



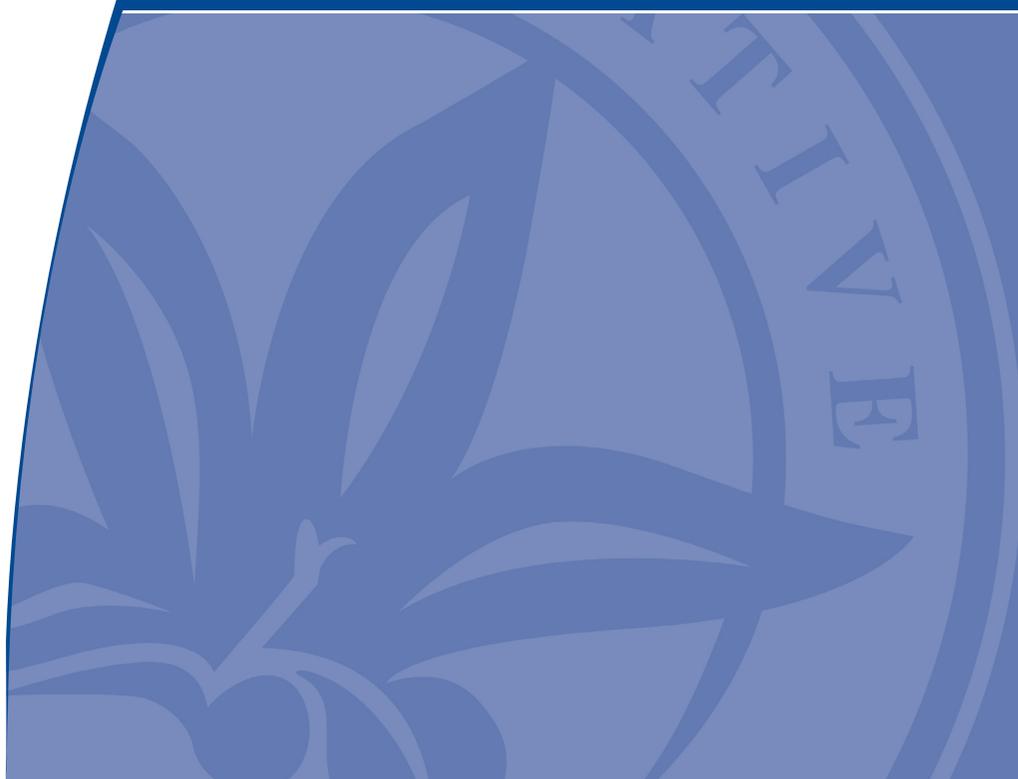
# Debates

WEEKLY HANSARD  
SEVENTH ASSEMBLY

Legislative Assembly for the ACT

19 OCTOBER 2010

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**Tuesday, 19 October 2010**

Petition: Environment—greenhouse gas—petition No 111 .....	4547
Leave of absence.....	4547
Justice and Community Safety—Standing Committee.....	4553
Climate Change, Environment and Water—Standing Committee .....	4553
Former Chief Magistrate for the ACT .....	4554
Planning—building quality .....	4564
Standing and temporary orders—suspension.....	4573
Climate Change and Greenhouse Gas Reduction Bill 2010 .....	4574
Ministerial arrangements .....	4588
Standing order 73.....	4589
Questions without notice:	
Mortgage relief fund .....	4589
ACT Policing—recruitment .....	4591
Mortgage relief fund .....	4593
ACT Ambulance Service—recruitment .....	4594
Health—new services .....	4596
Sport—Gungahlin swimming pool.....	4599
ACT Policing—tasers.....	4601
Education—disability funding.....	4603
Education—disability funding.....	4607
Canberra—growth .....	4608
Environment—climate change .....	4609
Papers.....	4612
Executive contracts .....	4612
Public Accounts—Standing Committee .....	4614
Papers.....	4615
Financial Management Act—instrument.....	4616
Papers.....	4617
ACT Policing controlled operations—2009-10 annual report.....	4618
Papers.....	4619
Planning and Development Act 2007—schedule of leases .....	4619
Planning and Development Act 2007—variation No 299 to the territory plan .....	4620
Papers.....	4624
Youth transitions (Ministerial statement) .....	4629
Economy—employment (Matter of public importance).....	4636
Climate Change and Greenhouse Gas Reduction Bill 2010 .....	4651
Adjournment:	
Economy—employment .....	4665
Canberra Girls Grammar School .....	4666
War veterans .....	4666
Mental health—mindfulness exhibition .....	4667
Drugs .....	4667
HESTA awards .....	4669
Canberra bachelor of the year.....	4669
Canberra bachelor of the year.....	4670
Prostate Cancer Support Group .....	4670
Rotary Club of Weston Creek .....	4670
Juvenile Diabetes Research Foundation .....	4670

**Tuesday, 19 October 2010**

**MR SPEAKER** (Mr Rattenbury) took the chair at 10 am, made a formal recognition that the Assembly was meeting on the lands of the traditional custodians, and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

## **Petition**

*The following petition was lodged for presentation, by Mr Rattenbury, from 1,628 residents:*

### **Environment—greenhouse gas—petition No 111**

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that: the Interim Report of the Standing Committee on Climate Change, Environment and Water recommended that the ACT Assembly legislates a climate change target of a 40 per cent reduction in overall ACT emissions by 2020, using 1990 as a baseline year.

Your petitioners therefore request the Assembly to: legislate a **Greenhouse Gas Emissions reduction target of at least 40 per cent by 2020** based on 1990 levels.

*The Clerk having announced that the terms of the petition would be recorded in Hansard and a copy referred to the appropriate minister for response pursuant to standing order 100, the petition was received.*

## **Leave of absence**

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

That leave of absence be granted to Mr Stanhope for the period 19 to 28 October 2010 for personal reasons.

**MR HANSON** (Molonglo) (10.02): At the outset I would like to speak on this motion and say that the opposition will be granting leave to Mr Stanhope. But I think it is important to make a few comments and put them in the *Hansard*, with respect to both Mr Stanhope's leave and also to the pairing arrangements which have been discussed in the media.

We will be supporting the leave because obviously Mr Stanhope does not deserve to lose his seat, which would be the consequence if leave was not granted. But my colleagues and I are bitterly disappointed that the Chief Minister has decided to prioritise a holiday in Europe over his responsibilities to the Assembly. As we are aware, the Assembly sits for just 14 weeks a year, and for the Chief Minister to have essentially decided that he is going to avoid two weeks of the sitting rather than

choose one of the other 38 weeks of the year in order to take his leave, I think is unacceptable. There are plenty of breaks available. There is a six-week break in the winter recess and there is a nine-week break in the summer recess. He has plenty of time and opportunity to take his holidays, and that is the convention of this place. That is when everybody takes their holidays. That is a long-established convention of this Assembly.

It is not that Mr Stanhope has not had holidays. He does take holidays. Indeed, I recall that, as recently as the summer break, Mr Stanhope was on leave and the Deputy Chief Minister stepped up to the role. So I do consider, and my colleagues consider, that he is out of touch with the people of Canberra if he thinks that this is acceptable behaviour. And the people of Canberra will rightly question his priorities. I believe it is a failure in leadership and I believe it is arrogant. It suggests to me that the Chief Minister is either distracted from his duties or tired of his job, and neither is an acceptable situation.

Mr Speaker, I can think of no other example in recent history of a leader of a government taking leave during a parliamentary sitting such as this. You can think of John Howard, Paul Keating, Bob Hawke, Tony Blair or Peter Beattie. I can think of no leader of a government that sits in a parliamentary Westminster-style democracy that has chosen to prioritise a holiday over a sitting period.

Can you imagine, Mr Speaker, if John Howard, in the ninth year of his prime ministership, had decided that he was going to go on a jaunt in Europe and prioritise that over a sitting in the federal parliament? Can you imagine the outrage? The outrage would have come from the Greens, from Labor and, I would imagine, from the media.

If this occurred today in New South Wales, can you imagine the response that you would see from the media, from those in New South Wales that have commentary and are sitting in the parliament, if a premier of New South Wales decided to miss sittings so that they could go on holiday? What would happen is that they would be rightly roasted by the media. I can guarantee that the Premier of New South Wales would not have his or her job when they came back to the parliament. Those are the established protocols of Western democracy everywhere. I can think of no example. If you can come up with one, let me know. This is exceptional and extraordinary behaviour by the Chief Minister.

In my view, if you look at the response from Labor and the Greens, and from some people outside this place who have been commenting, the comparison between what would occur in any other situation and what is occurring here in the ACT is just remarkable, and you have to question whether the response is balanced.

I also think that it is rude, arrogant and discourteous that leave is being sought in this place several weeks after the Chief Minister left the country. Would you accept, Mr Speaker, or would any of the ministers accept, that your staff would disappear overseas on a holiday and then get someone else to stand up and ask for leave for them three weeks after they have left? It is not the normal form of this place. It is extraordinary, and it shows an absolute disregard for the conventions of this place and arrogance towards the people of the ACT.

I will move now to the issue of the pair. It is absolutely unreasonable to suggest that a Liberal member of this Assembly should forgo their vote so that the Chief Minister can go on a holiday. Pairs are granted by the opposition and by the government so that members can conduct their duties—either their ministerial duties or their Assembly duties—or for significant personal reasons or for an illness. It is not a provision that allows a minister, or indeed a Chief Minister, to take holidays and in essence still have their vote accounted for.

There are long-established conventions in Western parliamentary democracies, and in the ACT specifically, and it is very clear what those conventions are. People who are opposing what the Liberals are doing do so either because they simply do not understand what pairs are or they are coming at this from entrenched ideological positions.

Back in 2005, the then opposition whip, Mrs Dunne, wrote to the then government whip, Ms Karin MacDonald, and outlined the protocols for pairs. This was established in the previous Assembly, as it had been in previously Assemblies. It was decided that pairs would be granted for illness of a member or close family, for other personal leave like attending funerals, and for ministers to attend ministerial councils and other related business and reasonable—and that word is in bold in the letter—travel. It goes on to say where pairs will not be granted. It is quite clear—and you all know this; those opposite have been in this place longer than I—that those are the conventions for when pairs are granted and when they are not.

I will move now to the convention that has been established in this Assembly and for this Assembly. At the beginning of the Assembly, the whips—myself, Ms Burch, as it was then, and Ms Bresnan—met and discussed the pairing arrangements and how they would work. I received an email from Ms Burch outlining the pairs arrangement. This is the email:

Also below is the document discussed at the whip meeting.  
Regards  
Joy

And here is the principle:

The Legislative Assembly sitting days are an important feature of representative government in the ACT.

I agree. It continues:

Outlined below are agreed protocols for pairing to ensure the orderly conduct of the business of government in the interests of the people of the ACT. We recognise that there will be instances where ministers are unable to be in the chamber to fulfil their Assembly duties. As such, we will continue to grant pairs between the government, opposition and crossbench members as per previous practice.

So it is consistent with the previous Assemblies of this place and the correspondence between the government and the opposition of the day. It continues:

Pairs are agreed in the following circumstances: when ministers are invited to attend functions on ministerial business and reasonable—

reasonable, Mr Speaker—

associated travel; the illness of a member of close family; and other significant personal—

**Mr Corbell:** On a point of order, Mr Speaker, the motion is about leave of absence for the Chief Minister; it is not about pairing arrangements in this place. There is a question about relevance. We have given Mr Hanson some latitude but he is continuing to propagate this argument. It is not relevant to the motion before the Assembly, and I would ask you to consider the question of relevance.

**MR SPEAKER:** On the point of order, Mr Hanson?

**MR HANSON:** Mr Speaker, it is directly relevant. This is the relationship between this Assembly and Mr Stanhope's leave. As part of that, a consequence of his leave is the pairing arrangement. This is a very important issue regarding voting in this place. We have said that we will be granting leave, but I think it is entirely reasonable for me to outline the details of why we are concerned about Mr Stanhope taking leave and the consequential flow-on from his taking of leave, which is the fact that his government has requested a pair and why we will not be providing it.

**MR SPEAKER:** On the point of order, I think the issue of pairing is only marginally related. Mr Hanson, you have mostly made the point. Could you perhaps wrap up and come back to the leave matter particularly.

**MR HANSON:** Thank you, Mr Speaker. I will continue with regard to this letter, just to finalise it, Mr Speaker. It says quite clearly what the requirements are for a pair. It is consistent with Mrs Dunne's letter, and it is not for people to go on holiday. That is quite clear; that is absolutely clear.

The agreement in this place between the Greens and Labor and the opposition is that a pair is not granted for holidays. Mr Hargreaves, the government whip, knows this and Mr Corbell knows this. In fact, the whole government is fully aware of this. Ms Bresnan is quoted in the media as saying that the Liberals are behaving disgracefully. I do not understand how our simply adhering to a long-established convention in this place that has been agreed to by all members of the Assembly, by all parties, is actually disgraceful. I simply cannot understand that. I find it bizarre and incomprehensible. I find it odd as to what the Greens find disgraceful and what they do not. So the decision or the intent to cut teaching support, learning support, for hearing impaired children is not disgraceful but the decision—

**Mr Corbell:** Relevance, Mr Speaker.

**Mr Smyth:** It's a comparison, it's context.

**MR HANSON:** I think it is—regarding Mr Stanhope going on leave and demanding that he be granted a pair is somehow disgraceful. If European holidays are now to be considered justification for pairs then one really has to consider what is not a justification for a pair and when in this place we will actually say no to a pair. The opposition and the government have been entirely generous in the granting of pairs. I have not refused a pair request. And those opposite—

**MR SPEAKER:** Order, Mr Hanson. We have had a brief discussion on the relevance of pairs. Let us wrap up the pairs thing and come back to the question of leave, thank you.

**MR HANSON:** Well, I think I have made my point, Mr Speaker.

**MR SPEAKER:** Yes.

**MR HANSON:** I will wrap up. In conclusion, I think that the decision by Mr Stanhope to take a holiday and prioritise that over his duties as the Chief Minister, the head of government and as a member of this Assembly, is very disappointing. I think that the people of the ACT will consider it so. I think that they will see that empty chair there. They will consider the opportunities that the Chief Minister has to take leave on 38 other weeks of the year. They will consider how difficult it is for them to get away from their own jobs as they are struggling to meet housing affordability pressures, the increase in rates, the power bills they have to pay, the difficulty for an average member of the community to get away and take leave, and they will find it just extraordinary that the Chief Minister would decide to prioritise his holiday and his leave above his responsibilities as the head of this government and as a member of the Assembly.

I think that that empty chair for the next two weeks should stand as a reminder of how out of touch this government have become if they think that it is appropriate for the Chief Minister to take holidays while he should be here and fulfilling his duties as the Chief Minister.

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (10.15): The Greens will support the motion to grant leave of absence to Mr Stanhope. We are a small Assembly and it is inevitable that members will be absent at some stage. Whilst it is certainly not desirable that the Chief Minister is not here for the sittings and we would prefer that he was here, it is not unreasonable that he be away from the Assembly for a short period. Again, as I said, it is not desirable but I think that it is appropriate that leave is granted.

The community knows that he has chosen to have this absence and, if they do not feel that they have been well represented by him, they can and will vote once we get to the 2012 election. So, again, I just say that the Greens will support the motion to grant leave of absence to Mr Stanhope.

**MR CORBELL:** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (10.16), in reply: I thank the Greens for their support to grant

leave to the Chief Minister. The Chief Minister is the longest serving head of government in the country. He is the longest serving Chief Minister in this place. He has taken an extremely limited number of days, fewer than a handful of days, absence from the Assembly during its sitting in the period that he has been Chief Minister or, indeed, when in opposition.

Of course, it is worth observing that the opposition's backflip on the issue of leave comes after they advised the government whip last week that they would not support the granting of leave in relation to this matter. So one can only speculate on what the reasons were for their change of position. But, equally, it is worth observing that, when the Deputy Chief Minister took a period of leave earlier this year, the opposition criticised that as well, even though the Deputy Chief Minister took that leave at a time when the Assembly was not sitting. So it is quite clear that the opposition have no credibility on these issues.

Members are entitled to take periods of leave, particularly after periods of long service. The Chief Minister has done just that, and I am sure every Canberran would understand that, after extended periods of service, everyone, even a chief minister, deserves to get a break. That is exactly what our Chief Minister has done. He is entitled to do so. It is the same sort of entitlement that is extended to every member of the public service every year but it is not something that apparently is available to the Chief Minister.

The Liberals show their increasing irrelevance and churlishness in this place by the approach they have adopted today, but I thank the Greens for their support for passage of this motion.

**Mr Hanson:** I seek leave to speak again. I want to make it very clear, Mr Speaker—

**MR SPEAKER:** Order, Mr Hanson! Is leave granted to Mr Hanson to speak again?

Leave not granted.

**Mrs Dunne:** Under standing order 47 you do not need leave.

**Mr Hanson:** I do not need leave?

**Mrs Dunne:** Surely Mr Hanson does not need leave to speak, under standing order 47, to clarify matters that are raised in the debate.

**MR SPEAKER:** Mr Corbell has closed the debate, Mrs Dunne.

**Mrs Dunne:** Could I seek your clarification? Standing order 47 does not apply when the debate is closed?

**MR SPEAKER:** Just a moment, I will have a look.

**Mr Corbell:** Generally speaking, that is done after the motion.

**Mrs Dunne:** No.

**Mr Corbell:** The standing order cannot be used to provide another opportunity to speak during the debate.

**Mrs Dunne:** Except standing order 47.

**MR SPEAKER:** Whilst Mr Hanson did not seek it under standing order 47, I think, if he now wishes to make a brief statement on the misrepresentation, he can do so. Mr Hanson.

**MR HANSON** (Molonglo): I want to make it very clear to the Assembly that we are granting leave. That is not the issue here.

**Mr Hargreaves:** On a point of order, Mr Speaker, does Mr Hanson require leave to make a statement under standing order 47?

**MR SPEAKER:** I believe it is the Speaker's—

**Mr Hargreaves:** Yes, I know, but has he sought leave to do so?

**MR SPEAKER:** In giving him the call, I believe I granted leave.

**MR HANSON:** I want to make it very clear that we will be granting leave. Mr Corbell tried to suggest that we were not. That is not the case. We are not granting a pair, and I did outline the reasons for that, but we will be granting leave.

Question resolved in the affirmative.

## **Justice and Community Safety—Standing Committee Scrutiny report 28**

**MRS DUNNE** (Ginninderra): I present the following report:

Justice and Community Safety—Standing Committee (performing the duties of a Scrutiny of Bills and Subordinate Legislation Committee)—Scrutiny Report 28, dated 18 October 2010, together with the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

**MRS DUNNE:** Scrutiny report No 28 contains the committee's comments on four bills, five pieces of subordinate legislation and six government responses. The report was circulated to members when the Assembly was not sitting. I commend the report to the Assembly.

## **Climate Change, Environment and Water—Standing Committee Statement by chair**

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens): Pursuant to standing order 246A, on behalf of the Standing Committee on Climate Change,

Environment and Water, I present the following paper:

Climate Change, Environment and Water—Standing Committee—Inquiry into the ecological carrying capacity of the ACT and region—Discussion paper, dated 6 October 2010.

I wish to make a statement in regard to the paper.

When announcing this inquiry, the committee indicated its intention to release a discussion paper. This paper has been developed to provide additional information about the terms of reference and some of the key issues related to the inquiry. The paper poses a number of questions as a starting point for discussion. The committee anticipates that the release of this discussion paper will provide assistance to those individuals and organisations in the community who wish to make a submission.

The committee invites comments from interested parties on the issues raised in the discussion paper or any other issues they consider within the scope of the terms of reference. The closing date for submissions is 12 November 2010. However, extensions may be granted.

I would like to thank the committee secretary, Margie Morrison, for her work on this discussion paper and my fellow committee members, Mr Seselja and Mr Hargreaves, for their assistance in the development of this discussion paper.

**MR HARGREAVES** (Brindabella), by leave: I do not wish to add anything further by way of the substantive comments that Ms Hunter made other than to echo them, but I do wish to recognise the support that we have received from the committee secretariat and the research staff who looked into some of the work we needed to put together to have the discussion paper created. It needed bringing together, and I commend Ms Hunter as the chair and the committee secretary for the work they have done, which I think has produced what I believe to be probably one of the best discussion papers I have seen in this Assembly in the 12 years that I have been here.

Quite often discussion papers are actually put out with an end result in mind; that is the nature of politics. This one was not; this is a genuine attempt to engage with the community. I urge all members not only to read the discussion paper but also to use their networks to see if we can get people to engage in its conclusions.

### **Former Chief Magistrate for the ACT Statement by minister**

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services), by leave: Mr Speaker, I rise to address the Assembly today on the establishment late last year of a judicial commission to examine a complaint about former Chief Magistrate Ron Cahill. I previously addressed members on the facts relating to the establishment of the commission on 10 and 17 November 2009. Following the decision last month of the Director of Public Prosecutions not to prosecute Mr Cahill, there has been public commentary about the matter. I feel it is appropriate that I address the issues that have been raised.

The establishment of a judicial commission is a serious matter. As the outcome of the now defunct commission would have itself been a matter for the Assembly to consider, I consider it appropriate to set out to the Assembly itself the circumstances of this matter and the action taken.

As members will no doubt recall, I was contacted by Magistrate Fryar and Magistrate Burns, as he then was, on 23 October 2009 regarding the transmission from Mr Cahill's chambers to Special Magistrate Lauritsen of documents relating to a criminal matter before the ACT Magistrates Court. The defendant in those criminal proceedings was a public figure known to Mr Cahill both professionally and socially who had been charged with common assault. Both magistrates Burns and Fryar expressed concern to me about the content of the material sent to Special Magistrate Lauritsen. They believed the transmission of that material should be brought to my attention as Attorney-General on the basis that the material had the potential to influence the outcome of the criminal proceedings.

Upon receiving the information from magistrates Burns and Fryar, I reviewed in detail the documents sent to me and sought the advice of the Chief Solicitor and I informed the Director of Public Prosecutions. The director, upon his own initiative, referred the matter to ACT Policing for investigation.

The Judicial Commissions Act 1994 establishes a framework for handling complaints in relation to judicial officers. The act does not limit the range of communications that may constitute a complaint but sets out two essential features which such a communication must possess. First, it must relate to the behaviour of a judicial officer and, secondly, it must be written, identify the name and address of the source, identify the judicial officer and give full particulars of the matter. Whether the person who provides the information to me intends to make a complaint under the act is irrelevant to whether I am satisfied that the requirements of the act are met. I am entitled and, indeed, may even be required, to treat any communication which possesses the features set down by the act as a complaint under the act. It would be inconsistent with my role as Attorney-General and first law officer under the Law Officer Act 1992 to do otherwise than treat communications as complaints provided the essential features are satisfied.

In considering a complaint as Attorney-General, I cannot be confined to a rigid form of documentation. The purpose of the act is to provide a mechanism by which potential judicial misconduct may be examined, and I must view my role under the act with that in mind and not be confined by artificial limits on form. When examining the material which was provided to me by magistrates Burns and Fryar, the only conclusion that could be drawn was that the material was, by its nature, a complaint about the behaviour of a judicial officer. I am entitled if not obliged as first law officer to examine and consider material given to me and to draw from it the essence of the allegation that a plain reading of the material provides.

Under the act it is incumbent on me as Attorney-General not to prejudge any suggestions or allegations of judicial misconduct but to determine whether, if substantiated, the alleged conduct could justify consideration by the Assembly of a

resolution requiring the removal of the judicial officer concerned. If I reach this view, I am required to request the executive to appoint a judicial commission. It is solely the task of a judicial commission to examine the complaint and the evidence, make findings as to the facts of the matter and determine whether the judicial officer's conduct could amount to proved misbehaviour such as to warrant his or her removal from office. It is then a matter for this Assembly to determine whether to remove the judicial officer from his or her position.

