non-English-speaking backgrounds, (d) how many were not born in Australia, (e) how many families are represented.

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

1. There are 555 children and young people in the care of the Chief Executive as at 29 June 2010.
2. Out of the 555 children and young people in the care of the Chief Executive at 29 June 2010, there were:
 - a) 50 in home care;
 - b) 195 in foster care;
 - c) 246 in kinship care;
 - d) Institutionalised care is not a definition that is used in the ACT or Nationally. As of 26 June there are 44 in residential care and 8 in Youth Detention; and
 - e) None in group housing without an adult in loco parentis.

The remaining 12 children and young people are in placements that do not fall within these categories.

3. Care and Protection Services has no young people in group housing without an adult in loco parentis.
4. Out of the 555 children and young people in the care of the Chief Executive as at 29 June 2010;
 - a) The table at **Attachment A** provides an age breakdown of the children and young people in the care of the Chief Executive.
 - b) There were 105 indigenous children and young people in out of home care.
 - c) Care and Protection Services collect this data but the quality is variable and not reliable for reporting as the information may be provided by persons other than the child/young person or parents.
 - d) Care and Protection Services collect this data but the quality is variable and not reliable for reporting as the information may be provided by persons other than the child/young person or parents.
 - e) Care and Protection Services records this data however there are definitional difficulties and a cumulative figure is not readily available.

(A copy of the attachment is available at the Chamber Support Office.)

Roads—accidents (Question No 999)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 1 July 2010 (*redirected to the Minister for Transport*):

How many (a) non-fatal and (b) fatal accidents occurred each year since 2002 at the (i) Tuggeranong Parkway, at the Cotter Road underpass, in both directions, (ii) Federal Highway, approaching the Antill Street roundabout, city bound, (iii) Barton Highway, between Curran Drive and Gold Creek Road, in both directions, (iv) Barton Highway, between Gungahlin Drive and Ellenborough Street, in both directions, (v) Monaro Highway, between Lanyon Drive and Sheppard Street, northbound, (vi) Monaro Highway, between Mugga Lane and Isabella Drive, southbound, (vii) Monaro Highway, at the Hindmarsh Drive overpass, in both directions and (viii) Tuggeranong Parkway, at the Hindmarsh Drive overpass, in both directions

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

Since 1 January 2002 the following accidents have occurred at the requested locations:

(i)	Tuggeranong Parkway, at the Cotter Road underpass, in both directions (midblock information on Tuggeranong Parkway)		
	2002	(a) 25	(b) Nil
	2003	(a) 33	(b) Nil
	2004	(a) 30	(b) Nil
	2005	(a) 11	(b) Nil
	2006	(a) 12	(b) Nil
	2007	(a) 5	(b) Nil
	2008	(a) 23	(b) Nil
	2009	(a) 33	(b) Nil
	2010 to date	(a) 12	(b) Nil
(ii)	Federal Highway, approaching the Antill Street roundabout, city bound		
	2002	(a) 2	(b) Nil
	2003	(a) 4	(b) Nil
	2004	(a) Nil	(b) Nil
	2005	(a) Nil	(b) Nil
	2006	(a) Nil	(b) Nil
	2007	(a) 2	(b) Nil
	2008	(a) 2	(b) Nil
	2009	(a) 1	(b) Nil
	2010 to date	(a) 1	(b) Nil
(iii)	Barton Highway, between Curran Drive and Gold Creek Road, in both directions		
	2002	(a) Nil	(b) Nil
	2003	(a) 3	(b) Nil
	2004	(a) 2	(b) Nil
	2005	(a) 2	(b) Nil
	2006	(a) 3	(b) Nil
	2007	(a) 2	(b) Nil
	2008	(a) 2	(b) Nil
	2009	(a) Nil	(b) Nil

	2010 to date	(a) Nil	(b) Nil
(iv)	Barton Highway, between Gungahlin Drive and Ellenborough Street, in both directions		
	2002	(a) 4	(b) Nil
	2003	(a) 3	(b) Nil
	2004	(a) Nil	(b) Nil
	2005	(a) 3	(b) Nil
	2006	(a) 1	(b) Nil
	2007	(a) 1	(b) Nil
	2008	(a) 2	(b) Nil
	2009	(a) 1	(b) Nil
	2010 to date	(a) 3	(b) Nil
(v)	Monaro Highway, between Lanyon Drive and Sheppard Street, northbound		
	2002	(a) 2	(b) Nil
	2003	(a) 5	(b) Nil
	2004	(a) 3	(b) Nil
	2005	(a) 3	(b) Nil
	2006	(a) 2	(b) Nil
	2007	(a) 5	(b) Nil
	2008	(a) 4	(b) Nil
	2009	(a) 3	(b) Nil
	2010 to date	(a) 4	(b) Nil
(vi)	Monaro Highway, between Mugga Lane and Isabella Drive, southbound		
	2002	(a) 1	(b) Nil
	2003	(a) 2	(b) Nil
	2004	(a) 3	(b) Nil
	2005	(a) 3	(b) Nil
	2006	(a) 2	(b) Nil
	2007	(a) 3	(b) Nil
	2008	(a) 8	(b) Nil
	2009	(a) 2	(b) Nil
	2010 to date	(a) 1	(b) Nil
(vii)	Monaro Highway, at the Hindmarsh Drive overpass, in both directions (including ramps)		
	2002	(a) 4	(b) Nil
	2003	(a) 1	(b) Nil
	2004	(a) 2	(b) Nil
	2005	(a) 11	(b) Nil
	2006	(a) 12	(b) Nil
	2007	(a) 7	(b) Nil
	2008	(a) 1	(b) Nil
	2009	(a) Nil	(b) Nil
	2010 to date	(a) Nil	(b) Nil
(viii)	Tuggeranong Parkway, at the Hindmarsh Drive overpass, in both directions (midblock information on Tuggeranong Parkway)		
	2002	(a) 16	(b) Nil
	2003	(a) 17	(b) Nil
	2004	(a) 16	(b) Nil