After reviewing the documents provided by magistrates Burns and Fryar and taking relevant advice, I felt it incumbent on me to afford Mr Cahill appropriate fairness. I therefore extended to him an opportunity to respond, even though this was not required expressly under the act. After considering all the material, I formed the view that the complaint went to the heart of the proper performance of judicial functions and, if substantiated, could cause the Assembly to support a motion for the removal of Mr Cahill from judicial office. At no time did I form a concluded view as to the actions of Mr Cahill. As I have indicated, I am not required to undertake substantial inquiry into the complaint, and any such inquiry could, indeed, be considered to interfere with the conduct of any future commission. Once I had formed the conclusion that the complaint could justify consideration by the Assembly of a resolution requiring removal of the judicial officer, the act gave me no alternative but to progress the matter further. It was on that basis that I approached the executive requesting it to appoint a judicial commission. The executive had no discretion under the terms of the act once it received my request and proceeded to appoint a commission.

The commission comprised three eminent former judges, being the Hon James Wood AO, QC, formerly of the New South Wales Supreme Court, the Hon Jerrold Cripps QC, formerly of the New South Wales Supreme Court, and the Hon Ted Mullighan QC, formerly of the South Australian Supreme Court. No-one could doubt that a commission consisting of retired judges with such high repute as these would conduct an inquiry of the highest standards, including fairness to the judicial officer in question.

As I mentioned in my address to the Assembly on 10 November last year, the commission was established only a short time prior to Mr Cahill reaching the statutory retirement age of 65 years. I was mindful of this fact when I considered the complaint in October 2009. However, as Attorney-General, it is my responsibility to maintain the integrity of the justice system in the territory and make every effort to address any threat to public confidence in it. I could not sit back and allow such serious allegations to be disregarded simply because a statutory time frame was about to expire. Instead, I took steps to address the matter promptly with the assistance of the ACT Government Solicitor. Commission members were briefed, counsel assisting the commission was retained and a hearing room was booked at the Federal Court. The commission was ready to begin hearing the matter as early as 20 November 2009. Given the swiftness with which the commission was prepared and established, the members of the commission believed, as did I, that it was entirely possible to complete the necessary investigation and hearing process prior to Mr Cahill's statutorily imposed retirement date of 15 December 2009.

Nevertheless, I remind members that I foreshadowed to the Assembly on 10 November last year that I had also thought it necessary to consider the possibility of amending the act to allow the judicial commission to complete its inquiries after Mr Cahill's statutory retirement date, should it be unable to do so before then. Of course, these considerations were only in the preliminary stages when Mr Cahill tendered his immediate resignation on 17 November 2009. Mr Cahill's resignation meant that he was no longer a judicial officer within the meaning of the Judicial Commissions Act, meaning the commission had no further role under the act. As I stated to the Assembly on that day, as the commission had not commenced its hearings, the government did not consider it appropriate to seek amendments to the act to provide for those hearings to proceed.

The conduct of the commission, although short lived, was independent of the criminal investigation conducted by the AFP and the decision of the Director of Public Prosecutions on whether to prosecute. The two processes, although arising from the same set of facts, involve different considerations, apply different standards and serve different purposes. The commission was to focus on the behaviour which was the subject of the complaint and determine on the balance of probabilities whether Mr Cahill was guilty of misconduct whilst holding judicial office sufficient to warrant removal from office. The commission was to look at establishing what conduct occurred and whether to categorise it as conduct that could amount to proved misconduct so as to warrant removal. Whether it amounted to a criminal offence was irrelevant to the determination of the issues faced by the commission and a matter which is properly for the Director of Public Prosecutions and the courts.

The criminal investigation was centred on an analysis of provisions of the Criminal Code 2002 and any evidence which may go to proving the commission of a criminal offence. Upon completion of that investigation by the AFP, it was for the Director of Public Prosecutions to determine in accordance with his prosecutorial guidelines whether all the elements of a criminal offence could be proved beyond a reasonable doubt.

Any finding of criminal guilt would be a relevant matter for a judicial commission, but misconduct does not rely upon the Criminal Code. Conversely, the findings of a judicial commission would not and could not impact upon the conduct of any criminal prosecution should that course have been pursued. Any action taken as a result of the commission's findings would lie solely with the Legislative Assembly.

I would like to reiterate my confidence in the ACT judiciary. The conduct of magistrates Burns and Fryar was entirely appropriate in the circumstances. I was obliged to act on the material given to me. A judicial commission was properly appointed. It was unable to conclude its function, and the DPP considered the matter separately.

For the information of members, I table a copy of the documents constituting the complaint made to me by magistrates Karen Fryar and John Burns:

Former Chief Magistrate for the ACT—Complaint—Copy of various emails, including briefing material.

These documents have been de-identified as the identities of certain persons involved remain the subject of a suppression order.

**MRS DUNNE** (Ginninderra), by leave: This is a most important and grave matter which I have said from the outset needs to be handled with the utmost care. I think that the statement today is more of a protection exercise for the minister than an exposition of the utmost care that was necessary. From the outset I believe that the minister has handled this matter quite inappropriately. I took time this morning to reflect on the notes that I took of various meetings that I had with Mr Corbell. You too, Mr Speaker, were in some of those meetings back in November last year when this matter first arose.

When the matter first arose I asked for a briefing on the issues and I was granted one by the minister on 4 November. I was struck at the time by how keen the minister was to proceed down a particular course of action. This is why I took the notes that I did. I think that the minister has handled this matter quite inappropriately from day one. At the outset, I did take issue with the minister on the way that he handled the matter and the way that he handled it in the media—the fact that he went out and had a press conference.

His excuse for that was that he had been pestered—they were his words—by the media throughout the day and he had eventually given up and decided that instead of issuing a statement which would be appropriate in the severe and solemn circumstances that we were dealing with, he went out and he made a press statement. This, of course, caused the whole thing to explode in a quite inappropriate way and the minister has behaved in an inappropriate way since then.

It was quite clear from the very first meeting that I had with Mr Corbell on this matter that he was going to go down the path of a judicial commission. He was quite excited about the prospect. His body language and everything about him—he was nervous but he was excited at the anticipation of being a groundbreaking Attorney-General and instituting a judicial review. That is the only conclusion I can make.

It was very early in the piece that he raised with me the prospect of pursuing Magistrate Cahill even into his retirement because I raised with him the issue that Magistrate Cahill at the time was only about six weeks away from his retirement. The attorney said to me words along the lines that he could not envisage sitting at a ceremonial sitting to mark Magistrate Cahill's retirement knowing what he knew, that if we went down the path of a judicial commission there was very little chance it would be concluded by the time that Magistrate Cahill retired and that we would have to contemplate, and I was asked to go and consult with my party about whether we would contemplate, an amendment to the Judicial Commissions Act to allow this matter to continue after Mr Cahill retired.

I went away and I discussed this with my leader. He gave me very sage advice. He said, "Vicki, go away and write down notes of everything that was said because it will be important that we have a good record of what has happened here." I consistently questioned whether a judicial commission was the appropriate path and whether it was warranted. But from the outset the minister said that he believed the

representations made to him by then Magistrate Burns and Magistrate Fryar constituted a complaint within the terms of the act and that he had no other course of action.

The minister came to me immediately before he made his announcements in relation to the judicial commission and I encouraged him to act cautiously. I have said on the public record that it is up to the minister to demonstrate that he has done the right thing in this regard.

Very soon afterwards—within a week of establishing the judicial commission—the judicial commission was abandoned. I will draw to members' attention the answer to a question on notice that I received yesterday that points to in excess of \$17,000 that was expended in that very brief period in relation to the judicial commission. That does not include the money that was reported on that was expended by the ACT police and it does not include incidental costs of staff. This was direct outlays of paying for consultants, paying for legal advice and payments to commissioners who did not actually do any work. So \$17,000, and counting, in pursuit of the Chief Magistrate, who was about to retire, in what now appears to be very tenuous circumstances indeed.

Mr Cahill and other people have openly questioned the legality of whether this was a properly constituted judicial commission. This is why Mr Corbell has found it necessary to come in here today and somehow assure us that everything he did was according to Hoyle. I will quote Mr Waterford from the *Canberra Times* on 25 September when he said:

... it is legally doubtful that there was ever a legally constituted judicial commission in the first place. This is because Corbell, and those advising him, seem to have little understanding of what the law required, and did not follow the steps laid down by the law. There had to be a complaint, and in writing. Corbell was advised orally by Magistrate Burns of his concerns that a message sent from Cahill's office to a Victorian magistrate might be intended to "get at" that magistrate. Burns did nothing in writing. Later, another magistrate, Karen Fryar, emailed some documents to Corbell, but it is doubtful (since Corbell is holding on to them—

we do now have them, and we will now have the opportunity to peruse them—

... that these can be described as a written complaint.

Mr Waterford goes on:

A decision by an attorney-general to begin a judicial commission proceeding into whether a judge has attempted to poison the well of justice is an important and solemn one. It is taken only after the attorney has decided that the allegations, if sustained by the commission, could amount to "misbehaviour" and justify dismissal of the judicial officer by the ACT Assembly.

Neither Burns nor Fryar regarded themselves as having made a complaint under the Act. Neither (rightly) accept any responsibility for what Corbell decided to do after hearing of their concerns. Corbell has said, repeatedly, that the

commission was invoked on the complaints of Burns and Fryar, but his mere saying so cannot repair the deficiency.

I repeat that by simply coming in here today and saying that he did it according to Hoyle does not prove the matter. I thank the minister for tabling the papers, because the members of the Assembly who are interested in this matter—and we should be interested in this matter; this was a very serious course of action to take—can now examine it. Members of the community can examine the papers and see whether Mr Corbell's assertion that he did things in accordance with the act actually holds water.

There are many concerns about the attorney's actions here and his apparent cavalier disregard and disrespect for the ACT judiciary. There is no point coming in here afterwards saying, "I really have a great deal of respect for them." More importantly, by your actions shall you know him, and we have seen with this Attorney-General a man who was almost salivating with anticipation, in the anticipation of setting up a judicial commission. His excitement was palpable when he spoke about these matters. The fact that he was prepared to contemplate at a very early stage pursuing Mr Cahill into retirement shows that he was not being an Attorney-General who measures things as they should be, but that he was pursuing a vendetta. I am not sure what the cause or the root of that vendetta was—

**Mr Corbell:** On a point of order, Madam Assistant Speaker, Mrs Dunne is alluding that I had some personal vendetta against a former chief magistrate that led me to establish a judicial commission. I find that offensive in the extreme. It is an allegation made without any substantiation and, Madam Assistant Speaker—

**Mr Seselja:** On the point of order, Madam Assistant Speaker, there has to be a standing order under which he is making this point of order.

**MADAM ASSISTANT SPEAKER** (Ms Le Couteur): One minute, Mr Seselja.

**Mr Corbell:** it is grossly disorderly because it is an imputation on my character which I cannot allow to stand. The suggestion, Madam Assistant Speaker, that I established a judicial commission because I had a vendetta is outrageous; it is without foundation—

**Mr Seselja:** On a point of order, Madam Assistant Speaker, he is now debating the issue. He will have the opportunity if he wants to speak again—

**MADAM ASSISTANT SPEAKER:** Mr Seselja, one moment.

**Mr Seselja:** He is not able to flout points of order in order to debate the merits of the matter.

**MADAM ASSISTANT SPEAKER:** Mr Corbell, I think—

**Mr Corbell:** It is an improper imputation. Madam Assistant Speaker, it is an improper imputation. That is disorderly and I ask you to direct Mrs Dunne to withdraw.

**MADAM ASSISTANT SPEAKER** Mr Seselja, did you have more to say on that point of order?

**Mr Seselja:** Only that there does not appear to be a point of order. He has not pointed to a standing order. I again ask you to ensure that members such as Mr Corbell do not sit there and use points of order as an opportunity to simply debate the merits. He is debating the merits. Mrs Dunne should be allowed to continue.

**Mr Corbell:** Madam Assistant Speaker, the standing orders do not permit members to make improper imputations against other members. It is disorderly conduct, and she should be asked to withdraw.

**MADAM ASSISTANT SPEAKER:** Mrs Dunne, I invite you to withdraw your comments.

**MRS DUNNE:** Sorry, which comments am I being invited to withdraw?

**MADAM ASSISTANT SPEAKER:** I understand you made comments which suggested—look, I cannot remember the exact words—

**Mr Smyth:** Kind of hard to withdraw if there are not exact words.

**MRS DUNNE:** Sorry, Madam Assistant Speaker; I am happy to contemplate withdrawing remarks, but I have to know what it is I am withdrawing.

**MADAM ASSISTANT SPEAKER:** Yes. Mr Corbell, exactly which remark did you wish to have withdrawn?

**Mr Corbell:** Madam Assistant Speaker, standing order 55 is called “Personal reflections”.

**MADAM ASSISTANT SPEAKER:** Yes.

**Mr Corbell:** It states that all imputations of improper motives and all personal reflections on members shall be considered highly disorderly. Mrs Dunne suggested—in fact, she imputed—that I had a personal vendetta against the former Chief Magistrate such as to justify my decision to establish a judicial commission. It is an outrageous allegation. It is highly disorderly, and she should be asked to withdraw.

**MADAM ASSISTANT SPEAKER:** Mr Corbell, I think we have heard what you want—

**Mr Seselja:** On the point of order, Madam Assistant Speaker, what Mr Corbell is now arguing is that Mrs Dunne should not be allowed to draw conclusions in making her argument. In this place we draw conclusions. We often draw conclusions about the motives of members. In the absence of any evidence as to why Mr Corbell pursued this course, Mrs Dunne should be free to ask what was the motivation behind his actions. That is what we do in this place. We often ask that question. If we are going

to be shut down from asking those kinds of questions and making assertions about the conduct of ministers then there will be very little debate in this place.

**MADAM ASSISTANT SPEAKER:** Thank you, Mr Seselja. I think that the attorney is correct and that Mrs Dunne should withdraw personal imputations about him about a vendetta. I invite you to withdraw those imputations.

**MRS DUNNE:** Madam Assistant Speaker, I withdraw the word “vendetta”. If necessary, I will come back after checking the record. I do not think that I used the word “personal”, which is what I think Mr Corbell said, but to satisfy you, Madam Assistant Speaker, I withdraw the word “vendetta”.

**MADAM ASSISTANT SPEAKER:** Thank you, Mrs Dunne.

**MRS DUNNE:** I do ask the question: what were the motivations of the attorney to pursue Mr Cahill through the latter stages of his service to the ACT and to contemplate at a very early stage and to raise this matter with me not once but on a number of occasions—

*Members interjecting—*

**MADAM ASSISTANT SPEAKER:** Mr Corbell and Mr Seselja please do not continue debating across the chamber. Mrs Dunne has the floor.

**MRS DUNNE:** He raised with me not once but on a number of occasions the prospect of pursuing Mr Cahill into retirement. When the announcement was made that the attorney and government had set up a judicial commission, that prospect was raised in this place. The people of the ACT deserve to know what prompted this and what were the motivations of the Attorney-General who, as soon as this matter even looked like becoming public, went out and inflamed the situation by attending a media conference in a way which was quite unprecedented and quite unseemly for a person in his position.

He said to me that he did it because he was pestered by the media. The person who was supposed to stand up for the rights of the people of the ACT went out because he was too weak to withstand the blandishments of the ACT press corps. He was pestered by the media and he went out and made a comment in a way which was inappropriate for the circumstances that were currently afoot. That was the way he moved from there. He moved in a reckless and excitable way from that moment on. What we have here today is the attorney trying to draw a line over it and to say that there is nothing more to see here. There is plenty more to see here because this attorney caused expenditure of moneys, substantial expenditures of moneys. They have not all been accounted for and I will be pursuing that matter.

More than that, he pursued one of the longest serving judicial officers in this territory, resulting in his taking early retirement. He showed that he was intent on pursuing this man even into retirement. There are issues of this man’s motivation that need to be addressed. There are issues of whether he exercised his judgement appropriately. I have had my doubts from the outset. I still have them. There are other members of the

ACT community who have been observing this very closely—not just Mr Cahill and not just the other people who have been caught up in this—who are concerned about the capacity of this man to exercise his position as Attorney-General.

The position of Attorney-General is a position of high trust and I think that what we are seeing here today is a minister who has failed in that high trust and a minister who has failed to exercise his powers appropriately. There is much more to be seen in this. We must review the papers. I thank the minister for finally having the courage to provide those papers and I also look forward to a satisfactory conclusion of my FOI request which is currently afoot. I hope that we will have a full disclosure in that as well.

**MR RATTENBURY** (Molonglo), by leave: I welcome the minister making the statement today and also tabling the documents relating to this matter. It is important that both the attorney's account of events and the documents are placed on the record. I do not particularly wish to comment on the observations Mrs Dunne has just made, other than to say that I think the whole affair has left us with an entirely unsatisfactory outcome. It is unsatisfactory on a number of levels. It is also unfortunate in terms of the timing in which it took place and the proximity to Mr Cahill's retirement. It is also unfortunate that the reputation of many people has been called into question. I will come back to that in a moment.

At the end of the day, the outcome is unsatisfactory on a number of levels. I would like to elaborate on why I think that is so. It is unsatisfactory for those involved. Clearly, for former Chief Magistrate Cahill, as an individual, natural justice has been denied. He has not had a chance to confront the allegations through a proper hearing and get a decision. Instead, the allegations will linger. That is an unfortunate outcome. It is also an unfortunate outcome for magistrates Burns and Fryar, who were the source of the original complaint. I can only imagine that it was very difficult for them to come forth with a complaint in the first instance against one of their colleagues, knowing that it would be a matter of some controversy and considerable difficulty within judicial circles.

To my mind, what is perhaps of greater significance is the highly unsatisfactory outcome for the justice system in the ACT. We are now left with a situation where a matter of some substance was raised—that is, a complaint against a judicial officer—and we have no understanding or resolution as to whether or not it was an appropriate complaint. This is unsatisfactory in terms of the administration of justice in the ACT. A question has been raised and that question has been left unanswered. We now find ourselves in a situation where the matter has been debated in the pages of the newspaper through various columns—and it is now being debated in this chamber—and we have not had an opportunity to address this important judicial question in an impartial and objective way, as the judicial commission would have done.

To my mind, that leaves us with a most important question and I think it raises some real issues. Under the current rules, there is no mechanism to resolve this matter. We have no way of going forward now, other than ongoing debate in various fora. There is no formal mechanism to resolve this and make a ruling or draw a conclusion in a satisfactory way. That is something this Assembly may wish to consider in future. I

do not have a proposition at the moment as to how we might address this differently, but I would certainly welcome discussion with members as to how we might avoid such a situation in future. At the end of the day, it is an unsatisfactory outcome for the people of the ACT and the judicial system in the ACT.

Having been at all of the briefings, I think, with Mrs Dunne on the matter, I do not entirely agree with her recollection of events. Certainly, the suggestion to pursue Mr Cahill into retirement was not a conclusion that I would draw. I recall those discussions with Mrs Dunne and Mr Corbell. At the time we identified very quickly that the impending retirement of Mr Cahill would potentially create a difficult situation. There was a discussion as to whether we should change the legislation to enable the judicial commission to continue. I certainly took it on board to discuss that with my colleagues as well. I did so on the basis not of pursuing Mr Cahill into retirement but of knowing right back then that we were facing the prospect of an unsatisfactory outcome. The matter would be left hanging in the air, justice would not be served and justice would not be seen to be served.

I stand up in this place and say that the Greens were willing to consider a change to the legislation. But I want to be very clear about our motivations for that. It was to avoid the situation that we now find ourselves in. To conclude, I simply observe that, again, we find ourselves in a very unfortunate situation. I suspect it is unresolvable at this point because of the current law, but we should all turn our minds to how, if such a situation were to arise again in future, we might find a way to achieve a better outcome for all of those involved.

## **Planning—building quality**

### **Statement by minister**

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing) (10.58): Pursuant to the resolution of the Assembly of 1 July 2010, I present the following paper:

*Building Quality in the ACT*—Report to the ACT Legislative Assembly, dated September 2010.

This report was circulated to members when the Assembly was not sitting. I move:

That the Assembly take note of the paper.

In July this year the Assembly agreed to a motion that called for the government to provide a detailed report on building quality issues in the ACT, particularly those related to residential building standards and building certification. In response, I convened the building quality forum to consult with a diverse range of interests on problems occurring and possible solutions to improve building quality where needed.

The forum brought together unit owners, strata managers and representatives of building industry associations. It also included unions, the insurance, legal, adjudication and training sectors, as well as officers from the ACT Planning and Land Authority and the Office of Regulatory Services.

After its first meeting in late July, the forum agreed to establish four working groups. These groups examined in detail reform in the areas of owners' rights, industry skills and competence, effective supervision and insurance for building defects. The discussions at the initial forum and at the working group meetings provided the basis for the recommendations contained in the report *Building quality in the ACT*, which I tabled today.

It is important to recognise the contribution from the members of the forum. I thank them for sharing their knowledge, their experience and their time. As we can all appreciate, issues that affect your home or your livelihood can be sensitive. I particularly commend the working groups for their positive and cooperative approach to resolving problems.

The report also includes the preliminary results from work ACTPLA have been undertaking on analysis of complaint statistics, setting their long-term program for legislative review for the construction sector and responding to increases in building work in the territory.

There are a wide range of problems that can be included under the heading "building quality". Not all of these fall into the definition of building work or in traditional building regulation. Many types of building problems, such as structural issues, fire safety and noise attenuation, relate to compliance with the Building Code of Australia. Other building issues relate more generally to the Building Act, which covers construction processes, and general requirements for services such as plumbing, electrical and gas fitting are covered by the electrical safety, gas safety and water and sewerage acts. Consumer issues, such as contractual problems and non-building work, and some trade work completed outside of construction processes are dealt with under fair trading and consumer laws.

Whilst this might sound complex, it should be remembered that in other jurisdictions there are many separate regulators for each process. There are only two regulators covering all of these areas in the ACT—the Planning and Land Authority for construction regulation and the Office of Regulatory Services for fair trading.

Despite this, one of the things the building quality forum identified is a need to provide clearer information to owners and consumers about their rights and obligations. The forum identified issues such as the role of building certifiers, builders and other practitioners; regulatory functions and complaints processes; and the coverage of mandatory building insurance for low-rise buildings. This information will be included on the ACTPLA website and in new publications for owners.

To assist industry with its obligations, ACTPLA will work with industry to develop a series of practice notes and default design solutions for major quality issues, such as balconies over habitable areas and the use of waterproofing products. This will give greater guidance on acceptable practices.

Throughout the process it has been recognised that the scale of building quality issues in the industry is difficult to quantify based on government statistics. This is because

many problems may have been resolved between owners and builders, or left unresolved, and are not reported to the planning authority or the Office of Regulatory Services. Building quality issues are reported against less than two per cent of all completed building works, of which complaints about residential work form only a part.

To gather further information, the government will work with the Owners Corporation Network to undertake a survey of apartment owners. I encourage all owners and bodies corporate to participate in this survey and report any problems, even if these have been rectified. The survey will complement a review of the way information on complaints is collected and used by ACTPLA. There will also be analysis on whether other models, where some degree of government certification is retained, are effective in producing better quality buildings.

Although building certifiers have definite responsibilities for making sure that buildings comply with relevant standards, it needs to be clarified that not all areas under the heading "building quality" are the responsibility of the certifier. Certifiers are not plumbers, gas fitters or electricians. Neither are they site supervisors that oversee daily work on a construction site. Other licensees are responsible for these issues. The additional research will find where failures in the current system may be occurring and where further reform is needed. This work will be completed by ACTPLA, in consultation with industry, by the end of this year.

Having said that, the forum identified a number of areas that are affecting quality. The building quality report details 16 recommendations for the short, medium and long term. These reforms focus mainly on apartment buildings, as forum discussion centred on these issues. But the reforms can be expanded to other types of residential buildings. The primary aim of these reforms is to improve the professionalism and maturity of the entire industry.

The challenge is to bring all practitioners up to the minimum standard whilst acknowledging the demands on the construction industry to deliver an increasing number of buildings in a short time frame. A number of improvements in administering existing legislation and education are also important to increase professionalism, industry skills, regulation and compliance activities. Practices in both industry and government can become sclerotic over time. When I ask why things are done this way I often get the response, "Well, because this is the way we've always done it."

The report acknowledges that ACTPLA can do more on auditing. There are not many building inspectors. The inspection service comes at a significant cost. On-site auditing has mainly focused on responding to complaints rather than duplicating certifiers' inspections or monitoring individual construction work. ACTPLA has already begun additional auditing of medium and high-rise apartment construction and improving communication with certifiers about policies and standards.

In the short term, the number of mandatory inspection stages in apartment buildings will increase to include a pre-sheet inspection, where major building services will be checked, and an inspection of completed wet areas. Further work on the construction will not be able to be carried out until these inspections are completed.

A larger reform will restructure builders licence categories to reflect the complexity and types of building work being carried out. It will also introduce greater obligations on licensees to make sure the subtrades that they engage are adequately qualified. This will place the emphasis on licence holders to take responsibility for their work and the work that they have commissioned. That is, they will provide quality control on their own projects.

Skills cards for waterproofers, tilers, renderers, concreters, form workers, carpenters and bricklayers will be introduced, beginning with waterproofers in 2011. Skills cards are issued by registered training organisations and show the competencies and qualifications that a person has attained.

The report also proposes two major reforms to assist owners and owners corporations to address building faults and poor workmanship. The first is to introduce a complaint mediation and adjudication process for residential buildings. This will initially cover class 2 apartment buildings, modelled on the successful security of payments process. Expert advice on structural and other specialist issues or legal action is often needed and can come at a high cost to either the regulator or the owner.

This proposal would establish a formal adjudication process supported by legislation through which owners could access an independent expert and reach an early agreement between the parties. Decisions would be binding and would be appealable to a court. Adjudication bodies would report all disputes to ACTPLA to improve analysis.

For complaints lodged with government agencies, ACTPLA and the Office of Regulatory Services will coordinate referral processes between the agencies and management of complaints common to both agencies. This means that, regardless of where the regulatory responsibility is placed in government, owners will have better access to information and services from government agencies.

The second reform aimed at assisting owners and owners corporations is to develop a new statutory form of insurance tailored to the project rather than to the owner. Linking the insurance to the project means that second and future unit owners would be covered by the insurance. It will also address the problems in having defects rectified where the builder is no longer in business. For problems that already exist, there are avenues that can be pursued against former licensees and company directors. Government can establish a pro-prosecution and pro-rectification policy towards developers and builders who fail to comply with the building regulation when constructing class 2 buildings. All of the reforms will be supported by a review of the Building Act and changes to construction occupations licensing legislation and operational acts.

The Assembly's motion of 1 July also referred to the role of the Unit Titles Act in addressing building faults and poor workmanship in unit plans. This act is being reviewed in parallel to the work on building quality and forum participants have been able to contribute to that review. The Unit Titles Act allows an owners corporation to take legal action for the rectification of structural defects that are part of the units or

common property of a units plan under certain circumstances. I note that the Owners Corporation Network convened an information session for owners on their legal obligations and rights under the act. I believe this is a very positive step, as addressing complaints in common areas requires an informed and engaged body corporate throughout the process.

As we in this place know, legislative reform cannot occur overnight. There are checks and balances in developing legislation that must be adhered to and wider consultation will be needed on many of the reforms. I intend to continue the forum and working groups in the short term to refine major proposals and to bring forward any new recommendations for reform suggested by the ongoing work to gather and analyse information on the scale and scope of building defects.

Whilst reform has already begun, the transformation of the building industry will obviously take longer than just a few months. That is why the report also includes a recommendation to review the funding model for construction regulation and ensure that regulators can respond to the need for increased services. This process has put industry on notice.

As I said at the first building quality forum meeting, shoddy building should be a thing of the past. This report represents the first step in making this a reality in the ACT. I encourage all members to engage constructively on this issue so that we can all work together to get this right for the long term.

**MS LE COUTEUR** (Molonglo) (11.13): I thank Mr Barr for his report. I note that the report came about as a response to a motion passed by the Assembly on 1 July this year, which, of course, followed significant public concern about poor building quality in the ACT, specifically in multi-unit dwellings. The motion originally put forward by the Liberals called for an Assembly inquiry, and it was my belief at the time that, rather than an Assembly inquiry, we would be better off with ACTPLA sitting down with the stakeholders and using all the expertise involved to collaboratively develop solutions. I think that the results of this report have demonstrated that was the correct response.

It is clear, from reading the report, that there has been concerted effort put forward in considering solutions over the past three months within the building forum. The report clearly was written quite quickly and written obviously by ACTPLA. I must admit that I have heard some criticism of the report that it has been a bit too forgiving of ACTPLA and its role. However, generally most of the comments I have heard are at the very least steps in the right direction, if not a lot more than that.

I would like to thank all of those involved in the process, particularly the members of the four working groups who have put a lot of time, effort and thought into the issues in the past few months. In this regard, I would like to note particularly the efforts of Gary Petherbridge of the Owners Corporation Network who participated in all four working groups.

Looking at the report, the industry representatives agreed that the majority of problems were in the multi-unit developments over three storeys and under 10 storeys.

I believe that is because three storeys and over requires a significantly greater level of skill than the smaller buildings. But I very much hope the reason that we are not seeing as many problems with over 10-storey buildings is simply that, as we all know, there are not a lot of over 10-storey residential buildings in the ACT.

I am very pleased that the government is working with the OCN to coordinate a survey of owners corporations to get a better idea of the extent of the problem, and I do hope that this will be the forerunner of other cases where the OCN can work with the government to get access to owners corporations.

One of the major findings was that waterproofing was a major issue, which, unfortunately, sometimes takes a long time to become obvious to the residents. This is one that is often discovered much later than other problems like structural and soundproofing defects.

I also want to note one of the things I found most worrying in this report. It stated that houses are only being built with a 35-year lifespan. Last year, I went and looked at the Victorian government's public housing complex at Windsor, K2, which they have built to last for 200 years. This is really what we should be aiming at. We need to get our construction and building policies right and our building practices right so that we build things that are going to be here for centuries, not just decades.

Later today we are going to be debating a bill to reduce greenhouse gas emissions in the ACT. We cannot reduce greenhouse gas emissions and then have the situation that the buildings we have built now are going to have to be replaced in a greenhouse, carbon-constrained world. We can do better, and we know we can. And we must.

I was very surprised to find that Engineering Australia were not invited to the building quality forum. They clearly have a lot to offer in terms of building quality issues. I recently attended one of their forums and saw, in not very pretty pictures, why they need to be involved. I even heard of the instance of a death caused by poor building practices where an unflued pool heater asphyxiated someone.

I will only speak quite briefly on the various issues at the roundtables because Mr Barr has already been through quite a lot of them. A major issue is skills shortages, and that clearly has led to quite a number of the problems. Obviously, this is a much bigger issue than can be addressed solely by the forum. I note Mr Barr is also the Minister for Education and Training and I trust that, in his other portfolio, he will also look at this.

Issues related to skills are things like company licences, where only the skills of the nominee are assessed, not the people that are employed by the company. As building standards and technologies are constantly changing, there is a real need to ensure that licensees are kept up to date, but there is no mechanism for this at this stage.

Another area that was noted through the forum was that builders, in fact, have minimal training on how to fix problems, which often makes it difficult for them to carry out rectification orders. I note some of the changes Mr Barr noted. There will immediately be mandatory inspection of wet areas by certifiers. We support that. We

support the potential changes to licence holders to limit the number of simultaneous constructions in the early years. We support looking at reforming the licences and instituting a system of continuing professional development.

The effective supervision working group had a lot to do, and it raised a number of issues, including there being a number of significant buildings which are complex or non-standard where it is felt that builders often did not have sufficient skills to construct. I note that the need for increased supervision, which is what this group was talking about, has, to some extent, been forced upon developers and builders by the changes to the development application part of the legislation. Nominated licensed builders, we believe, must be present to supervise overall development.

It is reasonable also that nominated engineers be included in the application for the larger, more complex buildings because it is not reasonable to expect that building certifiers for the larger and more complex buildings should be able to check all critical aspects of the problems. A significant increase in regulated, certified inspections is needed, and I am glad that ACTPLA is at least doing some of that.

I also believe that the significant increase in auditing by ACTPLA is needed. This is one where ACTPLA auditing is largely paper based, not actually going out on site. I believe this is for financial reasons but I do not think this is good enough. Auditors have to be out on site.

I am very pleased with the potential change so that it will be clearer that owners are engaging certifiers themselves rather than engaging them through the builder. But given that most of the problems are in multi-unit developments, in most cases the developer will be the owner during the period of construction rather than the eventual owners. So I think that this change, while worth while, is likely to be fairly ineffectual because of that reason.

Obviously I am supportive of the changes to give better complaints processes, better quality control processes in government procurement, the potential for better supervision of jobs of a certain size or complexity and potentially even reviewing the Building Act. I note that there is obviously, at the very least, confusion about the role of the Building Act, given that ACTPLA is going to have to issue fact sheets on this. I think that this really is an issue.

Most people would believe that the Building Act would cover basic quality issues such as water penetration into living areas. However, in a number of instances ACTPLA has felt that this is not the case. So I am very pleased that they are putting out a fact sheet on what is covered by what bit of regulation but I do wish to say that we need to look at the regulations as well, particularly given that in apartments the actual owners tend to be second owners rather than, as I said, the first owner who will be the developer.

So we get to the situation that the only thing left for the second owners, the eventual substantive owners, is formal adjudication through the court system, which is both time consuming and costly. Also they generally need a well-functioning body corporate because they will be put forward by members of the body corporate, and

this is not always going to be the case, of course. I do think that the idea of complaints, a mediation and adjudication process modelled on the security of payments process, is potentially a good idea to be considered.

I now move to insurance. It is a particular issue for the bigger buildings of four storeys and over because they do not have mandated insurance, and this would seem to be a considerable weakness. All buildings should have mandated insurance. And I note the possibility of a new form of insurance. That would seem a very useful idea. The report has a number of ways this could be achieved.

I do think that, whatever is done, it is very important to look at what I think is the hardest, most intractable problem—that is, the existing significant problems in the current building stock that is less than 10 years old. And I think this is an area which requires considerably more work from this building forum.

In the limited time remaining to me, let me say that the recommendations have been split into short, medium and long-term reforms. There are a good number of reforms which can be done in the short term quite simply—and I am very pleased that some of these have already been done—in the medium term with a bit of work, and in the longer term with more work. It would appear that all of these are likely to improve the building quality in the ACT, although, as I said a minute ago, there is still the big problem of how to help people currently living in substandard buildings.

Most of the recommendations will require funding. I think that this is one of the more interesting issues to deal with, and I certainly think that the building levy idea is worth exploring.

Looking to the future, I am very glad to see that the four working groups are ongoing until the end of the year and that the matter has not ended with this report. And I am pleased to hear that ACTPLA is intending to establish a permanent forum of building certifiers to improve communication regarding emerging issues in the industry. I would hope that the forum would be wider than certifiers and would include the range of people that were involved in the building quality forum so that we make sure that this congruence of problems does not happen in the future.

I note that the initial motion the Assembly passed had a clause foreshadowing an inquiry if the issue was not satisfactorily addressed by November this year. I would like to suggest that what we should do is extend this option to next year, given that the work on the issue has not concluded. So it would be pre-emptive for the Assembly to decide whether or not the issues have been satisfactorily addressed.

I would also like to request that the planning minister report back to the Assembly in August 2011 on the progress of the review and of the implementation of the short-term recommendations. The Assembly would be in a better position then to assess whether a further inquiry was necessary at this point. Perhaps we could also have a progress report when the working groups have finished. At the end of the round of meetings this year it would be quite helpful if the planning minister could report back on these.

I note that the medium-term measures will be reviewed by December 2011 and the long-term measures by December 2012. The Greens and, I hope, the rest of the Assembly will continue to monitor progress on these and I look forward to hearing further information about these proposals. This information could be integrated into my proposed report back to the Assembly in August 2011.

Basically I would say we are very pleased with the progress to date but more needs to be done, particularly in the area of certification, and we really need a commitment to the implementation of the report and a preparedness to keep on with the work.

**MR SESELJA** (Molonglo—Leader of the Opposition) (11.28): I think Ms Le Couteur touched on this at the beginning of her speech when she said that there was some criticism that this process may have been a little too forgiving of ACTPLA. I think that was the very point that we were making when the Greens amended the original motion, which was to establish an inquiry. Simply giving it to the government to look into itself, simply handing over to government to tell us what it is going to do and to inquire into its own problems, is not the appropriate way to shed light on what are important issues.

We firmly believe that the quality of construction in the ACT in the main is of a high standard. We believe that we have a good industry in the ACT, that far more often than not they get it right, but we also know—and it has been drawn to our attention and to the community's attention—that sometimes they do get it wrong and in some cases quite seriously so.

I do not think that anyone who has been through the process of having poor building standards would want us to underestimate the impact of that on a family. There were a number of *Stateline* pieces on this. There were at least two. In the second one we saw the impact on a family of some serious problems in building work. And that costs a lot of money. That costs families a lot of money and can cause families a lot of heartache. They are serious issues.

We do maintain that the building industry generally gets it right, and for that reason it is even more important that we are rigorous in this. Every time there is a cowboy, every time there are those one or two shoddy builders, they put the industry in a bad light, and unfairly so. They put in a bad light the hardworking men and women in the industry—the small businesspeople, the employees—who do so much to build the ACT and contribute so much to our economy, when we see those kinds of stories emerge. For that reason it is critically important that we do all we can to ensure that the community can have confidence.

We believe that the way to do that would be to have an inquiry. That is what we believed. Ms Le Couteur's comments today, I think, really reinforce that there is a feeling that it has gone too easy on the government. It is going to go too easy on the government because it is the government's process. It is not a genuine inquiry. It is not members of the Assembly on behalf of the community inquiring into this issue and shedding light on this issue. I think that would have been a better way of putting this behind us, of getting to the bottom, of finding which are the best reforms that are needed. Instead we have got a process that falls well short of that mark.

It is worth just briefly reflecting on the other issue that I think is part of the subtext of this—that is, the lack of leadership and coordination in planning in the territory. There is no doubt that you have got a planning minister who has responsibility for some things and is not that interested in planning. And then you have got a chief minister who is responsible for other parts of planning and development through Land and Property Services and through the Land Development Agency. And we know he is not very interested. He is not interested in even being here.

We have got two uninterested ministers, unfortunately. We cannot fix that but I think that one step forward would be to have one minister who oversees all of these issues. Planning and development should come under the auspices of one minister. That would be an important step in the right direction. The government should take the opportunity of the Hawke review to make some reasonable changes that will assist.

That in and of itself will not fix it. Changing the structure of ACTPLA will not fix it but will improve it. It will improve it because we have a lot of double-up at the moment. There is a lot of double-up both in the ministers and in the agencies. We used to have a major projects unit which was designed to coordinate a lot of these issues. Then we had the Department of Land and Property Services that was established to coordinate these issues. And then they said that was not working, so they would appoint someone within Land and Property Services to be the coordinator on behalf of the department for all of these issues. It is ad hoc in its approach.

I would put it on the record that we believe that it is important that we see reforms in this area. This is one aspect but, when we have got a lack of leadership in planning, when we have got a lack of coordination, that leads to things being missed. That leads to there not being the kind of oversight that we would expect. That is clearly what has happened here. That has happened here and we believe that does need to be looked into properly rather than the whitewash of the government looking into itself.

We look forward to engaging further on possible changes to come out of this but I would say to the government that it is time to take our lead and make some reforms in this area rather than just bumbling along from one stuff-up to the next in the area of planning.

Question resolved in the affirmative.

## **Standing and temporary orders—suspension**

**MRS DUNNE** (Ginninderra) (11.34): I move:

That so much of the standing and temporary orders be suspended as would prevent order of the day No 2, Private Members' business, relating to the Climate Change (Greenhouse Gas Emissions Targets) Bill 2008 (No 2), being called on and debated cognately with order of the day No 1, Executive business, relating to the Climate Change and Greenhouse Gas Reduction Bill 2010.

This is a process that we use fairly commonly in the Assembly. We did it with the freedom of information bill; we did it with random roadside drug testing legislation.

When there are bills on the paper that cover similar issues, they can be dealt with cognately.

I raised this with the government. They were not so keen on it, but I do thank the Greens for their indication of support in this matter. There are two bills on the paper that relate closely, although they are not the same. I think that this is an appropriate way to deal with both matters. It allows members to speak to both bills at the same time. I thank the Assembly for consideration of this matter.

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

## **Climate Change and Greenhouse Gas Reduction Bill 2010**

[Cognate bill:

Climate Change (Greenhouse Gas Emissions Targets) Bill 2008 (No 2)]

Debate resumed from 26 August 2010, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

**MR RATTENBURY** (Molonglo) (11.36): This bill is one of the central tenets of the Greens-Labor parliamentary agreement, and we warmly welcome the debate today. The Greens will be supporting this bill, one of the most transformative pieces of legislation we are likely to see in this term of the Assembly. I will direct my comments to the government's bill in the first place and will address Mr Seselja's bill later.

It will come as no surprise to anyone in this place to hear me say that debating the climate change targets bill in the Assembly is a source of great excitement for me, for the Greens and for all of those people in the ACT community who are concerned about climate change and passionate about changing direction to live more sustainably on this little blue planet.

The passing of this bill is also a source of hope—hope that we can transform the ACT with energy, creativity and boldness, and reduce our greenhouse emissions over the next 50 years, becoming a city that is genuinely a low carbon community.

I do not wish to spend too much time today revisiting the science—there are reams of evidence to suggest that the action being proposed in this bill is at least consistent with what the science is telling us we need to do—but let me touch briefly on it. The Intergovernmental Panel on Climate Change, in its fourth assessment report released in 2007, said:

Warming of the climate system is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice and rising global average sea level.

It went on to say:

Global GHG—

greenhouse gas—

emissions due to human activities have grown since pre-industrial times, with an increase of 70% between 1970 and 2004.

The 25 to 40 per cent reduction negotiating range for developed countries proposed at the Bali conference a couple of years back was based on the 2007 IPCC assessment report. Yet it is worth observing for a moment that the outcomes of that report, even by the time they were released, were being superseded by new science. The science that comes out from the IPCC has been subject to what could be described as “political churn”; the science is inevitably politicised. Phrases that particular interests do not like are removed and de-prioritised; the degrees of certainty are watered down; consensus is found.

Let me be clear: I am not seeking to diminish the work undertaken by the IPCC. To the contrary, I commend them for the difficult task that they undertake. But the very nature and speed of the process mean that even when the IPCC report was first released, we were already seeing new science that indicated that the rate of warming is faster than was anticipated, with accelerating rates of carbon dioxide accumulating in the atmosphere, ocean temperatures increasing, and the loss of Arctic sea ice. We even see newer predictions that suggest that the impacts may be even more serious than anticipated.

The IPCC is the best process that we have for integrating the science, given that we are dealing with a global issue. But it is likely that we, as a global community, will find ourselves in an even stickier situation as new science is integrated into modelling and long-term feedback cycles kick in. The melting of the ice sheets, the exposure of the permafrost and the decreased capacity of the ocean to absorb more CO<sub>2</sub> are likely irreversible consequences of emissions we are putting into the atmosphere right now. And there will come tipping points when human intervention will not be able to prevent these impacts from occurring. The effects will be devastating if the situation is left unchecked.

Global political negotiations on climate change, as difficult as they have been, have been trying to build a plan of action to keep global temperature rises below two degrees Celsius to prevent dangerous climate change. Yet in actual fact, two degrees gives us only a 50 per cent chance of a safe climate. These are pretty marginal odds when you are talking about the future of the planet.

A couple of weeks back, scientists from the University of Exeter in the United Kingdom released the results of a study in which they had looked at previous interglacial temperatures, and indicated that a two degree increase in temperature may actually not be safe at all, throwing significant doubt on the accepted premise that two degrees is what we should be aiming for.

I make these observations to highlight that the Greens and the government, in supporting the top end of the 25 to 40 per cent range, have made a judicious decision. We can take no comfort from recent science that anything less is required; indeed, at

some time we may need to do more. There is nothing extreme about this target when one pauses to read the science.

And there are strong reasons not to delay action. Many governments, including the Australian government, have confirmed their long-term positions: many governments have signed up to either a 60 per cent reduction by 2050 or even an 80 per cent reduction by 2050. Either way, long-term targets are dangerous policy indicators. More and more it is becoming clear that we need to peak global emissions quickly—very quickly, by 2015—and then start to reduce. If we wait to reduce the bulk of emissions later on, some time after 2020 or after 2030, it is likely to be too late. Greenhouse gases that go into the atmosphere now will be having an impact on our climate for many decades into the future.

And what does business as usual look like? Scientists predict that if we keep to a business as usual scenario, relying on fossil fuels, greenhouse gas concentrations in the atmosphere will have tripled from pre-industrial levels by 2100. That is equivalent to a temperature rise of 4.5 degrees, though perhaps as low as three and possibly as high as seven degrees. Yet right now we are not even sure that two degrees is safe.

So there is no excuse for a “fossil fuel based business as usual” approach—not by anyone, not anywhere. Even those countries that have low emission profiles, and often low standards of living, must be assisted to leapfrog past the fossil fuel guzzling years and move straight into the clean energy years as their demand for energy grows.

Of course, when we start considering the ACT’s emissions in comparison to Australia’s emissions, we realise that we are a small part of the national pie. In the same way as when we compare Australia’s emissions as part of the international pie, we realise that, in terms of total emissions, we again make a small contribution. And so, as the well-worn argument goes, why bother?

In response to such comments, I would ask: on what moral grounds can we stand by and say we will not bother? I would ask that question of any community, any city, any state that says, “Why bother?” On what moral ground can any community deal themselves out of taking action? Of course there is differentiated responsibility, depending on current and previous emissions levels. But a community like ours—a community that is, by global standards, wealthy, educated and organised, with stable governance, with great capacity—certainly has no excuse not to lead. We are a community with a high ecological footprint. We consume, per capita, more than our fair share. Our ecological footprint was calculated in 2004 to be four times the global average and 17 per cent higher than the Australia average. And there is no indication that it has gone downwards since that figure was calculated. So to those who say, “Why bother?” and to those who say, “It won’t make any difference,” I say, “On what grounds can you justify your indifference?”

Of course, we are not the only jurisdiction to set a subnational target. South Australia set a 2050 target of 60 per cent back in 2007. Scotland has set a far tougher target—perhaps the toughest globally—of a 42 per cent reduction by 2020 on a 1990 baseline.

And cities have signed up to climate action as well—London to 60 per cent below 1990 levels by 2025; Chicago to 25 per cent below 1990 levels by 2020; Hong Kong

to 50 to 60 per cent below 2005 levels by the year 2020; and Seoul to 40 per cent below 1990 levels by 2030.

There are strong reasons not to delay action. Setting a 2020 target is important. As the scientists in Exeter pointed out, action in the long term just is not going to cut it. We must move quickly to actually cut our emissions.

It is that failure to act quickly that is so frustrating at a federal level. Even if the CPRS had been supported in the Senate, it in no way delivered what the science demands—aside from the fact that the CPRS paid polluters to keep polluting, and did little to discourage investment in polluting infrastructure.