2005	(a) 34	(b) Nil
2006	(a) 10	(b) Nil
2007	(a) 31	(b) Nil
2008	(a) 28	(b) Nil
2009	(a) 32	(b) Nil
2010 to date	(a) 5	(b) Nil

**Roads—traffic fines
(Question No 1000)**

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 1 July 2010 (*redirected to the Minister for Transport*):

- (1) What are the fine amounts for each year since 1995 for exceeding the speed limit by (a) less than 15 km/h, (b) 15 km/h, but less than 30 km/h, (c) 30 km/h, but less than 45 km/h and (d) 45 km/h or more.
- (2) What is the number of infringements and the total of the fines issued for each offence referred to in part (1) by (a) fixed and (b) mobile speed cameras, broken down by location and month from July 2006 to June 2010 inclusive.

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

- (1) and (2) I am advised that this request would take a considerable amount of time to complete. I am not prepared to divert resources from important core tasks.

**Territory and Municipal Services, Department—expenditure
(Question No 1001)**

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 1 July 2010:

What is the total expenditure per month from July 2005 to June 2010 inclusive, for the Department of Territory and Municipal Services.

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

In relation to recurrent expenditure, details of each department and agency's YTD expenditure by quarter is published as an Appendix in the Territory Consolidated Quarterly Financial Management Reports, which are available on the Treasury Website at: www.treasury.act.gov.au/about/publications.shtml

In relation to capital expenditure, details of each agency's capital works program expenditure, in total and by project, is provided on a quarterly basis through the capital works quarterly progress reports. These Reports have been provided to Mr Smyth by FOI since March 2006, before that time these Reports were tabled in the Assembly. Since June 2009, these reports have been published by Treasury.

Treasury has, however, now made all these reports available on the Treasury Website at www.treasury.act.gov.au/about/publications.shtml

**Parking—fines
(Question No 1002)**

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 1 July 2010 (*redirected to the Minister for Transport*):

What is the breakdown in revenue from fines incurred at ACT Government carparks, by carpark location, for each month from June to December 2009 inclusive.

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

It is not possible to answer the question due to the method of recording locations on parking infringement notices. Parking infringement notices do not record the details of the car park the infringement was issued in. Parking infringements only record the name of the streets adjacent to the area the vehicle was parked. Attempting to answer the question using the adjacent streets as a criterion to identify parking infringement notices will lead to incorrect information being included in the response.

The only sound method of obtaining the information requested is to manually assess each parking infringement notice to determine where it was issued. As there are approximately 10,000 parking infringement notices issued each month it would be extremely labour intensive to answer this question and I am not prepared to authorise the use of the considerable resources that would be required to calculate the answer.

**Land Development Agency—promotional binoculars
(Question No 1003)**

Mr Coe asked the Minister for Land and Property Services, upon notice, on 1 July 2010:

What was the total cost of design and production of the promotional binoculars distributed by the Land Development Agency to promote land release in Bonner.

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

The total cost for design and production of the promotional Bonner binoculars was \$12,927.20 including GST for 5,000 units.

**ACT Policing—trail bikes
(Question No 1004)**

Mr Coe asked the Minister for Police and Emergency Services, upon notice, on 1 July 2010:

- (1) How many illegal trail bike riders have been (a) charged and (b) cautioned in (i) 2008, (ii) 2009 and (iii) 2010 to date.
- (2) Of the riders that have been charged over the periods referred to in part (1), what (a) were they charged with and (b) penalties did they receive.
- (3) How many offenders were cautioned or charged on more than one occasion.
- (4) Of those riders charged or cautioned over the periods referred to in part (1), in what suburbs did the offences take place.

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

Disaggregation of data to enable the identification of trail bikes amongst motor vehicle offences is not possible with current systems. The scale of the work involved in reviewing each of many thousand traffic infringement notices issued during 2008, 2009 and 2010 to date is too large to easily undertake. In each case where a motor cycle is identified as being involved in a traffic offence, further investigation of the make and model of motor cycle would be required to identify it as a trail bike. I am unwilling to authorise the significant diversion of resources to extract the information sought.

Roads—accidents (Question No 1005)

Mr Coe asked the Minister for Police and Emergency Services, upon notice, on 1 July 2010:

- (1) How many motor vehicle accidents, which have involved (a) P Plate and (b) L Plate drivers, have been reported during (i) 2008, (ii) 2009 and (iii) 2010 to date.
- (2) Of those accidents referred to in part (1), (a) how many (i) P Plate and (ii) L Plate drivers were charged, (b) what were the (i) P Plate and (ii) L Plate drivers charged with and (c) what penalties did the (i) P Plate and (ii) L Plate drivers receive.