This is what the two major parties at state and federal level are really delivering when it comes to action on climate change: extra funding for coal ports; digging up rural lands, prime agricultural land, in New South Wales and Queensland for new mining exploration; and subsidising the building of railways to get the coal to port faster so that we can export it faster. Australia is the world's biggest coal exporter, and black coal is Australia's largest export, worth more than \$50 billion in 2008-09. But the coal industry, rather than considering ways to transition out of this destructive commodity, is actually growing capacity at an alarming rate. The value of our exports more than doubled in 2008-09 from the previous year. And federal governments and state governments of every persuasion have so far done everything they can to fund the expansion of this industry. Where, I ask you, is the long-term planning in those decisions?

If every city and state on the planet took action where federal government had failed, perhaps we would see progress. The announcement by the ACT government that they, too, supported a 40 per cent target was welcome against a backdrop of political decision makers constantly compromising and renegeing on climate action.

The community, I think, are often perplexed, and frequently even angry, at the lack of action that legislatures have taken in response to this challenge that we have before us. But for once we have here in the ACT given the ACT community hope that we are listening, that we do understand the scale of the challenge and that we do see the opportunities that are in front of us. I would like to congratulate the government on taking up this challenge and on showing the kind of leadership that is so often lacking.

I know that there has been some cynicism in the community about setting targets that are effectively aspirational and for policy guidance. People have been critical of the Liberals' original no waste by 2010 target, for example. But I would say that we should never be afraid of setting targets, of making goals, of having a plan about what we might be able to achieve. It was at the community forum in Woden a few months ago that someone put a compelling argument. He said, "If we set a 40 per cent target, we may or may not reach it, but if we set a 25 per cent target, we know for sure that we will never reach 40 per cent." I for one would rather we almost reach our ambitious targets than congratulate ourselves on reaching a level that just does not match what the planet really needs.

In the last few weeks my staff and I have had many comments about this climate change target from people we know and from people writing us emails. One person

wrote in saying how nice it was to hear some good news for a change, on the day they heard the minister announce that the government would adopt this target. Against the backdrop of politicians walking away from climate action over the last 12 months, it was indeed refreshing. This was a good announcement; it is a good policy setting; and it has demonstrated real leadership by this government, this parliament and this community.

The community has been represented in this debate by a group called Canberra Loves 40%, and some of their members have joined us in the gallery today. They seemed, in some way, to pop up out of nowhere, but in fact they are a coalition of longstanding local climate change groups that have, through either advocacy or personal action, been passionately working for a safer climate for many years. The speed with which these groups were able to focus on this target for the ACT is testament to their commitment to the issue.

I support the inclusive grassroots campaign that they have run and would encourage them, as a coalition, to stay engaged with the climate and energy debate in the ACT. There is much work to do and many policies yet to come; I think there will be much guidance that they will be able to give us. But if anyone in this place thinks that we are operating in a vacuum and that no-one really cares very much about what is going on in here, Canberra Loves 40% are testament to the fact that that is not true. Our community are very engaged on this issue.

Let me turn to the bill itself. At the heart of this bill is an effort to put climate change policies at the centre of government thinking in all policy areas, all programs. The bill itself does not deliver a mechanism to achieve a 40 per cent reduction on 1990 levels by 2020—as would, for example, an emissions trading scheme. But it legislates for the obligation for government to aim for that target and to implement programs and mechanisms to achieve that target right across all sectors.

It also establishes reporting mechanisms—one that will measure how we are tracking towards that target and another that reports on the progress being made by government. It establishes mechanisms for government to engage in ongoing dialogue with community, businesses and experts about climate change and what actions could and should be taken to meet the target. And finally it provides a mechanism for the government to engage with industry and the community to set voluntary agreements to reduce emissions. The Greens will be tabling amendments that we think will strengthen all four aspects of this bill.

At this point, I would like to make a few observations on the bill put forward by Mr Seselja, which has been on the notice paper since December 2008. I must say that I was a little surprised late yesterday to get notice that he was bringing it on this morning with no prior indication. The Greens will not be supporting Mr Seselja's bill. We support a higher target than the 30 per cent he is proposing and we believe that the bill has been overtaken by the committee process and the public consultation that have gone on since the commencement of this Assembly and since Mr Seselja tabled his bill.

The government has undertaken further analysis on whether the target of 40 per cent can be met; I think it has shown that it can. Since 2008 we have seen nothing in the

science that says that we should accept anything lower than that 40 per cent target. Indeed, as I said earlier, the science is compelling that we should be taking stronger action.

The Liberals' bill has taken much of its structure from a similar piece of legislation in South Australia. There are some aspects of this bill, and indeed that South Australian legislation, that are indeed useful. In drafting our amendments, we did review all of the bills and the legislation that are around, including Mr Seselja's bill, to draw on what we thought were the best provisions for ensuring that the ACT had the best legislation. However there were some problems in the drafting of Mr Seselja's bill. To name a couple, we felt that the reporting periods for the targets were unworkable and that the electricity efficiency target did not discriminate between electricity that was generated through renewable energy and that not.

Having noted those problems, we did not overly focus our attention on Mr Seselja's bill, and, as I said, we were not clear that it was going to be brought on again. But I did want to offer those few observations before returning to the government's bill.

The government's bill, the bill that the Greens will be supporting, must be seen for what it is—a policy direction, a measurement tool and a reporting and accountability mechanism. It is important that we get this right, because this is the piece of legislation that the community will use to hold the government to account on its actions. If reporting standards are not included, we have no foundation on which to base our assessment of how effective the government is being. And without meaningful community engagement, this bill will just gather dust on the shelf. We absolutely cannot let that happen.

What this bill does is not wave a magic wand. We have much work to do now to put the policies and legislation in place to drive change. There may be some hard decisions along this path. There may also be some unpopular decisions. If doing this was going to be easy, every community around the planet would have done it by now. Some of it is easy, some of it is common sense, and much of it comes with benefits. But some of it will be tough. It will be interesting to see what role leaders in our community play—whether they will play a constructive role in meeting these challenges head on or whether they will, at every opportunity, take swipes at the government for their actions.

I am not averse to taking a swipe at the government if I think it is warranted. And I suspect that we will have some robust debates over the next couple of years about how to implement the goals in this bill. But that is very different from condemning every action that the government proposes to deal with climate change. And it is very different from playing easy, populist cards about rising electricity prices and pressure on family budgets.

The reality is that none of us in this place enjoy the idea of rising costs and putting people under more financial stress than they already have. But we must also step back and take a long-term view of this—look at what needs to be done and look at how we can best achieve it while protecting those people who are the most vulnerable in our community. We must look to the opportunities that such a situation can offer us and not just focus our attention on the costs or on the negatives.

There will be opportunities; of that I have no doubt. Living in warm, comfortable, insulated homes is one such opportunity. It not only reduces energy consumption but can improve both physical and mental health. How can that not be seen as a win-win situation? And building a green economy right here in Canberra that can build a jobs base outside the public service, providing more jobs and more opportunities so that our young people stay in Canberra.

There will be opportunities in being ahead of the curve on the path to decarbonisation—better research, better industry experience, better skilled workforces. We must grab these opportunities with both hands; if we do not, we are turning our backs on everything that change has to offer a community. We are either burying our heads in the sand or perhaps accepting defeat, acknowledging that we cannot make it better. I will not accept any of those options, and I know that there are thousands of people in this town who do not accept those options.

This is the greatest moral challenge of our time, and we, the people of the ACT, are telling the world here today that this is a challenge that we are prepared to face. The Greens support this bill.

**MR SESELJA** (Molonglo—Leader of the Opposition) (11.56): Madam Deputy Speaker, I think we heard at the end of Mr Rattenbury's speech just how little regard the Greens and government have for some of the serious questions that need to be asked about legislation such as this—that is, little things Mr Rattenbury tried to write off, like the cost on families, like the cost of living pressures. That is a fundamental difference in approach between the Liberal Party and the Greens and the Labor Party—that is, in taking strong environmental action, which we support, we will always have regard to the practical realities and we will always have regard to the potential costs on families. We make no apology for that. We will do that even if the Greens and the Labor Party feel that it is petty in some way to have regard to the cost of living pressures on Canberra families and for the potential increases in those cost of living pressures of certain environmental actions. We make no apology for that, Madam Deputy Speaker.

Today's debate is not just about whether we should support cuts in greenhouse gas emissions. That debate has been had many times, and just as many times I have indicated that strong leadership on greenhouse gas reduction targets is a goal worth striving for and which the Canberra Liberals support. That is why we have a 30 per cent target in our legislation, which was introduced in 2008. That is why the Liberals showed leadership in government, being the first government to sign Kyoto and setting strong, early targets well ahead of the rest of the country. We do believe; we just happen to take a sensible and practical approach in doing so.

In 2005-06 the ACT's per capita emissions were approximately 12 tonnes of carbon dioxide, which, while lower than any other state or territory, are increasing at a greater rate than national per capita emissions. From 2000 to 2006 ACT per capita emissions increased by 0.7 per cent per annum while national per capita emissions decreased by 0.6 per cent over the same period.

We are not here to debate whether we should make cuts; we are here to debate how much we should cut, how we should make the cuts and what those cuts are going to cost. As you also know, and as I referred to earlier, the Canberra Liberals prefer a 30 per cent target, and for good reasons. It is a strong target, but an achievable one. It will make a serious difference to territory emissions. It will show leadership but will not cripple household budgets. It can be achieved through sensible measures, not through massive taxes. Yet the government and the Greens are committed to 40 per cent. As to how, when or at what cost, neither of these parties can explain.

They are important fundamental questions that must be answered before any party can accept this bill in good conscience and with proper regard for our responsibilities in this place on behalf of all Canberrans. As I have stated previously, I believe 30 per cent to be an achievable target using sensible measures. We also believe 40 per cent will inevitably move us into areas where there will be significant pain to Canberra families, and that is significant pain that we have regard to. The Liberal Party did this in government when we were showing leadership well ahead of other governments, and we will do so in opposition and in government. We will take strong environmental action, but we will also have regard to the impacts of that action on families and seek to mitigate those wherever possible.

Interestingly, it is not just the Canberra Liberals who recognise the fact that measures that would otherwise be supported can get us up close to that 30 per cent target which we have advocated. On 29 July this year, Simon Corbell himself said:

Energy efficiency is important, but on the government's assessment it will only get us 25 per cent of that, if Shane wants 40 per cent, it's only going to get us 25 per cent.

And later:

... there will be a range of measures we will need to explore beyond energy efficiency, energy efficiency alone won't get us there.

The government's own assessment is that efficiencies and other sensible measures, such as better public transport, will get us to around 25 per cent, and a range of other measures will be needed. This is where the pain comes in.

It is perfectly legitimate to ask just what those measures are before signing off on this bill. Who will be hit? Families driving kids to school and to sport? Will it be workers getting to work, parking at work, doing their errands? Will it be businesses? Will they be asked to bear the burden? And what will that mean for business growth and job opportunities? What will it mean for the economy of the territory?

When we were developing our own policy and legislation, far earlier than any other party in this place, we saw that the ACT produces about four million tonnes of greenhouse gas emissions per year from four main sources. It is worth touching on that, as it actually goes to some of the amendments that are necessary to this bill, because the government simply has not done its work in terms of representation on its climate change council.

Some 64 per cent comes from electricity generation which occurs outside the ACT's borders but is included in the ACT's usage; 24 per cent from transport fuels; nine per cent from natural gas use; and three per cent from waste. Which of these areas will be affected and in what way? We already know efficiency measures and other improvements such as public transport will get us to around 25 per cent. That is what the government says. Where is that extra 15 per cent? Where is the extra 10 per cent over and above our target coming from? From local businesses?

Dr Chris Peters has indicated to many that he is most concerned about cuts going this far. A reduction of 40 per cent from 1990 levels is equivalent to approximately a 53 per cent reduction relative to today's business-as-usual levels. Are we really asking businesses in the ACT to halve their use? What will this mean for the territory economy and for jobs? What will it mean for families?

We have put together a budget for a middle income family, and we need to look at the cost pressures on Canberra families. These are the cost pressures that Mr Rattenbury, I think, dismissed in his speech. It is not just the poorest Canberrans who face cost pressures. Of course, we know those who are on very low incomes or those who are without jobs or those who require support in other ways clearly have cost pressures. But many middle income families have serious cost pressures as well, and they will not be in line for the assistance. They never are in line for the direct assistance under the government programs. So we have to have regard to the effect on those families.

Does anyone think that a family with three children on \$70,000 or \$80,000 is wealthy? Likewise, does anyone believe that those families will be targeted for direct assistance by this government? Unlikely; very unlikely. That is the point that is worth reflecting on. It is worth reflecting on the fact that families in Canberra do face cost pressures.

Our role as governments, our role as leaders, is to say, "Yes, we want strong environmental action because we believe in it, because we believe in a better environment." But, in doing so, we need to make sure it is sensible, it is reasonable, that the cost impacts are carefully considered and that, wherever possible, we take the most efficient means of cutting emissions rather than inefficient ones. When we take those inefficient means, it costs more and that eventually flows through to Canberra families.

As stated, there are many families in Canberra who do not have a lot of room to move in their household budgets. Increases in costs which seem inevitable under a 40 per cent scheme will go directly to those families who are just making it, and it will have serious implications for them.

One of the measures already in place is the feed-in tariff, and it is worth considering this government's record and what I spoke about before about the efficiency of these measures. This is exactly the sort of program that needs to be carefully watched. It makes for a great headline, but what does it cost and what does it deliver? The ICRC has said:

Despite the benefits of the feed-in tariff scheme, the scheme is a relatively costly way of reducing greenhouse gas emissions. As the ACT Government has noted in relation to the potential expansion of the scheme, the cost of abatement is in the range of \$195 and \$434 per tonne.

We have actually seen the figures that have been given from the December quarter last year: premiums paid, \$314,000; carbon saved, 734 tonnes; cost per tonne, \$428. Now, Madam Deputy Speaker, that is at the absolute upper end of costs. We have seen that, even on the government's own range, it is hitting right at the top of that, and you compare that to other ways of cutting emissions.

So we do need to consider in all of this what the government's record is on cutting emissions. This program does not deliver environmental bang for buck, and those costs are borne by households, not the government. They are borne by the households least able to afford them, and they pay the extra to the households affluent enough to install panels. This obviously raises equity issues and shows how good intentions often produce poor outcomes.

After electricity use, transport then becomes the next target. It is here where the most draconian measures may be introduced in pursuit of a 40 per cent target. Is one of the measures being considered a congestion tax? This has been reported recently. It has been called for by some in industry. Is a congestion tax part of the mix to get to 40 per cent? If so, where will it be imposed? How will it be imposed? Most importantly, what will it cost and what will be the impact on families, workers and businesses?

Is one of the measures to be imposing tolls on our roads? If so, where will they be imposed? How will they be imposed? Most importantly, what will they cost and what will the impact be on families, workers and businesses? Is one of the measures an increase in car parking fees? And let us be serious—to get to the kind of targets we are talking about here now, a couple of dollars a day is not going to cut it. The kind of parking cost increases that the government would have to be contemplating to reach these targets would be in the order of double and greater what Canberrans currently pay. Can Canberra families bear that burden? Will they bear that burden? These are the questions that need to be asked, and we will ask them on behalf of Canberra families.

It would seem unavoidable that cost imposts will be placed on users—that is, families, workers, businesses. Are we to face fees and charges that have not been put to the people? Is this bill actually a huge tax grab masquerading as a greenhouse gas bill?

Given it is a cognate debate, it is worth also touching on another difference between the bill which I presented and the government's bill—that is, the renewable energy targets, a critical part of reducing emissions, are actually part of our bill. They are outlined in our bill, but in the government's bill that we are debating today that is not the case. That power is delegated; they do not set the targets in this bill. We have actually put them there up front and said, "If you're serious about cutting emissions, you need to have a serious renewable energy target." That is another reason why our bill should be favoured over the government's.

I want to repeat that the Canberra Liberals support reduction. That is why we put forward the 30 per cent target well ahead of many other jurisdictions and well ahead of other parties in this place. That is why the previous Liberal government signed Kyoto. It was the first Australian government to do so. Back in 1997 it signed Kyoto and set strong medium-term targets.

The minister himself has indicated that to get to the 40 per cent target requires measures beyond what would ordinarily be expected in efficiencies and improvements to public transport. It is absolutely incumbent upon us to question this government. What are your plans? What will these plans cost, and how will they affect the territory? Without these answers this bill will remain nothing but a platitude; an opportunity to grab a headline. Without these answers, this bill gives the government a blank cheque to write whatever policies take their fancy. But, in the end, it is a cheque that must be paid for by the people of the ACT. Without these answers, the people of Canberra are left in the dark. It is simply not acceptable to set this target into law and have no regard for how it is to be achieved or how much it will cost households.

Mr Assistant Speaker, we will not be supporting this bill today. I commend the Liberal Party targets bill. I commend the strong and sensible action being advocated by us, and I commend the fact that it is absolutely critical that we take strong environmental action but at all times we consider the direct impact on the people of the ACT, the direct impact on families in the ACT. That is why our bill should be supported and the government's should not.

**MR ASSISTANT SPEAKER** (Mr Hargreaves): Thank you, Mr Seselja. Could I also remark on your addressing me during your speech as "Madam Deputy Speaker". I thank you for recognising my gentler feminine side. Thank you very much.

**MR BARR:** (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing) (12.10): I am very pleased to speak in support of the Climate Change and Greenhouse Gas Reduction Bill 2010. As members would be aware, in many contributions in this place, and most recently in the 2010 statement of planning intent, I have been on the record as saying that climate change changes everything and the implications of climate change for planning in Canberra are enormous.

I have observed in debates that the question of whether there is actually a problem has been resolved and the debate now should be about how to create solutions. It is critical to note here that there is a confluence of issues that amount to a challenge the size and complexity of which I do not think has ever been faced before by humanity. We must remember that this is not just a problem for today; climate change has dimensions which extend well beyond the current generation.

And it is not just climate change that we face: there is peak oil, population growth, demographic change, environmental degradation, water and food security, waste management, housing affordability, cost of infrastructure and services, pollution and, perhaps most importantly, social equity. All of these have a human dimension as well as an urban dimension.

For the first time in human history, more than 50 per cent of the global population lives within urban areas, and it is projected that by the middle of this century this figure could reach as high as 70 per cent. We know urban areas produce as much as 70 per cent of the greenhouse gas emissions that contribute to climate change. We know that urban settlement is a rampant consumer of resources and a producer of waste. Canberra cannot sit in splendid isolation from these events. We need to accept now that the future will be different. We should be looking forward to new solutions and not casting back a century for answers to Canberra's challenges. Walter Burley Griffin could never have foreseen the changes in lifestyles that technology has delivered and that climate change will require. We should not try and reinterpret his ideal city of the future.

None of this is intended to sound alarmist, but we have to put our present and future actions into perspective and into context. In respect of the planning of our city, this will be central to the local, national and international response by governments and civil society. The importance of city planning has been recognised by the UN, by the commonwealth heads of government, by COAG, by the Intergovernmental Panel on Climate Change and by a host of research, academic and professional institutions.

With greenhouse gas emissions in the ACT being predominantly emitted by the built environment, including transport, the government is taking clear steps now to address how we plan for the next century of development. For example, we are driving change to planning policy through the sustainable futures program, to support the government's climate change strategy, weathering the change. This includes examining the resilience of the pattern of spatial development in Canberra, scenario planning for different spatial distributions and greater analysis of biodiversity impacts.

It also includes examining the location for increased urban densities and how we can best optimise established infrastructure and services, including master plans for specific locations. We are recalibrating the Canberra spatial plan, to ensure that it is responsive to and can deliver on the key principles that are contained within it.

The spatial plan can affect both 62 per cent of greenhouse gas emissions caused by building energy and assist in reducing the 23 per cent caused by transport. We are consulting with industry, professional associations and the community to strengthen solar access rules in the territory plan. This work is currently going on through the code review reference group that I established to consider draft territory plan variations 301 and 303.

The government are also working with the community and industry to implement carbon targets for entire estates, and we are implementing more comprehensive measures to increase residential densities within town and group centres, to meet the needs of a community that will be demographically different to what it is now. This includes higher density along transport corridors and areas that have been bypassed by previous development—or where the development has passed its economic life cycle.

The government are developing a world's best practice sustainable development project at East Lake, as well as looking to introduce more sustainable development

practice in the planning for the Molonglo valley. We are establishing new approaches to water re-use in the Molonglo valley development and in the remaining suburbs of Gungahlin. We are continuing to drive energy efficiency in new and existing homes by phasing out electric storage hot-water heaters for class 1 and 2 buildings. This is consistent with the COAG national strategy on energy efficiency. We are participating in national think-tank projects on the design of sustainable cities and sustainable communities.

As Canberra's population grows and the demand for new and affordable housing is driven by demographic and market forces, the government will continue to plan new suburbs in accordance with the Canberra spatial plan. At the same time, we continue to plan to meet the goal of the spatial plan to achieve 50 per cent of all new development in Canberra by 2030 within 7½ kilometres of the city centre. Along with providing new growth in appropriate areas, the government has continued to plan for residential intensification in existing areas of the city, to ensure a more compact and, most importantly, a more affordable city.

Despite the often ill-informed commentary on infill development, which is responding to the challenges we face, the reality is that the vast majority of Canberra as we know it—probably as much as 80 per cent of this city—will remain unchanged in character.

It is interesting to read about the way other cities are planning for their population growth while minimising their environmental footprint. One example is Melbourne's planning and the *Transforming Australian cities* document. This was produced by the Victorian government and anticipates the growth of Melbourne. It states that cities should be aiming to maximise development along new and future road public transport corridors. The report also shows that high density does not have to mean high rise. Research shows that building heights of three to eight storeys are actually more sustainable than their higher counterparts, as they reduce the need for excessive, embedded and operating energy. In fact, the study argues that all of Melbourne's projected population growth of around 1.9 million people could in fact be accommodated in buildings of no more than three to eight storeys along its public transport corridors.

The relationship of sensitively designed buildings to public space is also critical, and there is a challenge for all of us here—most particularly, though, for our design professionals and the development industry. Meanwhile, the balance of developed and developing suburbs needs to be planned and designed to minimise energy and water use, to reduce waste and to be more efficient in the use of land and materials. This built form not only needs to be environmentally sustainable but also to contribute to the economic viability of the city, its liveability and, critically, its social inclusiveness.

My vision for Canberra in 2030 is of a more progressive, more inclusive and more vibrant city, a city that offers even better services, entertainment, hospitality and amenities for a growing local and regional community. Over the next 20 years, Canberra's population will grow by around 80,000 people. That is simply the excess of births over deaths. We will need about 50,000 more homes in Canberra to keep up and, in the context of climate change, this means a significant change to the way we have traditionally done things. This includes appropriately designed higher density

and targeted locations. Whilst we will continue to be a capital city set amongst the bush, I do not think anyone would say that Canberra in 50 years will be anything like the city it was in the 1950s.

I have just talked at some length about the sustainability challenge we face from the planning perspective, but cities are full of people and exist for their benefit. As such, it is people who will continue to make the decisions that will shape the future of Canberra as a sustainable and vibrant city. As such, education has a vital role to play. Indeed, the planners—and even the ACT Chief Minister of 2030—are probably right now in their latter years of high school or college. Environmental sustainability is something that ACT students learn every day from their teachers, and it is something we demonstrate to them every day in ACT schools, by embedding it into our refurbishments and new school programs.

In fact, we are investing over \$20 million to make our schools carbon neutral by 2017. We are ensuring that new schools are designed to improve their energy efficiency and to reduce water consumption. The new Gungahlin college, the new P-10 school at Kambah and the Harrison secondary school are currently under construction. All are designed to achieve five-star green-star ratings from the Green Building Council of Australia.