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

Disaggregation of data to enable the identification of P Plate and L Plate drivers amongst motor vehicle accident reports is not possible with current systems. Manual extraction of this information would involve individual review of many thousands of accident reports to retrospectively identify the class of licence held by all parties at the time of the incident, establish who was at fault, and determine the outcome of any ensuing investigation that may have occurred. This work would require a significant diversion of resources, which I am not willing to authorise.

Education—registered training organisations (Question No 1006)

Mr Coe asked the Minister for Education and Training, upon notice, on 1 July 2010:

- (1) What Registered Training Organisations (RTOs) are eligible for funding under the (a) Productivity Places Program and (b) Priorities Support Program.
- (2) Have the funding arrangements under those programs referred to in part (1) changed for the RTOs as at 1 July 2010; if so, how.

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

1. There are 234 Registered Training Organisation (RTOs) that are currently members of the *Panel of Registered Training Organisations for the Competitive Allocation of Skills Initiatives (CASI)*. Every RTO with an active CASI contract is eligible to apply for Productivity Places Program (PPP) and Priorities Support Program (PSP).
2. Funding arrangements have not changed for PPP or PSP as at 30 June 2010.

ACT Housing—complaints (Question No 1007)

Mr Coe asked the Minister for Disability, Housing and Community Services, upon notice, on 1 July 2010:

- (1) How many complaints have been received by the Minister's department from the general public about ACT Housing properties that relate to (a) maintenance of the property, (b) disruptive and/or anti-social behaviour and (c) criminal activity in (i) 2007-08, (ii) 2008-09 and (iii) 2009-10 to date.
- (2) How long, on average, did each complainant, referred to in part (1), wait for a response from the department and how many complaints took longer than 30 days to resolve.
- (3) How many complaints have resulted in breaches of the Residential Tenancies Act 1997 and how many of these have been referred to the ACT Civil and Administrative Tribunal.

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

- (1) (a) Maintenance of the property (i) 2007-08 = 374 (ii) 2008-09 = 416 (iii) 2009 -10 = 330
Note: Complaints about maintenance also include requests from tenants to review decisions around tenant responsible maintenance charges.
- (b) Disruptive and/or anti-social behaviour (i) 2007-08 = 832 (ii) 2008-09 = 1043 (ii) 2009-10 = 1060
- (c) Criminal activity (i) 2007-08 = 115 (ii) 2008-09 = 156 (iii) 2009-10 = 164
- (2) (a) Maintenance of the property (i) 2007-08 = 54.33 days. Over 30 days = 248 (ii) 2008-09 = 26.94 days. Over 30 days = 120 (iii) 2009-10 = 24.57. Over 30 days = N/A*.
Note: Review of tenant responsible maintenance charges and complaints around disruptive/anti-social behaviour are often complex and can be difficult to resolve within the 30 day period. It should be noted that there has been considerable focus on improving response times over the period.

(b) Disruptive and/or anti-social behaviour (i) 2007-08 = 65.22 days. Over 30 days = 645 (ii) 2008-09 = 31.45 days. Over 30 days = 407. (iii) 2009-10 = 23.52 days. Over 30 days = N/A*.

(c) Criminal activity (i) 2007-08 = 66.48 days. Over 30 days = 84. (ii) 2008-09 = 30.26 days. Over 30 days = 51 (iii) 2009-10 = 21.18 days. Over 30 days = N/A*.

* The number of complaints which took over 30 days to resolve in 2009-10 is not available at this time. A data migration error occurred in the transition to the new Homenet system which prevented closure of complaints in the system from 27 April 2010 until 30 June 2010. InTACT is working with Housing ACT to resolve this issue.

- (3) Housing ACT uses the complaints process to assist in the verification of alleged tenancy breaches. The recording of complaints is not the sole determinant as to whether a matter is referred to the ACT Civil and Administrative Tribunal. Housing ACT does not record data which directly correlates a complaint received by the Complaints Management Unit with breaches of the *Residential Tenancies Act 1997*.

Courts—jury duty (Question No 1008)

Mr Coe asked the Attorney-General, upon notice, on 1 July 2010:

- (1) How many people (a) were called for and (b) presented at the courts for jury duty in 2009.
- (2) How many business days or hours were lost due to people attending or being available for jury duty in 2009.
- (3) What payments were made to people to compensate them for expenses related to jury duty and what was the average payment per person, per day in 2009.
- (4) What payments were made to businesses to compensate them for expenses related to staff attending jury duty and what was the average payment per person, per day in 2009.
- (5) Does the Government plan to make any changes to the process for calling people for jury duty.
- (6) Has the Government considered proposals to compensate business for staff absent for reasons related to jury duty; if so, what were the conclusions of this consideration.

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

1. (a) In 2009, 2598 people were summoned to attend jury service
(b) Of those summoned 982 attended for jury service.
2. The court does not have information to enable this question to be answered.

3. Jurors were paid a total of \$119,979.90 in 2009 giving an average payment of \$122.18 per person who attended for service. The figure of \$122.18 is the average for all jurors who attended for jury service and does not reflect that public servants who attend and who serve only receive \$15 for expenses per day, public servants who attend and are not selected receive \$15 for their attendance and non-public servants who attend but who are not selected for the jury receive \$59.10 for their attendance.

Payments to jurors are made in line with **Schedule 1** of the *Juries Fees Regulations 1968* as set out below

attendance on the court for 4 hours or less	\$44.10
attendance on the court for more than 4 hours—	
(a) for each day from day 1 to day 5 (inclusive)	\$88.60
(b) for each day from day 6 to day 10 (inclusive)	\$102.90
(c) for each day after day 10	\$120.00
travel allowance for each day of attendance on the court	\$15.00

4. No payments were made to businesses to compensate them for staff attending for jury service.
5. No.
6. No.

Public toilets (Question No 1009)

Ms Le Couteur asked the Minister for Territory and Municipal Services, upon notice, on 1 July 2010:

- (1) What is the current Government policy regarding the provision and location of public toilets.
- (2) How many public toilets are there currently in Canberra, and where are these located.
- (3) Can the Minister provide details of the review of public toilets being undertaken by the Department of Territory and Municipal Services, including (a) when the review was started, (b) what the review involves, (c) what public engagement is being undertaken and (d) when the review will be completed.
- (4) What new public toilets have been built in the last five years.
- (5) Has the Government taken any action, or is it planning to take action, in regards to designating toilets in cafes or other central buildings as public toilets.

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

- (1) Public toilets are provided at Town and District Parks, in the City centre, in town centres (Woden, Civic etc) and group centres (Dickson, Kippax etc), at picnic areas and other locations that attract large numbers of visitors. Local centres (Ainslie,

Lyneham etc) built up to the 1960s had public toilets installed. For redevelopments or significant expansion of local centres, the Territory requires that public toilets be provided and maintained by the body corporate managers of the shopping centre.

- (2) There are 121 Government maintained public toilets in the ACT. A full list of the locations (in urban and non-urban areas) is provided at **Attachment A**.
- (3) The current review being undertaken by TAMS will identify a priority list of local shopping centre locations for provision of public toilet facilities.
 - (a) The review commenced in April 2010.
 - (b) The review is evaluating the recognised need and priorities for public toilet facilities at local shopping centres
The criteria for the review is:
 - The percentage of aged persons in the suburb.
 - Whether an aged persons accommodation complex is nearby.
 - Whether there is available land for a toilet.
 - Whether there is a suitable, accessible and safe location in the shopping centre for a toilet.
 - The economic viability and health of the local centre.
 - The available agency budget for the construction and maintenance of public toilets.
 - (c) Community feedback received via formal requests for public toilets at shopping centres received either through direct correspondence to the ACT Government, or via Canberra Connect are being considered. No further community consultation is planned.
 - (d) The review will be finalised by September 2010 for consideration by the Minister for Territory and Municipal Services.
- (4) Five new public toilets have been constructed by Government since 2005 at Tidbinbilla Nature Reserve, Angel Crossing (Gigerline Nature Reserve), Westermans Hut and Brayshaws Hut (Namadgi National Park) and at Tuggeranong Town Park (Greenway). Other toilets available to the public have been incorporated by the private sector into new shopping centre developments.
- (5) No.

(A copy of the attachment is available at the Chamber Support Office.)

Territory and Municipal Services, Department—chemical use (Question No 1011)

Ms Le Couteur asked the Minister for Territory and Municipal Services, upon notice, on 1 July 2010:

- (1) What pesticide, insecticide and herbicide products are used by the Department of Territory and Municipal Services (TAMS) in their operations in the (a) urban and (b) non-urban environments.

- (2) Can the Minister provide a list of these products referred to in part (1) and their applications.
- (3) How often are the products referred to in part (1) used.
- (4) Is there a policy for use adjacent to creeks and waterways.
- (5) What is the current application of (a) Atrazine and (b) 1080 by TAMS.

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

- (1) A full list of approved pesticide, insecticide and herbicide products used across both the rural and urban areas is as follows.

Product	Product type	Active ingredient
Kendocide [®] or equivalent product	algacide	dichlorophen
Banrot 400wp [®]	fungicide	thiophanate-methyl & etridazole
Baycor 300 [®]	fungicide	bitertanol
Copperoxychloride [®]	fungicide	copperoxychloride
Eco-carb [®]	fungicide	potassium bicarbonate
Mancozeb 800 [®]	fungicide	mancozeb
Saprol [®]	fungicide	triiforine
Agritone 750 [®]	herbicide	MCPA
Basta [®]	herbicide	glufosinate-ammonium
Brominil M [®] or equivalent product	herbicide	bromoxynil & MCPA
Brush-Off [®] or equivalent product	herbicide	metsulfuron methyl
Casoron G [®]	herbicide	dichlobenil
Cut-Out [®] or equivalent product	herbicide	metsulfuron methyl & glyphosate 360
Dicamba 500 [®]	herbicide	dicamba
Diuron [®] or equivalent product	herbicide	diuron
Enviromac G [®] or equivalent product	herbicide	sulfometuron methyl
Fusilade [®]	herbicide	Fluazifop-butyl
Garlon 600 [®] or equivalent product	herbicide	triclopyr
Grazon DS [®]	herbicide	triclopyr & picloram
Grazon Extra [®] or equivalent product	herbicide	triclopyr, picloram & aminopyralid
Igran [®] or equivalent product	herbicide	terbutryn
Kamba M [®] or equivalent product	herbicide	MCPA, dicamba
Lontrel [®]	herbicide	clopyralid
MCPA 500 [®]	herbicide	MCPA
Oust [®] or equivalent product	herbicide	sulfometuron methyl
Round-up Biactive [®] or equivalent product	herbicide	glyphosate 360
Simatox [®] or equivalent product	herbicide	simazine
Sportsground [®]	herbicide	MCPA & MCPP
Starane 200 [®]	herbicide	fluroxypyr
Starane Advanced [®]	herbicide	fluroxypyr
Taskforce [®]	herbicide	fluprofonate