A number of measures are included in the designs for the three schools, including: the installation of smart meters; the use of fittings and materials that have low volatile organic compound emissions; ensuring that there is enough secure and covered bicycle storage; photovoltaic generation systems to reduce the schools' dependence on mains power; and a range of other energy consumption reduction measures throughout the buildings.

In addition, Gungahlin college has an underground thermal labyrinth to ventilate the college's buildings. This labyrinth channels cooler air through the buildings in summer and warmer air in winter, increasing student and teacher comfort and, most importantly, saving energy. The college will also have a water retention pond and underground water tanks to collect rainwater and flush toilets for irrigation. The P-10 school at Kambah also has a range of similar measures.

Not surprisingly, it is a federal Labor government that has invested more in Australian schools than any other since Federation. Also, through the building the education revolution, a high emphasis was placed on environmentally sustainable design features.

The new environment centre at Gold Creek school has been designed to achieve a six-star green-star rating from the Green Building Council of Australia. It will generate more energy than it requires and will feed that energy back into the electricity distribution network. BER projects at a number of other schools include thermal labyrinths to ventilate their new libraries and assist with heating and cooling. Other school BER projects include a range of design features, such as natural light and energy efficient lighting, water efficient tapware and toilets, rainwater tanks and external shading to improve passive cooling.

All of this shows that it can be small and practical steps, school by school, suburb by suburb, in this city that will make a difference. The ACT government has allocated \$2 million to install solar generation systems at ACT public schools. I was very pleased to be able to open the pilot project at Evatt primary school and to see Kingsford Smith school solar systems installed, in addition to those already in place at Theodore and Gordon primary schools, under the BER.

Further solar systems will be installed in conjunction with the federal government's national solar schools program. We also have a \$2 million program to install rainwater tanks in all ACT public schools. The Department of Education and Training has recruited a landscape architect, who is preparing landscape designs for all ACT public schools over the next 12 to 18 months. These designs will help improve the image and amenity of our schools, but they will also, importantly, contribute to drought-proofing the landscapes, improving passive cooling, capturing water and integrating indoor and outdoor spaces and learning environments for students. These are all important local, practical measures.

In conclusion, there is no avoiding the fact that climate change changes everything. We will see this in the built form of our city and in the lifestyle of those who live in Canberra in coming decades. In my view, it presents challenges, changes, but, most importantly, opportunities in every part of life in this city. The future will be based on market-based solutions. We need to be up-front about pricing externalities. As an economic rationalist—and perhaps one of the few—

**Mrs Dunne:** The only one in the village.

**MR BARR:** And maybe the only one in the village, as I am often told, I think there are compelling rational, economic reasons for supporting this legislation. It is about putting in place market-based solutions. It is about transforming this city and this economy. It might be that what is Australia's largest regional subsidy program, the city of Canberra, could finally come of age economically. We might finally be able to see a city where employment is more than just the public sector, and where there are new industries and new opportunities. This is an important reform for our city. (*Time expired.*)

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

**Sitting suspended from 12.26 to 2 pm.**

## **Ministerial arrangements**

**MS GALLAGHER** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations): As members would be aware, the Chief Minister is away for this sitting period. For the next two weeks question time, I will take questions relating to the Chief Minister's portfolio, LAPS, the arts and heritage; my colleague Minister Corbell will take questions relating to TAMS and Indigenous affairs.

## **Standing order 73**

### **Statement by Speaker**

**MR SPEAKER:** I would like to make a brief statement regarding a point of order raised by Mr Smyth at the end of the last sitting period. Following question time on 23 September, Mr Smyth raised with me standing order 73, which deals with points of order. Specifically, he asked whether the action I took in asking Ms Burch whether she had anything further to add to an answer she had given in question time was an appropriate response to the point of order taken by Mr Seselja.

I think it would be helpful if I repeated Mr Seselja's point of order. He said:

Point of order, Mr Speaker. The question was not about us. The question was about other limitations in unmodelled costs. She has not addressed it. If she cannot address it, she should just sit down rather than being irrelevant to the question.

In response, and in an attempt to seek an answer to the issue being addressed in the question, I asked Ms Burch if she had anything else to add. Standing order 73 requires the Speaker to rule on any question of order raised in a point of order. Whilst not explicitly expressed, Mr Seselja's point of order related to standing order 118, which requires that answers to a question should be "concise and directly relevant to the subject matter of the question".

Now, if this was a valid point of order in that context, my action in asking Ms Burch whether she had anything to add was to assist Mr Seselja in obtaining a relevant answer. However, having reviewed the recording of proceedings that day, it became clear that before there was any opportunity to deal with this matter any further Mr Hanson interjected with:

Are you going to uphold the standing orders or not, Mr Speaker?

Proceedings then descended into a debate on the propriety of his remarks.

I do not believe it would suit the dignity of the chamber to pursue this matter any further.

## **Questions without notice**

### **Mortgage relief fund**

**MR SESELJA:** My question is to the Treasurer. I refer to an article in the *Canberra Times* on 10 October about your failed mortgage relief scheme and your response was:

Its success should not be measured by the number of loans only ... Since the launch of the scheme, there have been 2030 hits to the web page, 28 inquiries either via telephone or in personal visits to the Revenue Office, four applications and one loan provided.

Treasurer, why did you consider that website hits are as important an indicator as people assisted?

**MS GALLAGHER:** I thank the Leader of the Opposition for the question. My comments around the mortgage relief fund were in the context of the mortgage relief fund being a safety net scheme—and that is that you cannot measure the success of a safety net scheme from the uptake. You actually do not want to see large numbers of people needing a mortgage relief fund because that means large numbers of people are experiencing housing stress to the point that they may lose ownership of their house. This scheme was set up to provide assistance to people, if they needed that further help. The number of contacts on the website indicates that—

**Mr Smyth:** What a feeble defence.

**MS GALLAGHER:** I do not know what is so funny about that to you, but the number of hits on the website indicates that people are aware of this scheme. They will then look at their eligibility for that. A number of them have contacted the ACT Revenue Office following those inquiries and have sought further assistance and advice around other measures, if they are not eligible for the mortgage relief fund—other advice around their own personal finances. I have to say that I have not had any concerns raised with me by the non-government agencies who were involved in establishing this mortgage relief fund with us around this scheme but, as I said at the time, we are reviewing the operations of this scheme, to make sure that it is providing the support that is needed in the community. But I would actually think that members in this place would be pleased that there had not been a large uptake of the mortgage relief fund.

**MR SPEAKER:** A supplementary question, Mr Seselja?

**MR SESELJA:** Treasurer, which non-government organisations were given responsibility for implementing the policy as announced in 2008 and what assistance have they provided?

**MS GALLAGHER:** I cannot give you a list of all the people we spoke to but I think from memory the primary organisation was Care Financial Counselling Services in seeking advice around similar schemes that operated. The intention was originally to have this operated by the non-government sector. I think, through discussions with the non-government sector, in the implementation of this commitment there was agreement that in the initial stages the mortgage relief fund should stay within government and I have to say that I have not had any concerns raised with me around that decision either.

**MR SMYTH:** A supplementary.

**MR SPEAKER:** Yes, Mr Smyth.

**MR SMYTH:** Thank you, Mr Speaker. Treasurer, how much did it cost the government for the ANU to prepare the report commissioned after the policy was announced?

**MS GALLAGHER:** I do not have that level of detail with me but I am happy to provide that to the member.

**MS PORTER:** Mr Speaker, a supplementary.

**MR SPEAKER:** Yes, Ms Porter.

**MS PORTER:** Thank you. Minister, if there has not been a significant request for this fund, is this not an indication of how successful the government's financial management of the GFC and its effect on the people has been?

**MS GALLAGHER:** I think Ms Porter goes to the point, which is that the mortgage relief fund is part of a range of measures that this government has introduced around supporting people with housing affordability and for those that are in financial stress. Of course, the most important thing that the government can do is provide the environment for a strong economy. That is exactly what we have done over the past two years, while those opposite—the wreckers opposite, the opposition for opposition's sake—have twice voted down a budget that has provided that stability and that security to the people of the ACT, with unemployment now at three per cent and with state final demand growing faster than any other economy around the country.

That is what this government has provided—stability, security and financial responsibility. At the same time that we have been doing that we have been looking after those who are most disadvantaged and providing safety net schemes for those people who are experiencing extreme housing and mortgage stress. That is what this scheme is meant to do. If you opposite think that the only measure of success is that you have lots more uptake of the mortgage relief scheme, I think you have got your priorities wrong.

### **ACT Policing—recruitment**

**MS HUNTER:** My question is to the minister for police and relates to turnover rates in ACT Policing and the structure of our police force. Minister, to combat the high turnover rates, there has recently been a recruitment drive to find police officers who want to live and work in Canberra on a long-term basis. Can you quantify the turnover rate and how the recruitment drive is progressing?

**MR CORBELL:** I thank Ms Hunter for the question. In relation to the interest to date in the recruitment drive, there has been strong interest. I think over 100 expressions of interest have occurred since that campaign was launched, but I am happy to provide more updated figures from ACT Policing.

In relation to the level of turnover, that is something on which I would need to seek some advice from the Chief Police Officer. I will do that and provide that to the member. But I think it is desirable that ACT Policing continues to emphasise the distinct role that it plays in community policing. It is a unique part of the AFP, responsible for community policing. No other part of the AFP performs that function. And it is desirable that we target people who live in our community, who are part of our community, to become police for our community. That is not to say that people who come from other places and join the AFP and subsequently are posted to the

ACT do not make a valuable contribution, because they do. And they prove to be very effective and professional police. But it is desirable to continue to strengthen the relationship that ACT Policing has with the immediate community by drawing more people from the community into its ranks, and I congratulate the Chief Police Officer on his efforts to date in achieving that.

**MR SPEAKER:** Ms Hunter, a supplementary?

**MS HUNTER:** Have you, minister, or your department done any work to assess the merits of returning to a stand-alone ACT police force, as was suggested in the opinion piece in the *Canberra Times* today?

**MR CORBELL:** This is a matter that comes up from time to time but it is not one that the government believes warrants further consideration at this time. The reason for that is that we have a strong purchase arrangement in place with the Australian Federal Police to deliver policing services to the ACT community. There are significant benefits, in our view, that flow from having the Australian Federal Police perform the community policing function in the ACT.

First of all, as I think was best demonstrated by the events surrounding the torch relay during the lead-up to the Beijing Olympics, the fact that ACT Policing is part of the broader AFP meant that, in the event of a need for a surge in police numbers to deal with a very large-scale event, ACT Policing would be immediately able to draw on police from the broader AFP national capability. All those police are sworn in as police officers in the ACT. They are able to immediately dispatch their functions without any need for special constables or other types of arrangements that we would otherwise have to have in place if there was a separate police service from the AFP in the territory performing the community policing function.

There are also significant cost implications for the territory choosing to establish its own police service. Those include, for example, the need to fund solely forensic services, specialist response capabilities and a whole range of other capabilities that we are able to draw on, albeit on a fee-for-service basis, from the AFP's broader national capabilities. I think there are significant synergies and significant cost savings associated with that.

Thirdly, I would have to seriously question whether or not a small police service established purely for the territory would be able to recruit people, particularly people of quality, to join its ranks. There is no doubt that people choose to join the Australian Federal Police because of the opportunities it presents nationally as well as locally. *(Time expired.)*

**MR SPEAKER:** Mr Hargreaves, a supplementary?

**MR HARGREAVES:** Thank you very much, Mr Speaker. Minister, is it still the case that the AFP Act, which is federal legislation, gives the AFP the charter to provide community policing in the ACT and is it also still the case that the self-government act does not include us having our own police force?

**MR CORBELL:** I thank Mr Hargreaves for the question. In relation to the AFP Act, it is clear that the AFP Act, which is a commonwealth piece of legislation, grants the responsibility for policing the territory to the Australian Federal Police. There is, however, a question as to whether or not that relates solely to policing of federal functions or whether it also relates to policing of territory functions or territory laws. There is some ambiguity in the act in that respect.

In relation to the self-government act, my recollection of the self-government act is that it does not permit the territory to make laws insofar as they affect the operation of the Australian Federal Police. So we cannot make laws for the Australian Federal Police. We can make laws that they enforce, but we cannot make laws that affect the Australian Federal Police. I am happy to provide more detailed advice to Mr Hargreaves that outlines those issues in more detail.

I think it is important to draw to members' attention that there are a broad range of functions within the AFP that we get benefit from. I have mentioned the fact that if we were to have our own stand-alone police service, we would have to have our own forensics capability and our own specialist response counter-terrorism capability. We would have to have all of those capabilities and pay for them without the synergies that come from also being able to draw on the fact that the AFP is both a national police service as well as a community policing service.

In terms of turnover and the movement of officers between the ACT and the wider AFP, the attrition rate for 2009-10 was 3.23 per cent. The movement between ACT Policing and the broader AFP in percentage terms is quite small. I think that highlights the stability of the current arrangements.

**MS LE COUTEUR:** A supplementary.

**MR SPEAKER:** Yes, Ms Le Couteur.

**MS LE COUTEUR:** Thank you, Mr Speaker. Minister, can you please advise when the 2010-11 purchase agreement will be put on the ACT Policing website?

**MR CORBELL:** I would have to take that on notice, Mr Speaker.

### **Mortgage relief fund**

**MR COE:** My question is to the Treasurer. I refer to the mortgage relief scheme launched by your government in 2008. In the past 12 months, there have been four applications for assistance under the scheme, with only one being approved. All of the money allocated from this financial year onwards has been reallocated. Minister, why did this scheme only receive four applications, with only one being successful?

**MS GALLAGHER:** Only one person met the criteria for approval of their application is the short answer. You just faded out a bit in asking your question, but I think you asked whether all the money was rolled over or removed. I just want to make it clear, because there was an inaccuracy in the media report in the paper, that

no money has been removed. All the money for the fund remains in the fund, and we have not closed the fund. I think I did need to correct that. But the mortgage relief fund has criteria around how successful applications are to be considered. Each application is assessed against those criteria. If they do meet those criteria, then they will have their applications supported.

But, as I said, I do not think it is fair for anyone in this place to call this relief fund a failure. This is the first time this Assembly and this community have had access to a mortgage relief fund. It is in its very early days. We have said that we will review it, to make sure it is meeting the needs of those people it was designed for. I have not had any feedback from the non-government sector that this fund is not meeting that need, but I am very open to feedback. But I do not think it is fair in the first year or so of operation for those opposite to just stand up and start talking about this scheme as a failure.

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

**MR COE:** Thank you, Mr Speaker. Minister, what was the cost of delivering the mortgage relief scheme?

**MS GALLAGHER:** In terms of the administration and set-up of the scheme, this is being done in house at Treasury. They are a very lean operation; they do not like to spend any money over and above what is required. To my knowledge, there were not any significant additional expenses from establishing this scheme. I will come back to you if there is more information I can provide.

**MR SPEAKER:** A supplementary, Mr Seseljja?

**MR SESELJA:** Thank you, Mr Speaker. What feedback did you receive from either the community or the non-government organisation assisting with the scheme in relation to the criteria relating to the scheme and whether or not that provided a barrier to people who were suffering serious mortgage stress from accessing the scheme?

**MS GALLAGHER:** The implementation of this initiative was designed in partnership with the non-government sector. I have already undertaken to provide a list of who was involved in those discussions. What was also looked at was similar schemes interstate. But my understanding is that there was agreement around the criteria for the mortgage relief fund amongst the parties who were involved in designing and getting this scheme up and running.

### **ACT Ambulance Service—recruitment**

**MS LE COUTEUR:** My question is to the minister for emergency services and relates to staffing at the ACT Ambulance Service. Minister, three of the last four ACT budgets have included funding for additional staff for the Ambulance Service. A total of 41 new positions have been funded. Can you update the Assembly on the success of the recruitment drives used to fill these new positions and how many of the 41 positions were filled?

**MR CORBELL:** All those positions are in the process of being filled or have been filled already. I am happy to provide a more detailed report to Ms Le Couteur in due course.

The ongoing support of our Ambulance Service is a very important priority for the government. The government has invested significantly in both capital and recurrent expenditure for the Ambulance Service to continue to improve its capability to meet rising levels of demand. And there is no doubt that our Ambulance Service is having to meet rising levels of demand, in the same way as ambulance services across the country are facing significant increases in demand.

The government has recently completed, as members would be aware, an analysis of options for improvements to the delivery of ambulance services in the ACT. That report was released at the time of the most recent ACT budget and the government is now working with unions and with the ESA management to identify those measures that need to be taken from that report to further improve the delivery of ambulance services to the ACT community. We will continue to identify those options to make sure we have a long-term funding base to deliver the services that are needed for the Canberra community.

The government is also working to support individual ACT ambulance paramedics. They do an outstanding job and they do an outstanding job often under significant pressure. The government has been pleased to recognise the work value of our paramedics through a recent work value case through the Australian Industrial Relations Commission that has seen the base rate for ambulance paramedics increase by 25 per cent as a result of that work value case to recognise the significant level of skill they are now required to bring to the workplace and the level of immediate pre-hospital care that they provide to the Canberra community.

In relation to the figures and the recruitment process that Ms Le Couteur asked about specifically, I will be happy to provide further detail to Ms Le Couteur in due course.

**MR SPEAKER:** Supplementary question, Ms Le Couteur?

**MS LE COUTEUR:** Thank you, Mr Speaker. Minister, while you mention probably some measures, given that the 2010 Lennox review found that the ACT Ambulance Service has a high turnover rate, what measures, apart from those you have mentioned, have been put in place to retain the new recruits?

**MR CORBELL:** The issue of retention is a challenge. The most valuable investment that a government can make is in the delivery of an improved rate of pay for ambulance officers, recognising their professional expertise. Our ambulance officers, unlike any other ambulance service in the country, trains all of its ambulance personnel who work in front-line ambulances to intensive care paramedic standard. We have 100 per cent coverage of intensive care paramedic standard for front-line ambulances. That makes those individuals very attractive to other ambulance services and to the private sector, because of that level of training.

The government has focused on improving retention by improving rates of pay. That is what that work value case was all about. That investment is now flowing through, with significant pay increases now flowing to our intensive care paramedics—in the order of about a 25 per cent pay increase, which is a very significant pay increase, I am sure all members would agree. It recognises the very valuable work that our ambulance officers do.

**MR SPEAKER:** A supplementary, Ms Hunter?

**MS HUNTER:** Thank you, Mr Speaker. Minister, what work has the government done to respond to the Lennox recommendation that it consider increasing the number of front-line ambulance staff working during peak times?

**MR CORBELL:** The government has already provided funding in recent budgets to expand the number of ambulances available in peak times. We now have demand-based crewing in place so that we roster on more crews at busy times rather than having a set establishment across each shift during the day. That is a significant change that has already taken place. The government is considering further enhancements to that, based on the Lennox review. That will be considered through the forthcoming budget process for the 2011-12 budget year.

**MR SMYTH:** A supplementary.

**MR SPEAKER:** Yes, Mr Smyth.

**MR SMYTH:** Minister, following the debacle of your management of the Rural Fire Service that culminated in the process out the front of this place, what confidence can the people of Canberra and members of the ACT Ambulance Service have in your leadership on these issues?

**MR CORBELL:** More confidence than they would have in Mr Smyth, Mr Speaker.

### **Health—new services**

**MS PORTER:** My question is to the Minister for Health. Minister, can you please advise members of the Assembly of the range of new health services that have recently commenced in line with the government's commitments to the people of Canberra?

**MS GALLAGHER:** I thank Ms Porter for the question. Since the Assembly last sat, we have been able to implement a number of commitments that we made to the community two years ago in the area of health. The first one was the opening of the surgical assessment and planning unit at the Canberra Hospital which provides 16 additional beds to support the early transferral of patients from the emergency department into a ward close to the emergency department while further assessment and diagnosis is done.

This is modelled on the very successful MAPU that operates on level 7 of the hospital—which is the medical assessment and planning unit—which has a similar

aim—that is, to take complex patients out of the emergency department. These are the types of patients who have spent long periods in the emergency department while specialists consider treatment and assessment options prior to admission to the appropriate ward. This gets around the situation for patients who have multiple doctors considering their care taking that time to decide which particular ward they should be admitted to and they can be admitted to this new surgical assessment and planning unit. The idea is that it will cater for adults, that they may remain in the unit for up to 48 hours, and that they have a surgical condition. However, the intervention required is not clear, or the speciality required is not clear.

I went and met with the staff, and indeed some of the patients, in the SAPU the other day. It is a fabulous new building. It is the ward that was vandalised by an individual just prior to its opening, but it has opened on budget and on time. All the beds are operational. I think that the feedback that I got from the patients who had already been admitted to the SAPU was very positive.

This past three weeks also saw the launch of the public diagnostic breast imaging service and the digitalisation of BreastScreen ACT, which, again, were commitments we made in the lead-up to the election. So for the first time women in the ACT now have a public service where they can go and get their regular X-ray assessments with mammography and ultrasound assessments if they are referred by a medical practitioner. In the past women had to face going to the private system. It is not a service that we offered publicly. I think that probably the most major benefit is that women who found those costs prohibitive are now able to access a public system with state-of-the-art technology.

In BreastScreen ACT there has been a move to digital technology from analog technology. Women undergoing breast screening will now have their images relayed in real-time—whether it be to specialists here or interstate—to have those films reviewed. In the past we had to courier films to Sydney. There could have been a three to five-day turnaround to get opinions and then get them back to the Canberra breast screening service. Those images, which are of much higher quality, can now be turned around in one day.

I am also told, although I have not experienced it myself, that the machines used in the new system are much more comfortable for women. I hope that means that women who have not taken part in the breast screening program will get that extra incentive to go along and have a mammography. Again, I just issue a reminder that the target age group for that is women between the age of 50 and 69.

**MS PORTER:** A supplementary.

**MR SPEAKER:** Yes, Ms Porter.

**MS PORTER:** Thank you, Mr Speaker. Minister, how does the delivery of these commitments contribute to the government's overall strategy to rebuild the ACT health system so that it can be ready for the growing health needs of our community now and into the future?

**MS GALLAGHER:** I thank Ms Porter for the supplementary. The government went to the last election with a very ambitious range of commitments in the health area. A focal point of our campaign was to deliver additional beds, new operating theatres, to invest in e-health technology, to build a new neonatal intensive care unit, a new state-of-the-art neurosurgery suite, to provide extra money for aged care and rehabilitation, for mental health, for cancer treatment and for workforce development. And the government has started work on all of these initiatives.

In two years, we have been able to make progress or meet those commitments that we have made to the community. I am very confident that at the end of this term in office we will have a very proud record in terms of delivering on our commitments. But, more importantly, the people of the ACT will have access to a greater range of services, more modern and up-to-date technology, more workforce and additional specialties that have not been offered here before, in terms of building up their public healthcare system. This is a work in progress but I am very pleased, two years on, that we have made the progress we have. It is really to the credit of those working in ACT Health and with our partners in the non-government sector that we have been able to make the sort of progress we have to date.

**MR HARGREAVES:** Supplementary, Mr Speaker.

**MR SPEAKER:** Yes, Mr Hargreaves.

**MR HARGREAVES:** Thanks very much, Mr Speaker. Minister, when you talked about the extra capacity that the government delivered to our health system through extra beds and services, did you say how these new services would enhance the operation of our public health system overall?