Product	Product type	Active ingredient
Trounce [®] or equivalent product	herbicide	glyphosate 360 & metsulfuron methyl
Velpar [®]	herbicide	hexazinone
Baygon Insecticidal Dust [®] or equivalent product	insecticide	propoxur
Cislan [®]	insecticide	deltamethrin
Chipco Choice [®]	insecticide	fipronil
Coopex [®] or equivalent product	insecticide	permethrin
Deter [®] or equivalent product	insecticide	chlorpyrifos
Eco-oil [®]	insecticide	emulsifiable botanical oils
Mavrik [®]	insecticide	tau-fluvalinate
Precise Foam [®] or equivalent product	insecticide	imidacloprid
Procide [®]	insecticide	bifenthrin
Responsar [®] or equivalent product	insecticide	cyfluthrin
Rogor 400 [®] or equivalent product	insecticide	dimethoate
Tempo [®]	insecticide	batacyfluthrin
Termidor [®] or equivalent product	insecticide	fipronil
Envirodye [®] or equivalent product	spray dye	diazo dyestuff
Agral [®] or equivalent product	surfactant	nonyl phenol ethylene oxide condensate
BS1000 [®] or equivalent product	surfactant	alcohol alkoxyates
Caltex Sprayplus [®]	surfactant	mineral oil
LI700 [®]	surfactant	propionic acid & soyal phospholipids
Pulse Penetrant [®] or equivalent product	surfactant	polyether modified polysiloxane
Synertrol Oil [®] or equivalent product	surfactant	emulsifiable vegetable oil
Uptake Oil [®]	surfactant	paraffinic petroleum oil
Pindone	pesticide	Pindone sodium
1080 Poison	pesticide	Sodium fluoroacetate
Aluminium phosphide fumigation tablets	pesticide	Aluminium phosphide

- (2) The list of products used by Parks, Conservation and Lands (PCL) is provided in answer to question (1). In relation to application, the algacide and fungicides are used in plant nursery applications and at Floriade; the herbicides are used to control environmental and amenity weeds; insecticides are used to control pest invertebrates such as European Wasps, scale insects and termites; surfactants are used to reduce spray drift and improve herbicide/pesticide uptake; and the pesticides listed at the end of the table are used for control of vertebrate pests such as rabbits, foxes and feral pigs.
- (3) The use of the products listed in answer to question (1) varies considerably from season to season. The objective is to minimise use of these products as much as possible while ensuring that all necessary pest and weed control work is carried out.

Glyphosate, simazine and red dye are used routinely for amenity weed control in urban areas.

- (4) Special care is taken when using herbicides or pesticides within close proximity to water catchment reservoirs or water intakes (Googong, Corin, Bendora, Cotter and Murrumbidgee).

All chemicals are used only in accordance with the product label. Only herbicides registered for control of aquatic weeds will be used if chemical control must be employed on such weeds.

Water testing is undertaken at higher risk sites such as Googong Foreshores to ensure that herbicide spraying residues are not entering the drinking water supply.

- 5(a) Atrazine is not used by the Parks agencies in the ACT and has been removed from the approved list of chemicals.

- 5(b) 1080 poison (sodium fluoroacetate) is one tool used for the control of feral pigs, foxes, wild dogs and rabbits. It is used in accordance with the manufacturer's label and applied by qualified staff following the NSW Department of Industry and Investment Standard Operating procedures and Codes of Practice. Rural landholders also use 1080 products supplied by Parks, Conservation and Lands.

Housing—statistics (Question No 1014)

Ms Le Couteur asked the Minister for Disability, Housing and Community Services, upon notice, on 1 July 2010:

What are the (a) average, (b) median, (c) minimum and (d) maximum times, over the last five years, between housing becoming vacant and being re-tenanted or sold.

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

For properties re-let (a) Average: 40 days (b) Median: 23 days (c) Minimum: 1 day (d) Maximum: 1451 days.

Note:

The average is significantly higher than the median because the calculation includes both routine vacant properties and non-routine vacant properties. Non-routines are properties which have been identified as being hard to let, are being refurbished or redeveloped, or those that have been set aside for the provision of special programs. These properties, subsequently, have a higher period of vacancy than the routine turnaround time of 28 days.

For properties sold (a) Average: 80 days (b) Median: 91 days (c) Minimum: 1 days (d) Maximum: 352 days

Note:

The median is higher than the average figure due to high numbers of sales under the Sale to Tenant Program, which had over 100 properties sold with a 1 day vacancy period (effectively a handover to the existing tenant). Property sales outside of Sale to Tenant program are influenced by the vagaries of the property market and sale is contingent on Housing ACT receiving sufficient reserve price for properties. This explains the maximum time period.

**Housing ACT—hot water and heating systems
(Question No 1015)**

Ms Le Couteur asked the Minister for Disability, Housing and Community Services, upon notice, on 1 July 2010:

- (1) Why are solar hot water services not used routinely as a first preference when installing new hot water systems into Housing ACT houses.
- (2) Why does the Government supply electric space heating rather than gas and what proportion of houses have (a) gas and (b) electric heating installed.

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

- (1) The upfront capital cost for gas units is considerably lower than solar systems and therefore where gas is already connected, Housing ACT installs highly efficient gas hot water systems as the first option.

Where gas is not connected, an electric boost solar hot water system or an energy efficient heat pump system is installed.

- (2) Housing ACT estimates that approximately 2,000 (approximately 17%) of public housing dwellings have gas connected. Connecting gas to an existing dwelling incurs a charge for connection and a second ongoing supply charge that is payable by the tenant. (a) Housing ACT does not have complete data on this (b) see answer to (a)

**Finance—forecasts
(Question No 1017)**

Mr Seselja asked the Treasurer, upon notice, on 1 July 2010:

- (1) Does Treasury undertake any forecasting or modeling of Average Weekly Ordinary Time Earnings (AWOTE).
- (2) Does Treasury use AWOTE in any of its forecasting or modeling; if so, (a) in which forecasts is it used and (b) how is it used.

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

1. No.
2. No.

**Finance—departmental expenditure
(Question No 1021)**

Mr Seselja asked the Minister for Planning, upon notice, on 1 July 2010:

What was the total expenditure every month from July 2005 to June 2010 inclusive, for (a) recurrent and (b) capital expenditure for each department and agency in the Minister's portfolio.

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

- (a) In relation to recurrent expenditure, details of each department and agency's year to date expenditure by quarter are published as an Appendix in the Territory Consolidated Quarterly Financial Management Reports, which are available on the Treasury website at: www.treasury.act.gov.au/about/publications.shtml.
- (b) In relation to capital expenditure, details of each agency's capital works program expenditure, in total and by project, is provided on a quarterly basis through the capital works quarterly progress reports. These reports have been provided to Mr Brendan Smyth MLA by FOI since March 2006; before that time these reports were tabled in the Assembly. Since June 2009, these reports have been published by Treasury.

Treasury has, however, now made all these reports available on the Treasury website at www.treasury.act.gov.au/about/publications.shtml

Finance—departmental expenditure (Question No 1022)

Mr Seselja asked the Minister for Territory and Municipal Services, upon notice, on 1 July 2010:

What was the total expenditure every month from July 2005 to June 2010 inclusive, for (a) recurrent and (b) capital expenditure for each department and agency in the Minister's portfolio.

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

- (a) In relation to recurrent expenditure, details of each department and agency's YTD expenditure by quarter is published as an Appendix in the Territory Consolidated Quarterly Financial Management Reports, which are available on the Treasury Website at: www.treasury.act.gov.au/about/publications.shtml
- (b) In relation to capital expenditure, details of each agency's capital works program expenditure, in total and by project, is provided on a quarterly basis through the capital works quarterly progress reports. These Reports have been provided to Mr Smyth by FOI since March 2006, before that time these Reports were tabled in the Assembly. Since June 2009, these reports have been published by Treasury.

Treasury has, however, now made all these reports available on the Treasury Website at www.treasury.act.gov.au/about/publications.shtml

Finance—departmental expenditure (Question No 1023)

Mr Seselja asked the Minister for Land and Property Services, upon notice, on 1 July 2010:

What was the total expenditure every month from July 2005 to June 2010 inclusive, for (a) recurrent and (b) capital expenditure for each department and agency in the Minister's portfolio.

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

- (a) In relation to recurrent expenditure, details of each department and agency's YTD expenditure by quarter is published as an Appendix in the Territory Consolidated Quarterly Financial Management Reports, which are available on the Treasury Website at: www.treasury.act.gov.au/about/publications.shtml
- (b) In relation to capital expenditure, details of each agency's capital works program expenditure, in total and by project, is provided on a quarterly basis through the capital works quarterly progress reports. These Reports have been provided to Mr Smyth by FOI since March 2006, before that time these Reports were tabled in the Assembly. Since June 2009, these reports have been published by Treasury.

Treasury has, however, now made all these reports available on the Treasury Website at www.treasury.act.gov.au/about/publications.shtml

Finance—departmental expenditure (Question No 1024)

Mr Seselja asked the Treasurer, upon notice, on 1 July 2010:

What was the total expenditure every month from July 2005 to June 2010 inclusive, for (a) recurrent and (b) capital expenditure for each department and agency in the Minister's portfolio.