**MS GALLAGHER:** Thank you for the supplementary.

**Mr Hanson:** Explain also why access block has got worse while you are at it.

**MS GALLAGHER:** I am happy to go to that if you would like, Mr Hanson, although it would be disorderly for me to respond to interjections across the chamber. When you look at the additional services and the additional beds that have gone into the public health system, what you can see—a key measure there is bed occupancy. We have set ourselves the target of 85 per cent. We have almost met that target for the first time this year. For the first time in the history of self-government, as far as this number has been recorded—

**Mr Smyth:** Are you sure?

**MS GALLAGHER:** Yes, because we introduced the bed occupancy performance reporting. We set the target at 85 per cent, and I believe it is at about 86 per cent. The issue with access block is that access block had been coming down. There was an issue with the reporting—

**Mr Hanson:** Oh—

**MS GALLAGHER:** If you read the annual reports and things, you will find this. There was a change in the way that Calvary record their access block data, which has changed those results. I think we need to give it a little more time—

**Mr Smyth:** Oh, always a little more time.

**MS GALLAGHER:** I do. I think we need to give it a little more time to see—now that Calvary are recording their access block consistently with the way ACT Health requested access block to be categorised, you will see again continued improvement in this area.

**MR HANSON:** Supplementary, Mr Speaker.

**MR SPEAKER:** Yes, Mr Hanson.

**MR HANSON:** Minister, will admission to the SAPU mean, for reporting purposes, that patients will be considered to have been admitted to it dead, or will they remain accounted for as being in an emergency department, until such time as they are actually admitted into the appropriate ward?

**MS GALLAGHER:** No, they will be an admitted patient in the hospital, which they are. That is how these units operate right around the country.

**Mr Hanson:** They certainly do.

**MS GALLAGHER:** What—you have had a problem with MAPU operating like that for the last three years, have you? These are patients that require admission to the hospital. What Mr Hanson is trying to suggest is that it is a way to get around access block. But these patients must be admitted type patients. The decision has been taken that they will require admission to the hospital, but it is unclear what part of the hospital they should be admitted to. That is the thing where you are getting it wrong, Mr Hanson. These—

**Mr Hanson:** Better than a trolley in the corridor anyway, minister.

**MS GALLAGHER:** Mr Hanson, this is a ward. Patients are expected to be admitted here. They may stay here for 48 hours and go home, if their procedure is relatively straightforward. If it is not, they may be admitted to the surgical short-stay ward or other surgical wards in the hospital, depending on the type of surgical intervention. But it is not the place that I think Mr Hanson is trying to allege because he has to spoil this innovation in the hospital as well. He has to wreck it, he has to oppose it. It is a 16-bed ward, Mr Hanson, and you are trying to create a negative sound around it. This is for patients that are requiring admission to the hospital, regardless of where they go.

### **Sport—Gungahlin swimming pool**

**MR HANSON:** My question is to the minister for sport and recreation. Minister, in the lead-up to the last election, ACT Labor promised to deliver a 50-metre pool complex to the people of Gungahlin. In a press release dated 4 August 2008 you stated:

... the centre which will include a 50 metre pool, a 25 metre pool at least 1 court space, for example a netball court and associated amenities such as a cafe and gymnasium.

Minister, recent media articles in the *Gungahlin News* and *GunSmoke* report government officials as saying that the government is in favour of a 25-metre pool. Minister, will the ACT Labor government deliver a 50-metre pool to the people of Gungahlin, yes or no?

**MR BARR:** I thank the member for his question. Mr Hanson has, indeed, correctly quoted from a media release I issued in 2008; so I will acknowledge that he has done so.

The government, through its sport and recreation policy, indicated that we would fund some feasibility and forward design work for a Gungahlin swimming pool. That work is progressing. There are, essentially, two options that are being considered through that work. One is the traditional 50-metre pool that members would be familiar with, with a deep end and a shallow end, which I think is the fairly standard pool configuration.

During this consultation phase, though, a number of organisations, including Swimming ACT and the Royal Life Saving Society, and a number of community members have also suggested a second option which would be a series of pools, ones that would cater specifically—

*Opposition members interjecting—*

**MR SPEAKER:** Order! The minister is giving an informative answer. I think you should give him the courtesy of listening to him.

**MR BARR:** Thank you, Mr Speaker. As I was indicating, a second model has come forward during this consultation phase and that is a model that is being promoted by organisations such as the Royal Life Saving Society and Swimming ACT, amongst others, that involves a series of specialised pools—a pool dedicated to swimming and lap swimming, a dedicated pool for learning to swim, hydrotherapies and aquarobics and a dedicated wet play area. It is another model that has come forward during these consultations.

The government will have both options fully investigated and will then go back out to the community and seek its views on the two options and then make a final decision as to the configuration of the pool in a future budget round. As members would be aware, only a small proportion—I think it is just over \$1 million of the government's \$20 million commitment—has been allocated to the project to date. The final decision-making process, after the community consultation, after the feasibility and all the options are put forward, will be determined by the government during the budget process.

**MR HANSON:** A supplementary, Mr Speaker.

**MR SPEAKER:** Yes, Mr Hanson.

**MR HANSON:** Minister, have you broken your promise to deliver a 50-metre pool to the people of Gungahlin?

**MR BARR:** No.

**MS LE COUTEUR:** A supplementary.

**MR SPEAKER:** Yes, Ms Le Couteur.

**MS LE COUTEUR:** Thank you, Mr Speaker. Minister, what is the relative cost of a 50-metre pool compared to the alternatives that the government is considering?

**MR BARR:** We do not have that information yet. We are not at that stage in the project. But once that information is available, obviously, that would inform a final decision. As we indicated in our sport and recreation policy, the final funding model and the possibility of a public-private partnership for the project will be determined once those feasibility studies are complete. And the government does not rule out adopting a similar approach to this project that was taken with the CISAC facility in Belconnen.

**MR SPEAKER:** Supplementary, Mr Seselja?

**MR SESELJA:** Thank you, Mr Speaker. Minister, when will the 50-metre pool complex be open and available for use by Gungahlin residents?

**MR BARR:** That is a matter that will be determined in due course once the processes are finished.

### **ACT Policing—tasers**

**MS BRESNAN:** My question is to the minister for police and relates to tasers. Minister, following the public request from the Australian Federal Police Association that tasers be rolled out to all general duty ACT police officers, can you advise the Assembly on the process you as minister will follow to make a decision? In particular, who will you discuss the matter with and what data will you rely on?

**MR CORBELL:** I thank Ms Bresnan for the question. The Australian Federal Police Association have indeed advocated for the broader deployment of what are known as electronic incapacitating devices, EIDs, or what are popularly known as tasers. The government has not yet taken a decision as to whether or not tasers should be made more broadly available to general duties officers of the Australian Federal Police performing ACT Policing duties.

The Chief Police Officer has commenced a process of reviewing whether or not tasers should be made available more broadly and in what circumstances they should be made available more broadly to other police officers. At the moment tasers are only

available to specialist response police, and that process is a process that I believe has worked well in the community to date. I have indicated previously that the government would need to be convinced that it is desirable to expand the use of tasers to other officers within ACT Policing and that safety considerations must have a paramount role.

I expect the Chief Police Officer to complete his review of the use and the desirability of expanding the use of tasers in due course. I have had a discussion with the Chief Police Officer and with the Commissioner of the Australian Federal Police about the matter, and we have agreed that following the completion of that review the Chief Police Officer will discuss the matter with me, and I will also have the opportunity to discuss the matter with the Commissioner of the Australian Federal Police.

It is important to make clear that this decision is ultimately one that will need to occur jointly between myself as the minister and the Commissioner of the Australian Federal Police, who has operational control of ACT Policing. Indeed, the broader expansion of tasers will require changes to the commissioner's orders to permit them to be made available as a use-of-force option to general duties officers, or indeed other officers more broadly. But the government's position at this time is that we need to be convinced and there needs to be good reason for the further expansion of the availability of tasers. I will be happy to keep members informed of progress in this regard.

**MR SPEAKER:** Supplementary, Ms Bresnan?

**MS BRESNAN:** Thank you, Mr Speaker. Minister, who has ultimate authorisation to expand the use of tasers in the ACT? Is it you, as the minister for police, or the Commissioner of the Australian Federal Police force? And, as you did mention it just previously, can you expand on the legislative or regulatory instrument which provides for that decision?

**MR CORBELL:** Officers of ACT Policing are sworn members of the Australian Federal Police and they are subject to the direction and orders of the Commissioner of the Australian Federal Police. However, given the significant public interest in this matter, and indeed the broader community interest in this matter, the government has made clear, and the Australian Federal Police have indicated, that this is a matter that will need to be discussed between the government, as the purchaser of the service, and the commissioner, as the provider of the service. So this would be a joint decision between me and the commissioner—and indeed with the advice and guidance of the Chief Police Officer.

**MS HUNTER:** Supplementary.

**MR SPEAKER:** Yes, Ms Hunter

**MS HUNTER:** Minister, will the final decision regarding tasers take into account the findings of the Western Australian experience—being that, when tasers were provided to all general duty police, injuries to police rose 22 per cent and the use of handguns doubled?

**MR CORBELL:** ACT Policing will have regard to the experience of other police services; there is no doubt about that. I have to stress that this not a fait accompli by any means. I have reservations about the expansion of the use of tasers, although it may be warranted in some circumstances and in relation to some officers. This is a matter that needs to be addressed through the review process that ACT Policing are currently conducting, and I will wait to see the outcomes of that. Any expansion of the use of tasers will need to be justified, and there will need to be good reasons to do so, and we have to await that process before reaching those conclusions.

**MR HANSON:** A supplementary, Mr Speaker.

**MR SPEAKER:** Yes, Mr Hanson.

**MR HANSON:** Minister, are you aware of an ACT Labor Party resolution calling on police officers to be armed with tasers? Will this resolution affect your decision?

**MR CORBELL:** No such resolution has been communicated to me to date.

### **Education—disability funding**

**MR DOSZPOT:** My question is to the minister for education. Minister, the head of the education department has said in relation to the backflip on disability funding that involvement from you in the decision of what would be cut would be a conflict of interest. Minister, did you or any member of your staff in any capacity have contact with the department in relation to this issue and the subsequent backflip on the funding of disability services in the ACT education system?

**MR BARR:** I thank Mr Doszpot for the question. I might add that I think it was grossly unfair—the weekend reports that Mr Doszpot was dead.

**MR SPEAKER:** Thank you, Mr Barr. The question, Mr Barr.

**MR BARR:** That coverage in the *Canberra Times* that he was carrying on like a character out of *Weekend at Bernie's* was grossly unfair and it is good to see his—

**MR SPEAKER:** Thank you, Minister Barr.

**MR BARR:** It is good to see that he is able to ask this question. As I have indicated—

*Members interjecting—*

**MR SPEAKER:** Order, members! The question, Mr Barr.

**MR BARR:** As I have indicated, the government remains committed to achieving its budget plan as outlined in this year's budget papers. The efficiency dividend is a requirement for all ACT government agencies. It is indeed a matter that members of the Assembly are aware of and in fact voted for in passing the appropriation bills earlier this year. The department—

**Mr Coe:** You're gutless, Andrew.

**Mr Hargreaves:** Point of order, Mr Speaker.

**MR SPEAKER:** Stop the clocks, thank you.

**Mr Hargreaves:** I ask you, please, to ask Mr Coe to withdraw the word "gutless".

**MR SPEAKER:** Mr Coe, that is unparliamentary language to be shouting across the chamber and I ask you to withdraw it.

**Mr Doszpot:** I think he is a coward actually, not gutless.

**Mr Coe:** I withdraw.

**MR SPEAKER:** Thank you, Mr Coe. Mr Barr, you have the floor.

**MR BARR:** As I was saying, the government remains committed to achieving its budget targets as outlined in this year's budget papers, and it was indeed a resolution of the Assembly, through the appropriation bills. That placed a requirement on ACT government agencies to achieve an efficiency dividend. In the case of the Department of Education and Training, that dividend is approximately \$4 million each year.

**Mr Seselja:** You weren't prepared to defend it, were you? You send your bureaucrats out.

**Mr Smyth:** You are just a jellyback.

**MR BARR:** It is a matter for the department to determine the application of that efficiency dividend in accordance—

**Mr Smyth:** Jellyback Barr. You are just a jellyback.

**Mr Hargreaves:** Point of order, Mr Speaker. I ask that you give us a parliamentary ruling on the word "jellyback", please, and, if so, ask Mr Smyth, having tested it, to withdraw.

**MR SPEAKER:** I am afraid I actually did not hear it.

**Mr Smyth:** I did say "jellyback".

**Mr Hargreaves:** Mr Speaker, he uttered it three times, on my count.

**Mr Smyth:** I am happy to say it. The man is a jellyback.

**MR SPEAKER:** Mr Smyth—

**Mr Hargreaves:** And while we are at it—

**MR SPEAKER:** Order! Sit down, Mr Hargreaves, thank you.

**Mr Hargreaves:** I will do it again till we go home.

**MR SPEAKER:** Order! Sit down. Mr Smyth, I consider it to be unparliamentary for you particularly to stand up and so brazenly make that statement across the chamber. I invite you to withdraw.

**Mr Smyth:** Mr Speaker, I am happy to withdraw, and I would ask for your ruling on the fact that in the last two years in this place since Mr Hanson has been a member he has been consistently called a jellyback by the Chief Minister—Jellyback Jeremy. I think he uses it all the time. You would have heard it; you have never intervened. Why is there a double standard applied to the opposition and not to all members of this place? I seek your ruling on that.

**MR SPEAKER:** Mr Smyth, a lot of comments are made in this chamber, some of which I note and some of which I do not. I was explicitly asked on this occasion to make a ruling, and that is the ruling I am making.

**Mr Hargreaves:** And on a point of order again, I would like you to ask Mr Doszpot to withdraw the word “coward”, please.

**MR SPEAKER:** I did not hear that. Sit down. Mr Barr has the floor.

**MR BARR:** Thank you, Mr Speaker. As I was indicating, the department has responsibility for the implementation of the efficiency dividend and is doing so in accordance with its enterprise—

*Members interjecting—*

**MR SPEAKER:** Order, members! There will be an opportunity for supplementary questions in a moment. Mr Barr.

**MR BARR:** And is doing so in accordance with the enterprise agreements that are in place with the Australian Education Union and the CPSU through the general staff agreement. Those processes have been outlined. Members are aware of that. The department will continue to manage the process in accordance with those protocols.

**MR SPEAKER:** Mr Doszpot, a supplementary question?

**MR DOSZPOT:** Thank you, Mr Speaker. Minister, in another act of courage, did you or your office authorise the consultation for these cuts to occur during the school holidays?

**MR BARR:** Members would be aware, through the discussion paper that was released by the department, that in fact the consultation process began on 7 September, through phase 1. But I understand this document has been widely circulated and I know I have been copied in on a range of emails where the opposition have seen this.

There are three phases in the department's consultation process. But, as I indicated in my answer to the previous question—proof perhaps that sequels are never better than the original; that is certainly the case with the *Weekend at Bernie's* questions coming from Mr Doszpot—the department is managing its efficiency dividend process in accordance with its enterprise agreements, as you would expect it to, and the department will finalise its determinations in relation to the efficiency dividend and make the appropriate announcements in due course.

**MR HANSON:** A supplementary.

**MR SPEAKER:** Yes, Mr Hanson.

**MR HANSON:** Minister, why have you failed to accept responsibility for your backflip by refusing to front the media?

**MR BARR:** As it relates to a matter that is for the department to determine, I have taken responsibility, along with all members—

*Members interjecting—*

**MR SPEAKER:** Order! Let us hear the minister.

**MR BARR:** of the government for the budget decisions that this government has taken. And we place the highest priority on our plan to return the budget to surplus. The government remains committed to that task, and no end of bleating from the opposition and their absolute failure to grasp important budget priorities will deter the government from this important task. The rank hypocrisy and appalling economic policy credentials of those opposite are on display again here this afternoon. They are simultaneously—

*Members interjecting—*

**MR SPEAKER:** Order! It is not appropriate in this chamber for the minister to be shouted down while he is answering a question. Four or five members shouting at him at once is not acceptable. Mr Barr, you have the floor.

**MR BARR:** Thank you, Mr Speaker. As I was indicating, it is the classic hypocritical stance of the Canberra Liberals for them to be arguing simultaneously for a return to surplus and then specifically opposing every sensible measure, through efficiency dividends and our budget plans, to return this budget to surplus. The government will not be deterred by the petty policy indifference, the entire failure of the Canberra Liberal Party to present an alternative strategy, as clearly exposed by the editorial in today's *Canberra Times* and the entire weekend commentary on the first two years of this term of the Assembly.

**MR HANSON:** A supplementary, Mr Speaker?

**MR SPEAKER:** Yes, Mr Hanson.

**MR HANSON:** Minister, if we were wrong, why have you back-flipped and reinstated the positions?

**MR BARR:** The department has undertaken a consultation process, as you would expect the department to do, in accordance with its requirements under its enterprise agreements and its commitment to the government to achieve its budget targets. We do not resile from those budget targets. We will not be deterred by the petty squabbings of those opposite, the entirely inconsistent public policy positions that are put by the Canberra Liberals time and time again, their manifest failure to be able to address the budgetary issues that this territory faces, their inability to embrace any form of microeconomic reform. They are classic oppositionists for opposition's sake. They continue down this path and they have been exposed by the *Canberra Times* on the weekend and again today for the policy failures that they are.

This government remains committed to our budget target and to achieving the efficient delivery of public services across all ACT government departments. Education is no exception to that.

### **Education—disability funding**

**MRS DUNNE:** My question is to the Minister for Disability, Housing and Community Services. Minister, in your capacity as the minister for disability and multicultural affairs, can you outline what input you or members of your department had in relation to cuts announced by the department of education in relation to disability support services, post-school options programs and ESL teaching support?

**MS BURCH:** The programs which you have asked about are things which Minister Barr has just responded to. I am certainly not aware of any conversation that has come through the department or my office that has been linked to the work that DET has done. The disability programs that I manage remain intact.

**MRS DUNNE:** A supplementary question, Mr Speaker.

**MR SPEAKER:** Mrs Dunne, a supplementary.

**MRS DUNNE:** Minister, what representations did you make on behalf of people with disability and people in the multicultural community about the impacts of the proposed cuts put forward by the department of education?

**MS BURCH:** I did indeed have a watchful eye on the conversation as it was unfolding, and particularly the misinformed conversation that was coming over from their end. A watchful brief included being aware of the impact of any changes. But given that these were all proposals on the table and decisions yet to be made, I am not quite sure how Mrs Dunne expected me to jump over a hurdle that was yet to be put in front of me.

**MS BRESNAN:** A supplementary?

**MR SPEAKER:** Yes, Ms Bresnan.

**MS BRESNAN:** Minister, did you receive any concerns directly from community organisations or concerned disability groups about these cuts?

**MS BURCH:** I thank Ms Bresnan for her question. Certainly I am not aware of any direct approach.

**MR COE:** Supplementary, Mr Speaker.

**MR SPEAKER:** Yes, Mr Coe.

**MR COE:** Minister, has the Minister for Education advised you on how these services will be maintained and what has been promised and, if so, what was that advice?

**MS BURCH:** I have not had a full in-depth discussion with the minister, because I think those policies are still being determined. Once they have been, I am sure that the minister will advise me.

### **Canberra—growth**

**MR SMYTH:** My question is to the Acting Chief Minister. Acting Chief Minister, earlier today, in the climate change debate, your colleague Andrew Barr said: “It might be what is Australia’s largest regional subsidy program, the city of Canberra, could finally come of age economically.” Minister, do you agree that the city of Canberra is simply a subsidy program? Is it acceptable that your minister reduces hard working public servants and the residents of Canberra to this level?

**MS GALLAGHER:** I know that the minister for education has a deep love for Canberra and for what Canberra’s potential could be. I think Mr Barr’s comments related to the origins of Canberra.

*Opposition members interjecting—*

**MS GALLAGHER:** I think that is what it was. You might find that hilarious but I think all of us on this side of the government support the potential of Canberra to grow into its own city.

*Opposition members interjecting—*

**MR SPEAKER:** Order, members!

**MS GALLAGHER:** Thank you, Mr Speaker. I support the comments that Mr Barr made, but in the context in which they were made, which was about the origins of Canberra as the seat of government, what it has grown into today and what it is going to grow into in the future. I know on this side of the chamber we are working hard to talk with our community about where Canberra wants to be in the lead-up to our second century and over and beyond that. These are all the reasons behind the discussion we are having as part of the 2030 discussions, and discussions that I note

the opposition to date have not taken part in. But these comments are from a passionate Canberran with passionate views about where this city should be, and I think it is entirely appropriate that these comments are made.

**MR SPEAKER:** A supplementary, Mr Smyth?

**MR SMYTH:** Thank you, Mr Speaker. Acting Chief Minister, will you ask Mr Barr to apologise for his thoughtlessness and his insulting remarks?

**MS GALLAGHER:** The scaremongering on the other side continues. I will—

**Mr Smyth:** How's it scaremongering?

**MR SPEAKER:** Mr Smyth, you have asked your question.

**MS GALLAGHER:** Mr Smyth, you are the classic in this place that can take a line, take it out of context and then try to wrap a scandal around it. You have got a reputation for it, Mr Smyth. As I have said, we on this side of the chamber are extremely excited about the potential in this city to grow and develop over the next few years into our second century and beyond, and I think the words of a passionate Canberran should be seen in that context.

**MR SPEAKER:** A supplementary, Mr Seselja?

**MR SESELJA:** Minister, given that you agree with the minister's comments, as stated in your answer, do you believe that Canberra is still a regional subsidy program? If it is not, when do you think it stopped being one?

**MS GALLAGHER:** I think Canberra stands on its own two feet but that does not take away from the fact that we are heavily reliant on the federal government. We on this side believe—

*Opposition members interjecting—*

**MR SPEAKER:** Mr Seselja! Mr Coe!

**MS GALLAGHER:** Thank you, Mr Speaker. We are heavily reliant on the federal government. That has always been the case. It will not change dramatically in the future. But there is a lot more to be done in this town and this government is ready to do that work.

### **Environment—climate change**

**MR HARGREAVES:** My question is to the Minister for the Environment, Climate Change and Water. Can the minister please advise the Assembly on the Labor government's progress in implementing its election commitments to meet the challenge of climate change and sustainability?

**MR CORBELL:** I thank Mr Hargreaves for the question. I am proud to say that the Labor government has made significant progress in the last two years in implementing

its election commitments to build a better city, a stronger community and a more sustainable Canberra. The government has outlined and implemented already a broad range of measures designed to address the challenge of sustainability and climate change which our city faces. Of course, right now, this Assembly is debating legislation that will establish the leading greenhouse gas reduction targets for any state or territory—a 40 per cent reduction by the year 2020 and 80 per cent by the year 2050. It is truly a piece of legislation designed to make Canberra establish itself as a low-carbon city and a city that is an early adopter when it comes to sustainability measures, with all the economic advantage that flows from that.

Of course, I was surprised to see Mr Seselja trying to claim that 30 per cent was not going to come at a cost to Canberrans, but 40 per cent would. Anyone who believes that believes in the tooth fairy. Can he seriously claim that a reduction of 30 per cent can be delivered without some cost to the community but 40 per cent has overbearing costs? It is an absurd and simplistic position being presented by the Liberal Party and one that I think many people in Canberra are seeing through already.

The government is moving ahead with a range of important policy measures. The government has implemented its nation leading feed-in tariff, which is leveraging private capital to install renewable energy generation on roof tops across the city. In the first 18 months of its operation we have already seen close to six megawatts of generation capacity installed across the city, a very significant investment in renewable energy generation for our city. Of course, the government has announced significant expansions to that scheme, which the Assembly will be asked to consider in the coming months.

The government has implemented its election commitments to provide for improved energy efficiency assistance programs and rebates to Canberrans. The ACT-Smart suite of programs, which gives access to energy efficiency advice, orders and rebates for Canberra families and businesses, has been implemented and, indeed, there is over \$19 million in investment in both energy efficiency and water efficiency programs for Canberrans.