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

- (a) In relation to recurrent expenditure, details of each department and agency's YTD expenditure by quarter is published as an Appendix in the Territory Consolidated Quarterly Financial Management Reports, which are available on the Treasury Website at: www.treasury.act.gov.au/about/publications.shtml
- (b) In relation to capital expenditure, details of each agency's capital works program expenditure, in total and by project, is provided on a quarterly basis through the capital works quarterly progress reports. These Reports have been provided to Mr Smyth by FOI since March 2006, before that time these Reports were tabled in the Assembly. Since June 2009, these reports have been published by Treasury.

Treasury has, however, now made all these reports available on the Treasury Website at www.treasury.act.gov.au/about/publications.shtml

Finance—departmental expenditure (Question No 1025)

Mr Seselja asked the Minister for Health, upon notice, on 1 July 2010:

What was the total expenditure every month from July 2005 to June 2010 inclusive, for (a) recurrent and (b) capital expenditure for each department and agency in the Minister's portfolio.

Ms Gallagher: I am advised that the answer to the member's question is as follows:

- (a) In relation to recurrent expenditure, details of each department and agency's year to date expenditure by quarter is published as an Appendix in the Territory Consolidated Quarterly Financial Management Reports, which are available on the Treasury Website at: www.treasury.act.gov.au/about/publications.shtml
- (b) In relation to capital expenditure, details of each agency's capital works program expenditure, in total and by project, is provided on a quarterly basis through the capital works quarterly progress reports. These Reports have been provided to Mr Smyth by Freedom of Information application since March 2006, before that time these Reports were tabled in the Assembly. Since June 2009, these reports have been published by Treasury.

Treasury has, however, now made all these reports available on the Treasury Website at www.treasury.act.gov.au/about/publications.shtml

Finance—departmental expenditure (Question No 1026)

Mr Seselja asked the Attorney-General, upon notice, on 1 July 2010:

What was the total expenditure every month from July 2005 to June 2010 inclusive, for (a) recurrent and (b) capital expenditure for each department and agency in the Minister's portfolio.

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

- (a) In relation to recurrent expenditure, details of each department and agency's Year to Date (YTD) expenditure by quarter is published as an Appendix in the Territory Consolidated Quarterly Financial Management Reports, which are available on the Treasury Website at: www.treasury.act.gov.au/about/publications.shtml
- (b) In relation to capital expenditure, details of each agency's capital works program expenditure, in total and by project, is provided on a quarterly basis through the capital works quarterly progress reports. These reports have been provided to Mr Smyth MLA by FOI since March 2006, before that time these Reports were tabled in the Assembly. Since June 2009, these reports have been published by Treasury.

Treasury has, however, now made all these reports available on the Treasury Website at www.treasury.act.gov.au/about/publications.shtml

Finance—departmental expenditure (Question No 1027)

Mr Seselja asked the Minister for the Environment, Climate Change and Water, upon notice, on 1 July 2010:

What was the total expenditure every month from July 2005 to June 2010 inclusive, for (a) recurrent and (b) capital expenditure for each department and agency in the Minister's portfolio.

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

(1)

(a) In relation to recurrent expenditure, details of each department and agency's YTD expenditure by quarter is published as an Appendix in the Territory Consolidated Quarterly Financial Management Reports, which are available on the Treasury Website at: www.treasury.act.gov.au/about/publications.shtml

(b) In relation to capital expenditure, details of each agency's capital works program expenditure, in total and by project, is provided on a quarterly basis through the capital works quarterly progress reports. These Reports have been provided to Mr Smyth by FOI since March 2006, before that time these Reports were tabled in the Assembly. Since June 2009, these reports have been published by Treasury.

Treasury has, however, now made all these reports available on the Treasury Website at www.treasury.act.gov.au/about/publications.shtml

Finance—departmental expenditure (Question No 1028)

Mr Seselja asked the Minister for Police and Emergency Services, upon notice, on 1 July 2010:

What was the total expenditure every month from July 2005 to June 2010 inclusive, for (a) recurrent and (b) capital expenditure for each department and agency in the Minister's portfolio.

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

(a) In relation to recurrent expenditure, details of each department and agency's Year to Date (YTD) expenditure by quarter is published as an Appendix in the Territory Consolidated Quarterly Financial Management Reports, which are available on the Treasury Website at: www.treasury.act.gov.au/about/publications.shtml

(b) In relation to capital expenditure, details of each agency's capital works program expenditure, in total and by project, is provided on a quarterly basis through the capital works quarterly progress reports. These reports have been provided to Mr Smyth MLA by FOI since March 2006, before that time these Reports were tabled in the Assembly. Since June 2009, these reports have been published by Treasury.

Treasury has, however, now made all these reports available on the Treasury Website at www.treasury.act.gov.au/about/publications.shtml

**Finance—departmental expenditure
(Question No 1029)**

Mr Seselja asked the Minister for Education and Training, upon notice, on 1 July 2010:

What was the total expenditure every month from July 2005 to June 2010 inclusive, for (a) recurrent and (b) capital expenditure for each department and agency in the Minister's portfolio.

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

1(a) In relation to recurrent expenditure, details of each department and agency's year to date expenditure by quarter is published as an Appendix in the Territory Consolidated Quarterly Financial Management Reports, which are available on the Treasury Website at: www.treasury.act.gov.au/about/publications.shtml.

(b) In relation to capital expenditure, details of each agency's capital works program expenditure, in total and by project, is provided on a quarterly basis through the capital works quarterly progress reports. These Reports have been provided to Mr Smyth by FOI since March 2006, before that time these Reports were tabled in the Assembly. Since June 2009, these reports have been published by Treasury.

Treasury has, however, now made all these reports available on the Treasury Website at www.treasury.act.gov.au/about/publications.shtml.

**Finance—departmental expenditure
(Question No 1030)**

Mr Seselja asked the Minister for Transport, upon notice, on 1 July 2010:

What was the total expenditure every month from July 2005 to June 2010 inclusive, for (a) recurrent and (b) capital expenditure for each department and agency in the Minister's portfolio.

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

This information is included in the response to QON 1022.

**Finance—departmental expenditure
(Question No 1032)**

Mr Seselja asked the Minister for Disability, Housing and Community Services, upon notice, on 1 July 2010:

What was the total expenditure every month from July 2005 to June 2010 inclusive, for (a) recurrent and (b) capital expenditure for each department and agency in the Minister's portfolio.

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

- (a) In relation to recurrent expenditure, details of each department and agency's YTD expenditure by quarter is published as an Appendix in the Territory Consolidated Quarterly Financial Management Reports, which are available on the Treasury Website at: www.treasury.act.gov.au/about/publications.shtml
- (b) In relation to capital expenditure, details of each agency's capital works program expenditure, in total and by project, is provided on a quarterly basis through the capital works quarterly progress reports. These Reports have been provided to Mr Smyth by FOI since March 2006, before that time these Reports were tabled in the Assembly. Since June 2009, these reports have been published by Treasury.

Treasury has, however, now made all these reports available on the Treasury Website at www.treasury.act.gov.au/about/publications.html

Questions without notice taken on notice

Budget—welfare services—Wednesday, 30 June 2010

MS BURCH (*in reply to a supplementary question by Mrs Dunne*): The information in these tables is not portfolio based and includes the financial and economic activity of several portfolios. The most accurate representation of my portfolio's expenditure is contained in the relevant chapters in Budget Paper 4.

ACT Treasury have provided a description of the tables as follows:

"... the functional expenses in tables F17 and F18 do not directly relate back to agency financial statements. The functional expense tables are based on consolidated data and as such transactions relating to Other Economic Flows are excluded from this presentation. Individual agencies may have expenditure allocated across several functional expense categories, and, specific categories may relate to components of several agencies."

If you require further information on this presentation, please refer questions to the Treasurer

Children—grandparent and kinship carers—Wednesday, 30 June 2010

MS BURCH (*in reply to a supplementary question by Mr Hanson*):

- The Department has consulted extensively with 'Grandparent and Kinship Carers ACT' and has committed to paying for six members of the Committee to attend the National Foster Care Association in Hobart in August this year, including flights and hotel costs. The Department has also agreed an equivalent level of support for another three kinship carers to attend a conference in Melbourne later this year. Currently the Department has committed \$10,000 to kinship carers for conference attendance.
- Following consultation with kinship carers a number of courses have been provided and others planned including topics such as 'Guilt, Grief and Loss' and 'Life Story Work'. In addition the Australian Childhood Foundation were funded to provide training in 'Understanding and Responding to Complex Trauma'. The estimated cost of this training is a further \$10,000.
- The Department has established a Carer Liaison Officer (CLO) to act as a point of contact for information and problem solving for carers. This position is an acknowledged success. The CLO distributes a newsletter to all carers with information, details of courses and contact details for a range of useful supports. \$60,000 of the funding for this position has been deployed.
- The Department funds a range of supports for carers and families through its programs including the Family Support Program and Youth Service Program. Carers have access to the full range of services and supports in the community for all families in need of help including Child and Family Centres, Parenting Programs and other government and non-government services.

- Care and Protection Services have two teams of case managers focusing specifically on the support needs of kinship placement.
- In the 2009/2010 financial year the Department paid \$2.3 million in ongoing subsidies to kinship carers and a further \$1.4 million in contingencies for one off or additional needs.
- A procurement process is currently underway for services under the Kinship Care Support Program. Unspent funds from this program will be carried forward in to the new financial year to fund other activity of benefit to kinship carers.

Childcare—places—Thursday, 1 July 2010

MS BURCH (*in reply to a supplementary question by Mr Seselja*):

No there is no new charge. The Macroeconomics report is a draft independent consultant's report. The Government will consider the report once it has been finalised.

Planning—Casey—Thursday, 1 July 2010

MR BARR (*in reply to a supplementary question by Ms Le Couteur*):

To date, nine tree removals have been approved within Casey Stage 1 with many hundreds remaining. The Conservator of Flora and Fauna supported the removal of all but one of those trees.

The remaining area south of the playing fields is yet to be developed and tree impacts will be considered as part of the estate development plan (EDP) submission when it is submitted to ACTPLA for approval. Any potential future tree removals will be assessed against the requirements of Territory Plan including the Casey Concept Plan and any advice from the Conservator of Flora and Fauna.