We are also promoting the uptake of green energy, through the make the switch program. This has placed the ACT community as a leader in green power purchases across the country. The ACT government's own operations are now being fuelled by 30 per cent green power and that will grow to 32.5 per cent in this financial year. So our own contribution to the purchase of green power is significant. But the government is very focused on assisting those people on low incomes, and a Labor government is very focused on ensuring that. (*Time expired.*)

**MR SPEAKER:** Mr Hargreaves, a supplementary question?

**MR HARGREAVES:** Thank you very much, Mr Speaker. Following on from that, can the minister advise what further steps the government has announced that continue its reform agenda in tackling climate change and achieving a low carbon city for the future?

**MR CORBELL:** Again, Mr Speaker, in particular our focus is on low income Canberrans, Canberrans who struggle to make ends meet. The focus on delivery of

energy efficiency programs and the provision of energy efficient appliances are all election commitments that the government made during the recent election and commitments that we are now implementing. So we see low income households getting energy efficient appliances, even if they are renting. We see energy efficiency being delivered into public and social housing. This is creating significant benefits for those residents and assisting them to manage their energy costs.

The government, into the future, has announced the expansion of the feed-in tariff scheme to large-scale generation. This will mean that the territory will be able to deliver on its commitment to establish a large-scale solar power facility for the ACT. Over 240 megawatts of generation capacity is proposed to be made available through the expanded feed-in tariff scheme, and that includes 210 megawatts for large-scale generation.

In addition to that, the government is supporting the efforts of other entities in the city to improve energy efficiency and the deployment of renewable energy technologies. In particular, the government is working closely with ActewAGL on the deployment of the Better Place trial for electric vehicles in the ACT. The ACT, Canberra, will become the first city in the country to have a large-scale electric vehicle charging infrastructure in place when Better Place roll out their technology in the next 12 to 18 months.

These are significant initiatives to help the city move towards its low carbon future. The Labor government is proud of its commitments and proud of its record in implementing those commitments. We look forward to working with other members to promote Canberra as a sustainable city into the future.

**MS HUNTER:** A supplementary?

**MR SPEAKER:** Yes, Ms Hunter.

**MS HUNTER:** Minister, can you inform the Assembly when you will be releasing the road map to zero net emissions, the weathering the change action plan 2 and the energy policy?

**MR CORBELL:** The energy policy will be finalised later this year. Action plan 2 will be released in the first half of next year. It will outline the detailed measures that the government proposes to adopt to ensure that we are on the path to achieving the significant greenhouse gas reduction targets.

Of course, this stands in marked contrast to the complete policy vacuum of those opposite. While this government is focused on building a better city, building a stronger community—

**Mr Smyth:** We debated a bill this morning.

**Mrs Dunne:** We debated our bill this morning.

**MR CORBELL:** They say they have a bill on the table but they did nothing for 18 months or nearly two years. They did nothing with that bill until today, when they

introduced this wonderful legislation—legislation not supported by the Assembly committee and clearly not supported by the wider community. They did nothing with it.

**MR SPEAKER:** Mr Corbell, relevance to the question.

**MR CORBELL:** Those opposite are wreckers. They have no program of their own. They have no alternative policy agenda. They are now being called to account for it.

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

## Papers

**Mr Speaker** presented the following papers, the first three of which were circulated to members when the Assembly was not sitting:

Standing order 191—Amendments to—Children and Young People Amendment Bill 2010, dated 24, 28 and 29 September 2010.

ACT Legislative Assembly Secretariat—Annual Report 2009-2010, dated September 2010.

Auditor-General Act—Auditor-General's Report No 6/2010—Annual Report 2009-10, dated 29 September 2010.

Estimates 2010-2011—Select Committee—Answers to question on notice and question taken on notice—Received after 22 September 2010, as at 19 October 2010.

## Executive contracts

### Papers and statement by minister

**MS GALLAGHER** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations): For the information of members, I present the following papers:

Public Sector Management Act, pursuant to sections 31A and 79—Copies of executive contracts or instruments—

Long-term contracts:

Andrew Taylor, dated 28 August 2010.

David Dawes, dated 14 September 2010.

Short-term contracts:

Alan Traves, dated 23 September 2010.

Anne Ellis, dated 1 October 2010.

Bianca Kimber, dated 7 September 2010.

Derek Kettle, dated 7 September 2010.

Edith Hunt, dated 23 September 2010.

Geoffrey Rutledge, dated 14 and 15 September 2010.

George Tomlins, dated 17 September 2010.  
Gregory Kent, dated 26 August 2010.  
Jacqueline Wenner (2), dated 10 September 2010.  
Mark Whybrow, dated 1 October 2010.  
Mary Toohey, dated 7 September 2010.  
Michael Reid, dated 10 and 15 September 2010.  
Narelle Norma Ford, dated 27 August 2010.  
Pam Davoren, dated 5 October 2010.  
Richard Baumgart, dated 22 September 2010.  
Robert Gotts, dated 15 September 2010.  
Rowena Barrell, dated 20 September 2010.  
Sandra Kennedy, dated 24 September 2010.  
Timothy Grace, dated 26 August 2010.  
Tracey Cappie-Wood, dated 10 September 2010.

Contract variations:

Andrew Kefford, dated 8 September 2010.  
Anthony Polinelli, dated 1 and 5 October 2010.  
Hamish McNulty, dated 31 August 2010.  
Julie Field, dated 2 September 2010.  
Mark Huxley, dated 9 September 2010.  
Megan Young, dated 9 and 10 September 2010.  
Paul Wyles, dated 21 September 2010.  
Rebecca Kelley, dated 31 August 2010.

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

Leave granted.

**MS GALLAGHER:** I present another set of executive contracts. These documents are tabled in accordance with section 31A and 79 of the Public Sector Management Act, which requires the tabling of all chief executive and executive contracts and contract variations. Contracts have previously been tabled on 21 September 2010. Today I present two long-term contracts, 21 short-term contracts and eight contract variations. The details of the contracts will be circulated to members.

## Papers

**Ms Gallagher** presented the following papers, which were circulated to members when the Assembly was not sitting:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Reports 2009-2010.

Chief Minister's Department (2 volumes), dated 15 and 18 September 2010.

Commissioner for Public Administration, dated 1 September 2010.

## **Public Accounts—Standing Committee Paper and statement by minister**

**MS GALLAGHER** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations): For the information of members, I present the following paper:

Public Accounts—Standing Committee—Inquiry—Auditor-General's Report  
No 1/2010—Performance Reporting—Government submission.

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

Leave granted.

**MS GALLAGHER:** The Auditor-General's performance audit report was tabled in the ACT Legislative Assembly on 13 April 2010. The government welcomes this report as it emphasises the importance of transparent reporting to the Legislative Assembly and to the ACT public. This government is firmly committed to transparent and accountable government, evidenced most recently through our work on citizen-centred governance, the review of our community engagement guidelines, the Canberra 2030—a time to talk community conversation, and the current review of the government's performance and accountability framework.

The Auditor-General's report found that performance reporting by the audited agencies was, in most cases, accurate and sufficiently covered key activities set out in agencies' budget papers. The Auditor-General also made eight recommendations which will provide an opportunity for agencies to further improve the transparent reporting of their activities.

The ACT government is generally supportive of the recommendations themselves. The government agrees to five of the recommendations and agrees in part to three others. In many cases, the recommendations reflect current procedural guidelines or agency practice.

The ACT government agrees that agencies should, wherever relevant and appropriate, link performance indicators in the budget with their corporate objectives and strategic and business plans. The government agrees that departments should integrate performance indicators with decision-making processes, and this is done to a large extent already.

The government also supports the recommendations that departments should establish strategic indicators in line with Treasury guidelines, linking strategic indicators to outcomes and not merely describing activities.

Agencies' strategic indicators are reviewed annually and developed in line with Treasury's guidelines. The Auditor-General also made recommendations in relation to

statutory authorities, including that they comprehensively review performance measures included in their statement of intent and ensure that performance measures and the results in their statements of performance can be readily understood. Statutory authorities review their performance measures each year, including in relation to relevance, clarity and measurability.

The Auditor-General's seventh recommendation is that agencies should report in subsequent years on the outcomes of significant activities for which undertakings were made in the previous annual report. The ACT government notes that the audit confirms that in the majority of cases this is being fulfilled.

The first recommendation of the report is that agencies should provide indicators of quality of services as well as quantity for each output class. The government agrees that agencies should consider both quantity and quality aspects when determining the most appropriate indicators to use. The government, however, does not support mandating both quality and quantity indicators as a small number of focus indicators is preferable to a large number of indicators which might add little in measuring performance.

The government considers that it is better practice to allow agencies to choose the most useful key indicators to suit specific circumstances. The Auditor-General also recommends that the Chief Minister's Department should improve the usefulness of its accountability indicators. The government supports the need for clear and useful reporting from its central policy department. It is unclear from the report, however, as to how the report has assessed clarity and usefulness. The Auditor-General's report rightly notes the difficulty in providing indicators for policy-oriented departments.

Finally, the Auditor-General made a number of recommendations in relation to reporting on ecologically sustainable development. The government is proud of its strong record in implementing sustainability measures. This year the government has fulfilled its commitment to introduce triple bottom line reporting requirements into agencies' annual reports. The Chief Minister's Department and the Department of Environment, Climate Change, Energy and Water will also undertake a review of existing ecologically sustainable development indicators and related requirements in the annual report directions.

I have tabled the government's submission to the public accounts committee on the Auditor-General's report, and I would like to thank the Auditor-General and her office for the work in reviewing the ACT government's performance reporting and in developing their recommendations.

## **Papers**

**Mr Corbell** presented the following papers, which were circulated to members when the Assembly was not sitting:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Reports 2009-2010—

ACT Government Procurement Board, dated 23 September 2010.

ACT Public Cemeteries Authority, dated 21 September 2010.

Department of Territory and Municipal Services (2 volumes), dated 15 September 2010.

**Ms Gallagher** presented the following papers, which were circulated to members when the Assembly was not sitting.

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Reports 2009-2010—

Department of Land and Property Services, dated 3 September 2010.

Land Development Agency, dated 20 September 2010.

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2009-2010—Cultural Facilities Corporation, dated 22 September 2010.

Public Accounts—Standing Committee—Inquiry—Auditor-General's Report No 3/2010—Delivery of Budget Initiatives—Government submission.

### **Financial Management Act—instrument Paper and statement by minister**

**MS GALLAGHER** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations): For the information of members, I present the following paper:

Financial Management Act, pursuant to section 16B—Instrument authorising the rollover of undisbursed appropriation of ACT Planning and Land Authority, including a statement of reasons, dated 13 October 2010.

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

Leave granted.

**MS GALLAGHER:** I thank the Assembly. Section 16B of the Financial Management Act 1996, rollover of undisbursed appropriation, allows for appropriations to be preserved from one financial year to the next, as outlined in an instrument signed by myself as Treasurer. As required by the act, I table a copy of a recent authorisation made to roll over undisbursed appropriation from 2009-10 to 2010-11. This package includes one instrument signed under section 16B. The appropriation being rolled over was not disbursed during 2009-10 and is still required in 2010-11 for the completion of the projects identified in the instrument.

The instrument authorises a total of \$253,000 net cost of outputs rollovers for the ACT Planning and Land Authority. These rollovers have been made as the appropriation clearly relates to project funds where commitments have been entered into but the related cash has not yet been required or expended during the year of operation—for example, where capital works projects or initiatives for which timing of delivery has changed or been delayed, where outstanding contractual or pending claims exist, or where there are delays in implementing budget recurrent initiatives.

The rollovers and net cost of outputs include \$119,000 for the East Lake sustainable urban renewable project to complete the planning and design framework for East Lake by mid-2010-11; \$76,000 for the East Lake environmental assessment, phases 2 and 3 project, to undertake remaining contracted works to complete the environmental assessment by October 2010; and \$58,000 for the future of water management options, Molonglo River project, to complete the remaining work associated with the feasibility study.

Specific details regarding these rollovers are included in the instrument. Mr Speaker, I commend the paper to the Assembly.

## Papers

**Ms Gallagher** presented the following papers, which were circulated to members when the Assembly was not sitting:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Reports 2009-2010—

ACT Insurance Authority (including Office of the Nominal Defendant of the ACT), dated 21 September 2010.

ACTEW Corporation Limited, dated 8 October 2010.

ACTTAB Limited, dated 17 August 2010.

Department of Treasury (2 volumes), dated 21 and 22 September 2010.

Rhodium Asset Solutions, dated 31 August 2010.

Totalcare Industries Limited.

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2009-2010—ACT Health, dated 1 September 2010.

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2009-2010—ACT Long Service Leave Authority, dated 15 September 2010.

**Mr Corbell** presented the following papers, which were circulated to members when the Assembly was not sitting:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Reports 2009-2010—

ACT Electoral Commission, dated 31 August 2010.

ACT Human Rights Commission, dated 23 September 2010.

ACT Ombudsman, dated 14 September 2010.

Department of Justice and Community Safety (2 volumes), dated 21 September 2010.

Director of Public Prosecutions, dated 23 September 2010.

Independent Competition and Regulatory Commission, dated 23 September 2010.

Legal Aid Commission (ACT), dated 9 September 2010.

Public Advocate of the ACT, dated 16 September 2010.

Public Trustee for the ACT, dated 2 August 2010.

Victims of Crime Support Program (incorporating Victims of Crime Co-ordinator, Victim Support ACT and the Victims of Crime (Financial Assistance) Act 1983), dated 17 September 2010.

Civil Law (Wrongs) Act, pursuant to subsection 4.56(3) of Schedule 4—Professional Standards Councils—Annual Report 2009-2010.

## **ACT Policing controlled operations—2009-10 annual report Paper and statement by minister**

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services): For the information of members, I present the following paper:

Crimes (Controlled Operations) Act, pursuant to subsection 28(9)—ACT Policing Controlled Operations—Annual Report 2009-10.

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

Leave granted.

**MR CORBELL:** I am pleased today to table the ACT Policing controlled operations annual report for 2009-10. In August 2008, the Assembly passed the Crimes (Controlled Operations) Act 2008, the act. This was new, nationally harmonised legislation that provided for the authorisation of conduct and monitoring of controlled operations conducted in the ACT and one or more other jurisdictions.

The act empowers police to involve themselves covertly in organised crime and criminal investigations under strict operational control to gain evidence and intelligence about criminal behaviour. The act protects officers assigned to the operation from criminal liability if they need to break the law during the operation. Controlled operations can only be authorised by the highest ranks in ACT Policing or the Australian Crime Commission and may only be carried out in strict accordance with the details of the formal authority issued for the operation.

Importantly, the act also contains a number of accountability provisions, one of which is that a report be provided to the Minister for Police and Emergency Services annually and presented to the Assembly. This is the first annual report provided to me since the act became operational.

The Ombudsman must inspect the records of a law enforcement agency utilising this act at least once every 12 months to ensure compliance. I can confirm this has occurred this year.

For the financial year 2009-2010, seven controlled operations certificates were completed. Due to the restrictions placed on disclosure of information relating to

control operations, I am not in a position to discuss any particular operation. I can say, however, that operations conducted had typically involved such things as a drug investigation where illicit drugs were seized and offenders charged with offences relating to the supply of drugs, and a homicide investigation in an effort to secure further evidence.

I would like to thank the Chief Police Officer for providing this report in a timely manner and I commend the report to the Assembly.

## **Papers**

**Mr Corbell** presented the following papers, which were circulated to members when the Assembly was not sitting:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Reports 2009-2010—

Department of the Environment, Climate Change, Energy and Water, dated 8 September 2010.

Office of the Commissioner for Sustainability and the Environment, dated 16 September 2010.

ACT Policing, dated 17 September 2010, in accordance with the Policing Arrangement between the Commonwealth and the Australian Capital Territory Governments.

**Mr Barr** presented the following papers, which were circulated to members when the Assembly was not sitting:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Reports 2009-2010—

ACT Building and Construction Industry Training Fund Authority, dated 10 September 2010.

Department of Education and Training, dated 21 September 2010.

ACT Planning and Land Authority, dated 23 September 2010.

## **Planning and Development Act 2007—schedule of leases Paper and statement by minister**

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

Planning and Development Act, pursuant to subsection 242(2)—Schedule—Leases granted for the period 1 July to 30 September 2010.

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

Leave granted.

**MR BARR:** Section 242 of the Planning and Development Act 2007 requires that a statement be tabled in the Assembly each quarter outlining details of leases granted by direct sale. The schedule I have just tabled covers the leases granted for the period 1 July 2010 to 30 September 2010. In addition, 58 single dwelling house leases, eight of which were land rent leases, were granted by direct sale in the quarter.

## **Planning and Development Act 2007—variation No 299 to the territory plan**

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

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

Planning and Development Act, pursuant to subsection 79(1)—Approval of Variation No 299 to the Territory Plan—Changes to zoning at Lawson South and the introduction of a Structure Plan and Concept Plan, dated 12 October 2010, together with background papers, a copy of the summaries and reports, and a copy of any direction or report required.

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

Leave granted.

**MR BARR:** Draft variation No 299 to the territory plan proposes to introduce a structure plan, a concept plan and zoning changes for Lawson South. The ACT government announced in 2007 that it would commence a planning study to identify opportunities for future urban development in the southern part of Lawson. As you know, Mr Assistant Speaker, the southern part of Lawson is territory-owned land.

Consultation was undertaken as part of the planning studies. The issues raised by the community and government agency stakeholders were taken into consideration and addressed in finalising the planning study in September 2009.

The vision for Lawson South is for a liveable, sustainable urban village, one that minimises environmental impacts and maximises the positive aspects of the suburb. The revised zoning will enable a number of sustainability initiatives and higher density developments. The development is close to public transport, Lake Ginninderra, the Belconnen town centre, the University of Canberra and other services and facilities.

Planning for Lawson South envisages a well-connected, integrated, compact neighbourhood with higher densities than surrounding established suburbs. This will provide more sustainable development and increased residential and housing choice. The proposed development meets the broad objectives of the spatial plan for higher density residential development within a 7½-kilometre radius of the Canberra city centre.

Draft variation No 299, Lawson South, was released for public comment during October and November 2009 and attracted 14 public submissions. The main issues related to the controls on commercial floor space; the potential traffic impacts on adjacent arterial roads and intersections; the potential environmental impacts on grassland habitat and values; urban form, high-density residential development and subdivision design; pedestrian, cycle routes, linkages and facilities; the interface with the University of Canberra; the relationship with Lawson North; the width of the Lake Ginninderra foreshore; the location, revegetation, function and maintenance of open spaces; and the potential impacts on views.

A report on the consultation was prepared by ACTPLA, responding to the issues raised in the submissions. A copy of that report is included with the documents I have tabled.

Under section 73 subsection (2) of the Planning and Development Act, I referred the draft variation to the Standing Committee on Planning, Public Works and Territory and Municipal Services for consideration. The committee, in its report released on 28 July this year, made 15 recommendations. The committee recommended the variation proceed subject to a number of issues. The committee also expressed support for increasing the density of development at Lawson South.

On 8 September 2010, I directed ACTPLA to consider revising the draft variation in accordance with the recommendations of the committee. I put particular emphasis on recommendation 5, which was that the opportunity is retained for community gardens to be developed within Lawson South. I also requested that ACTPLA consider revising the draft variation to stipulate that the maximum supermarket size will be 700 square metres, within a maximum commercial component of 1,500 square metres.

The government has considered the issues the planning committee raised and has prepared a response that addresses the committee's recommendations and responds to my direction. I will now provide a brief outline of the government's response to report No 6 of the standing committee.

In regard to recommendation 1, as I have noted, the committee's first recommendation is that the draft variation proceed subject to further recommendations in the report. The committee's second recommendation supports the notion of increased density in Lawson South, and this is supported by the government.

The third recommendation proposes that some areas of Lawson South could have RZ2 zoning instead of RZ1 zoning, to increase density. The broad intent of this recommendation is agreed, as there is a clear intention for Lawson South to provide for higher density. However, RZ2 suburban core residential zoning relates to existing suburbs and is used to encourage appropriate redevelopment and to increase density surrounding existing commercial centres and zones. It is not intended as a high-density zoning in greenfield sites.

Both RZ1 and RZ2 zones allow increased densities with small-lot housing and multiunit development, whilst limiting the development to two storeys in height.

Further increased density of development of up to three storeys is permitted through RZ4 zoning. The proposed zonings for Lawson South are RZ1, RZ4 or RZ5, as appropriate, to increase density rather than RZ2.

The variation also applies to a future urban overlay to Lawson South. This allows flexibility in land use zone boundaries to be refined through the detailed design stage in accordance with the provisions of the concept plan.

The committee's fourth recommendation is that the zone codes should reinforce the desired character of the streetscapes. This recommendation is agreed in principle, noting that the recommendation relates to territory plan policies more broadly than to just variation 299.

As members would be aware, ACTPLA is currently undertaking a broader review of all residential codes, including the residential subdivision development code. The substance of this review is expressed in current draft variations 301 and 303 which were released by ACTPLA for public comment in June of this year.

This draft variation proposes clearer statements of the desired character of each zone. I have requested ACTPLA to consider this recommendation of the committee, particularly in relation to draft variation 303.

A fifth recommendation is that the provision of space for community gardens should be a requirement of the development of Lawson South. This recommendation is agreed. To address the committee's concern, the variation has been revised to reflect that suitable space for community gardens is to be provided for in the future design of Lawson South.

The committee's sixth recommendation is that trunk cycle routes for Lawson South be identified at the concept planning phase. This recommendation is agreed in part. It is considered that the concept plan achieves this to the extent appropriate for this level of planning. The concept plan identifies a movement network of shared paths through Lawson South that provides for efficient connections to the trunk cycle network. This is reflected in the precinct code that forms part of this variation.

The committee's seventh recommendation is that ACTPLA be substantially involved in the urban design of open space in Lawson South. This recommendation is agreed. Existing protocols are applied to ensure ACTPLA will have a role in the development of the detailed design for Lawson South as well as, of course, a statutory role to consider future development applications.

The committee's eighth recommendation is that ACTPLA provide details in the Lawson South precinct code on how a biodiversity offset approach will be implemented in Lawson South. This recommendation is agreed in principle. The government agrees that a biodiversity offset approach is required for Lawson South. However, it is not the role of the precinct code to specify the biodiversity offset approach that is to be applied.

The approach is to be determined through agreement between the ACT and commonwealth governments and may include areas outside of Lawson South. The

approach to biodiversity offsets will also form part of the preliminary documentation submitted to the commonwealth for approval under the Environment Protection and Biodiversity Conservation, or EPBC, Act for development of Lawson South. Land development will be required to comply with any approval requirements, including biodiversity offsets.

The committee's ninth recommendation is that existing native grasslands, including stipa species in the area near the electricity substation, should primarily be maintained as native grassland. This recommendation is agreed in principle, noting that existing grasslands ecological communities are subject to consideration under commonwealth legislation. Retention of any areas of native grasslands forms part of the approval under the EPBC Act. This is the appropriate process to establish any requirement to retain threatened ecological communities and species habitat. Detailed design and development at Lawson South will be required to comply with the EPBC Act.

The committee's 10th recommendation is that further threatened species surveys be conducted prior to finalising planning of the new suburb and development of an estate development plan. Further ecological surveys were undertaken during the 2009-10 summer season within Lawson South to provide further data for the planning process. Additionally, the Land Development Agency is preparing to undertake further surveys during the coming summer. Any further surveys or requirements for land development will be undertaken in accordance with advice and approvals under the EPBC Act.

The committee's 11th recommendation is that the design of the lineal open space network in Lawson South should take into consideration the need for connectivity between wildlife corridors. This recommendation is agreed. The lineal open space network reflected in the concept plan considers the connectivity between wildlife corridors around Lawson South. This will be a further consideration in the detailed landscape design.

The committee made two recommendations relating to cat containment at Lawson. Recommendation No 12 recommends that the Minister for Territory and Municipal Services declare Lawson South to be an area where cats must be confined to their keepers' premises at all times under the Domestic Animals Act. Recommendation 13 is that the same provisions apply for Lawson North should that ever come under the management of the Department of Territory and Municipal Services. Both of these recommendations are agreed. The precinct code for Lawson South reflects this intention. The issue has been referred to TAMS for further consideration.

The government agrees with recommendation 14 which relates to the provision of playgrounds in Lawson South. The Lawson South area will require a number of playgrounds to be provided within public open space. The safe design of these facilities is controlled by existing territory standards, including separation from potential hazards such as waterways and roads.

The committee's final recommendation is that ACTPLA make greater use of onsite signage for new suburbs at the initial stages of planning to increase community awareness. This recommendation is agreed. ACTPLA will seek to inform the

community of all consultation opportunities using optimal methods of communication. This could indeed include onsite signage.

Further to the recommendations of the committee, ACTPLA has also revised the provisions in the variation that relate to the scale of the commercial centre, to introduce a maximum supermarket size of 700 square metres within a maximum commercial component of 1,500 square metres.

I thank the committee for its consideration and report on this very important variation and am pleased to table the improved variation to the territory plan No 299.

## Papers

**Mr Barr** presented the following papers, which were circulated to members when the Assembly was not sitting:

Planning and Development Act, pursuant to subsection 79(1)—Approval of Variation No 299 to the Territory Plan—Changes to zoning at Lawson South and the introduction of a Structure Plan and Concept Plan, dated 12 October 2010, together with background papers, a copy of the summaries and reports, and a copy of any direction or report required.

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2009-2010—Exhibition Park Corporation, dated 15 September 2010.

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2009-2010—ACT Gambling and Racing Commission, dated 15 September 2010.

**Ms Burch** presented the following paper, which was circulated to members when the Assembly was not sitting:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2009-2010—Department of Disability, Housing and Community Services (2 volumes), dated 1 September 2010.

This report was circulated to members when the Assembly was not sitting.

**Mr Corbell** presented the following papers:

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

Legislation Act, pursuant to section 64—

Animal Welfare Act—

Animal Welfare Advisory Committee Appointment 2010 (No 1)—Disallowable Instrument DI2010-207 (LR, 9 September 2010).

Animal Welfare Advisory Committee Appointment 2010 (No 2)—Disallowable Instrument DI2010-208 (LR, 9 September 2010).

Canberra Institute of Technology Act—

- Canberra Institute of Technology (Advisory Council) Appointment 2010 (No 3)—Disallowable Instrument DI2010-249 (LR, 20 September 2010).
- Canberra Institute of Technology (Advisory Council) Appointment 2010 (No 4)—Disallowable Instrument DI2010-250 (LR, 20 September 2010).
- Canberra Institute of Technology (Advisory Council) Appointment 2010 (No 5)—Disallowable Instrument DI2010-251 (LR, 20 September 2010).
- Cemeteries and Crematoria Act and Financial Management Act—Cemeteries and Crematoria (ACT Public Cemeteries Authority Governing Board) Appointment 2010 (No 8)—Disallowable Instrument DI2010-224 (LR, 16 September 2010).
- Civil Law (Wrongs) Act—Civil Law (Wrongs) Australian Property Institute Valuers Limited Scheme 2010 (No 1)—Disallowable Instrument DI2010-198 (LR, 31 August 2010).
- Construction Occupations (Licensing) Act—Construction Occupations (Licensing) Amendment Regulation 2010 (No 1)—Subordinate Law SL2010-36 (LR, 7 September 2010).
- Education Act—
- Education (Government Schools Education Council) Appointment 2010 (No 3)—Disallowable Instrument DI2010-260 (LR, 23 September 2010).
- Education (Government Schools Education Council) Appointment 2010 (No 4)—Disallowable Instrument DI2010-261 (LR, 23 September 2010).
- Emergencies Act—
- Emergencies (Bushfire Council Members) Appointment 2010 (No 2)—Disallowable Instrument DI2010-252 (LR, 23 September 2010). 924 No 78—19 October 2010
- Emergencies (Bushfire Council Members) Appointment 2010 (No 3)—Disallowable Instrument DI2010-253 (LR, 23 September 2010).
- Emergencies (Bushfire Council Members) Appointment 2010 (No 4)—Disallowable Instrument DI2010-254 (LR, 23 September 2010).
- Emergencies (Bushfire Council Members) Appointment 2010 (No 5)—Disallowable Instrument DI2010-255 (LR, 23 September 2010).
- Emergencies (Bushfire Council Members) Appointment 2010 (No 6)—Disallowable Instrument DI2010-256 (LR, 23 September 2010).
- Emergencies (Bushfire Council Members) Appointment 2010 (No 7)—Disallowable Instrument DI2010-257 (LR, 23 September 2010).
- Emergencies (Bushfire Council Members) Appointment 2010 (No 8)—Disallowable Instrument DI2010-258 (LR, 23 September 2010).
- Emergencies (Bushfire Council Members) Appointment 2010 (No 9)—Disallowable Instrument DI2010-259 (LR, 23 September 2010).
- Fair Trading (Motor Vehicle Repair Industry) Act—Attorney General (Fees) Amendment Determination 2010 (No 2)—Disallowable Instrument DI2010-262 (without explanatory statement) (LR, 28 September 2010).
- Fisheries Act—Fisheries Prohibition and Declaration 2010 (No 1)—Disallowable Instrument DI2010-248 (LR, 15 September 2010).

Government Agencies (Campaign Advertising) Act—Government Agencies (Campaign Advertising) Exemption 2010 (No 3)—Disallowable Instrument DI2010-205 (LR, 9 September 2010).

Plant Diseases Act—Plant Diseases (Phylloxera) Prohibition 2010 (No 1)—Disallowable Instrument DI2010-265 (LR, 30 September 2010).

Public Place Names Act—

Public Place Names (Bonner) Determination 2010 (No 3)—Disallowable Instrument DI2010-200 (LR, 2 September 2010).

Public Place Names (Casey) Determination 2010 (No 2)—Disallowable Instrument DI2010-266 (LR, 30 September 2010).

Public Place Names (Yarralumla) Determination 2010 (No 1)—Disallowable Instrument DI2010-209 (LR, 13 September 2010).

Public Sector Management Act—Public Sector Management Amendment Standards 2010 (No 5)—Disallowable Instrument DI2010-206 (LR, 9 September 2010).

Road Transport (General) Act—

Road Transport (General) Application of Road Transport Legislation Declaration 2010 (No 7)—Disallowable Instrument DI2010-199 (LR, 2 September 2010).

Road Transport (General) Concession Determination 2010—Disallowable Instrument DI2010-264 (LR, 30 September 2010).

Road Transport (Public Passenger Services) Regulation—

Road Transport (Public Passenger Services) (Minimum Service Standards for Taxi Services) Approval 2010 (No 1)—Disallowable Instrument DI2010-203 (LR, 9 September 2010). *No 78—19 October 2010 925*

Road Transport (Public Passenger Services) (Minimum Service Standards—Taxi Network) Approval 2010 (No 1)—Disallowable Instrument DI2010-202 (LR, 9 September 2010).

Road Transport (Public Passenger Services) Taximeter Standards Approval 2010—Disallowable Instrument DI2010-204 (LR, 9 September 2010).

Road Transport (Safety and Traffic Management) Act—Road Transport (Safety and Traffic Management) Amendment Regulation 2010 (No 1)—Subordinate Law SL2010-38 (LR, 16 September 2010).

Road Transport (Safety and Traffic Management) Regulation—Road Transport (Safety and Traffic Management) Parking Authority Declaration 2010 (No 3)—Disallowable Instrument DI2010-201 (LR, 6 September 2010).

Taxation Administration Act—Taxation Administration (Amounts Payable—Land Rent) Determination 2010 (No 1)—Disallowable Instrument DI2010-196 (LR, 30 August 2010).

Unit Titles Act and Planning and Development Act—Unit Titles Amendment Regulation 2010 (No 1)—Subordinate Law SL2010-37, including a regulatory impact statement (LR, 7 September 2010).

Utilities Act—Utilities (Water Restriction Scheme) Approval 2010 (No 1)—Disallowable Instrument DI2010-197 (LR, 31 August 2010).

Workers Compensation Act—

Workers Compensation (Default Insurance Fund Advisory Committee) Appointment 2010 (No 7)—Disallowable Instrument DI2010-245 (LR, 16 September 2010).

Workers Compensation (Default Insurance Fund Advisory Committee) Appointment 2010 (No 8)—Disallowable Instrument DI2010-246 (LR, 16 September 2010).

Workers Compensation (Default Insurance Fund Advisory Committee) Appointment 2010 (No 9)—Disallowable Instrument DI2010-247 (LR, 16 September 2010).

Work Safety Act—

Work Safety (ACT Code of Practice for Construction Industry Amenities) Code of Practice 2010—Disallowable Instrument DI2010-226 (LR, 16 September 2010).

Work Safety (ACT Code of Practice for First Aid in the Workplace) Code of Practice 2010—Disallowable Instrument DI2010-227 (LR, 16 September 2010).

Work Safety (ACT Code of Practice for Preventing and Responding to Bullying at Work) Code of Practice 2010—Disallowable Instrument DI2010-225 (LR, 16 September 2010).

Work Safety (ACT Code of Practice for Safe Demolition Work) Code of Practice 2010—Disallowable Instrument DI2010-228 (LR, 16 September 2010).

Work Safety (ACT Code of Practice for Smoke Free Workplaces) Code of Practice 2010—Disallowable Instrument DI2010-230 (LR, 16 September 2010).

Work Safety (ACT Code of Practice for Steel Construction) Code of Practice 2010—Disallowable Instrument DI2010-231 (LR, 16 September 2010). 926 No 78—19 October 2010

Work Safety (ACT Code of Practice for the Sexual Services Industry) Code of Practice 2010—Disallowable Instrument DI2010-229 (LR, 16 September 2010).

Work Safety (ACT Code of Practice for the Transport and Delivery of Cash) Code of Practice 2010—Disallowable Instrument DI2010-232 (LR, 16 September 2010).

Work Safety (National Code of Practice for Noise Management and Protection of Hearing at Work) Code of Practice 2010—Disallowable Instrument DI2010-242 (LR, 16 September 2010).

Work Safety (National Code of Practice for the control of Work-related Exposure to Hepatitis and HIV (Blood-borne) Viruses) Code of Practice 2010—Disallowable Instrument DI2010-234 (LR, 16 September 2010).

Work Safety (National Code of Practice for the Management and Control of Asbestos in Workplaces) Code of Practice 2010—Disallowable Instrument DI2010-244 (LR, 16 September 2010).

Work Safety (National Code of Practice for the Prevention of Falls in General Construction) Code of Practice 2010—Disallowable Instrument DI2010-236 (LR, 16 September 2010).

Work Safety (National Code of Practice for the Prevention of Falls in Housing Construction) Code of Practice 2010—Disallowable Instrument DI2010-237 (LR, 16 September 2010).

Work Safety (National Code of Practice for the Prevention of Musculoskeletal Disorders from performing Manual Tasks at Work) Code of Practice 2010—Disallowable Instrument DI2010-239 (LR, 16 September 2010).

Work Safety (National Code of Practice for the Prevention of Occupational Overuse Syndrome) Code of Practice 2010—Disallowable Instrument DI2010-240 (LR, 16 September 2010).

Work Safety (National Code of Practice for the Safe Removal of Asbestos) Code of Practice 2010—Disallowable Instrument DI2010-243 (LR, 16 September 2010).

Work Safety (National Exposure Standards for Atmospheric Contaminants in the Occupational Environment) Code of Practice 2010—Disallowable Instrument DI2010-233 (LR, 16 September 2010).

Work Safety (National Standard for Construction Work) Code of Practice 2010—Disallowable Instrument DI2010-235 (LR, 16 September 2010).

Work Safety (National Standard for Manual Tasks) Code of Practice 2010—Disallowable Instrument DI2010-238 (LR, 16 September 2010).

Work Safety (National Standard for Occupational Noise) Code of Practice 2010—Disallowable Instrument DI2010-241 (LR, 16 September 2010).

Work Safety Council (Employee Representative) Appointment 2010 (No 1)—Disallowable Instrument DI2010-211 (LR, 13 September 2010).

Work Safety Council (Employee Representative) Appointment 2010 (No 2)—Disallowable Instrument DI2010-212 (LR, 13 September 2010).

Work Safety Council (Employee Representative) Appointment 2010 (No 3)—Disallowable Instrument DI2010-213 (LR, 13 September 2010).

Work Safety Council (Employee Representative) Appointment 2010 (No 4)—Disallowable Instrument DI2010-214 (LR, 13 September 2010). No 78—19 October 2010 927

Work Safety Council (Employer Representative) Appointment 2010 (No 1)—Disallowable Instrument DI2010-217 (LR, 13 September 2010).

Work Safety Council (Employer Representative) Appointment 2010 (No 2)—Disallowable Instrument DI2010-218 (LR, 13 September 2010).

Work Safety Council (Employer Representative) Appointment 2010 (No 3)—Disallowable Instrument DI2010-219 (LR, 13 September 2010).

Work Safety Council (Member) Appointment 2010 (No 1)—Disallowable Instrument DI2010-210 (LR, 13 September 2010).

Work Safety Council (Member) Appointment 2010 (No 2)—Disallowable Instrument DI2010-222 (LR, 13 September 2010).

Work Safety Council (Member) Appointment 2010 (No 3)—Disallowable Instrument DI2010-223 (LR, 13 September 2010).

Work Safety Act and Legislation Act—

Work Safety Council (Acting Employee Representative) Appointment 2010 (No 1)—Disallowable Instrument DI2010-215 (LR, 13 September 2010).

Work Safety Council (Acting Employee Representative) Appointment 2010 (No 2)—Disallowable Instrument DI2010-216 (LR, 13 September 2010).

Work Safety Council (Acting Employer Representative) Appointment 2010 (No 1)—Disallowable Instrument DI2010-220 (LR, 13 September 2010).

Work Safety Council (Acting Employer Representative) Appointment 2010 (No 2)—Disallowable Instrument DI2010-221 (LR, 13 September 2010).

## **Youth transitions Ministerial statement**

**MS BURCH** (Brindabella—Minister for Disability, Housing and Community Services, Minister for Children and Young People, Minister for Ageing, Minister for Multicultural Affairs and Minister for Women): I seek leave to make a ministerial statement.

Leave not granted.

## **Standing and temporary orders—suspension**

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (3.43): I move:

That so much of the standing and temporary orders be suspended as would prevent Ms Burch from making a ministerial statement concerning youth transitions.

Minister Burch has circulated a copy of her statement in advance to members. This is an important statement about issues affecting the management of young people in care, and it is appropriate that she be allowed to make the statement.

**MRS DUNNE** (Ginninderra) (3.44): The Canberra Liberals are opposing leave, and the government knows the reasons for this, and I will put them on the record. It is not because this statement was not circulated. The last time Ms Burch made a ministerial statement, she circulated a form of words, according to convention, and then she came down here and broke the convention, by essentially wandering off the reservation and making a statement that was wildly disparate from that which she gave us as her prepared speech.

I raised this with Ms Burch and Mr Corbell at the time and gave notice that, until Ms Burch apologised for her actions and undertook to mend her ways, we would not give leave. I gave this warning in June this year, and I reminded Mr Corbell yesterday that this matter had not been resolved. At any time today, Ms Burch could have done

something about it. She went out of her way to ask me whether I had a copy of the statement, so at any time Ms Burch could have corrected things and made things better, but she did not. This is why the Canberra Liberals on this occasion are not giving leave to Ms Burch. Ms Burch needs to learn the forms of this house and the conventions of this house. The forms and conventions of this house are that when a minister makes a ministerial statement, as a courtesy, which is something that I think Ms Burch is not particularly familiar with, you give those other members of the parties who are interested a copy of the statement, so that they have an opportunity to peruse what is going to be said.

Ms Burch, on the previous occasion, abused this and came into the Assembly and departed radically from the script, in a way that was critical of members of this place. If she was prepared to say it in here, she should have been prepared and should have had the courage to put in writing what she was going to say, which was critical of other members of this Assembly. She was not prepared to do it, and she abused the forms and conventions of this house. Therefore, the Canberra Liberals will not give Ms Burch leave. That is why we are opposing leave today.

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (3.46): The Greens will support the motion to suspend standing orders to allow the minister to make a statement. I must say that I do agree that Ms Burch fell well short of her obligations the last time she made a ministerial statement, and I understand and share the Liberal Party's frustration and disappointment with the standard of her conduct while making that statement. It simply is not appropriate to abuse the leave of the Assembly to make a ministerial statement and then to engage in political attacks on or take pot shots at other members.

Ministerial statements are an important means of communicating departmental activities to the Legislative Assembly, and it is appropriate that ministers be given the opportunity to do so. We entrust ministers with a significant level of responsibility, and it is necessary and appropriate that they report back to the Assembly on the work they are undertaking. It is for this reason that we agree to facilitate the ministerial statement today.

The subject of the statement is an important one and something that the Assembly should be formally made aware of. It is disappointing that we find ourselves in this situation and that we have a minister whose conduct has been so inappropriate that it warranted this criticism. I trust that Minister Burch will stick to her statement, and I do assure Liberal members that, if the minister does deviate from the statement that we have been provided with, we will take steps and support the prevention of her continuing to speak.

It is important, if we have been provided with a ministerial statement, that that is the statement that is delivered. As I said, these are important matters. Minister Burch has significant responsibilities. We do need to hear from her on these matters, but we really need to uphold the dignity of the Assembly, the integrity of the office and to "stick to the script", so to speak.

**MR CORBELL:** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and

Emergency Services) (3.48), in reply: I thank the Greens for agreeing to suspend standing orders. I would simply make the observation, in response to some of the comments made by other members just now, that ministers are entitled to add to their statements, if they believe it is necessary and appropriate. I find it quite extraordinary that members believe they can censor ministers in what they say in their ministerial statements.

Ms Burch was addressing matters that related to the subject matter of her ministerial statement and, if ministers choose to do that, they are entirely within their rights to do so. I find it petulant in the extreme that Mrs Dunne, because she has not received the apology in the form that she desires, is simply going to act in this childish and wrecking manner. It is pathetic. It is childish. It is unnecessary. Ministers are entitled to make a statement based on the matters that they have responsibility for, and they are also entitled to add to their statement, if they feel so fit. The provision of a statement in advance to members is a courtesy. It is not a binding obligation on the part of the minister to say no more or no less than that. To suggest otherwise really just amounts to a form of censorship. Nevertheless, I thank those who have indicated their support to suspend standing orders to allow Minister Burch to make her statement.

Question put:

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

The Assembly voted—

Ayes 9

Noes 5

Mr Barr	Mr Hargreaves	Mr Doszpot	Mr Seselja
Ms Bresnan	Ms Hunter	Mrs Dunne	Mr Smyth
Ms Burch	Ms Le Couteur	Mr Hanson	
Mr Corbell	Mr Rattenbury		
Ms Gallagher			

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

**MS BURCH** (Brindabella—Minister for Disability, Housing and Community Services, Minister for Children and Young People, Minister for Ageing, Minister for Multicultural Affairs and Minister for Women) (3.53): I thank the Assembly for allowing me to make a ministerial statement, which I will stick to, to the word. And I will table the statement. The statement I am referring to is *Maximising potential: improving life transitions for young people in care*.

I would like to inform the Assembly of the work that my department is undertaking to improve the planning and supports that are in place for young people who transition from care to independence, an important milestone in their lives.

The government is committed to improving services and outcomes for children and young people and has particular responsibility for children and young people who are in care placement. They may be in care with a kinship or foster carer, in a residential

setting, in our youth detention centre at Bimberi or involved with our community youth justice services.

The government is also committed to providing high quality services to this population, and my department works in partnership with community partners, other government agencies and kinship and foster carers on services to plan, support and meet the needs of these vulnerable children and young people as they grow and develop.

While the out-of-home care sector has a number of significant systems in place, national policy developments and community feedback have demonstrated a need for improvements and a realignment of existing service delivery models for young people who transition from care to independent living.

Research shows us that the outcomes for these young people in the early years of their adult life are likely to be poorer than those of their peers. It also tells us that this could be improved through the provision of more suitable support services that are responsive to their needs and will help them to achieve and maximise their potential.

Research also shows us that Aboriginal and Torres Strait Islander children and young people are over-represented in our care and protection and youth justice environments, and it is important that any work progressed has a particular focus on the particular needs of this population.

We have also listened to young people and carers. Feedback from young people, including in consultation undertaken during the development of the ACT young people's plan, and reports from organisations working with this specific group, such as CREATE, provide information on the need to improve services for young people during the periods of transition.

Carers tell us that issues for young people do not stop just because they turn 18 and that they often want to continue to support them into adulthood, but that this can be difficult if no supports are available. A number of community members I have spoken to have also raised the needs of this particular group with me.

This feedback, research and the national focus on the issue have highlighted the need for the government to focus more closely on improving the way services are provided to these young people as they move into adulthood.

Young people transitioning from care as they move into adulthood want what all young people want—they want to establish a good social network of peers, have an education and a career, and dream of having their own living arrangements. To achieve this dream they need to know how to access services and support; they need to have the skills to live independently, become financially independent, and find their own accommodation; and they need the support and skills to meet other requirements of adult life. Many young people in care may need to make these adjustments quickly when they turn 18 if their care arrangements cease.

Of course there are many fantastic carers and kinship carers in the ACT who offer ongoing supports to young people after they turn 18, and we need to recognise them for their great commitment and work. They help make this transition period easier.

For most Canberran families this transitional stage for young people can be an experience of trial and error. Young people will leave home and then come back, then stay at home for a while before they move on to try something else. Many young people want to explore different aspects of being a young adult from a safe and supportive base. They need support and guidance and sometimes what parents call picking up the pieces. Those supports are provided by family, friends and other networks within the young person's life.

Young people transitioning from care may not have the same family or carer supports to help them during this period. This can be a stressful time when relationships with families or carers are tested and can become fractured. There need to be improvements to the systems available to help those young people who do not have a range of suitable support mechanisms. They need more coordinated and integrated supports; people who they trust and who they can talk to about their concerns; and services they feel they can engage with which provide opportunities and options. It is also important that those young people with particular needs, such as those with a disability, receive high-quality supports and services that are customised to meet their individual needs.

The government already provides a number of services to support young people, including those transitioning from care, through the \$8.4 million it allocates to purchasing services from the non-government sector in the youth services and family support programs. Work on ensuring that these programs are most effectively targeted to the current needs within the ACT community is underway with the development of a service delivery framework for funded services working with vulnerable children, young people and their families. Other work relates to the improvement of housing options for young people and measures to reduce youth homelessness in the ACT. These pieces of work link into the continuum of services needed to support young people as they move into independent living.

We are committed to improving services for young people transitioning from care by developing a realigned and integrated system response to support young people as they transition from care. This new model of service delivery will provide flexible options to meet the individual needs of young people while they are in care and when they transition from care.

How will this be done? The first phase of this work has commenced. Earlier in the year a consultant met and discussed with agencies across government the priority of access to particular services that could be provided to meet the needs of these young people. This has resulted in the development of draft protocols for young people during care and transitioning from care which will be finalised as part of this process. These protocols will provide more streamlined and supported access to Centrelink entitlements and ensure that these young people receive specialised individual case management assistance from Centrelink when required.

Draft protocols were also prepared with headspace ACT and the Junction Youth Health Service, for improving young people's abilities to access health and mental health services, a crucial service for young people. Discussions with the Department

of Education and Training and the Canberra Institute of Technology will lead to the finalisation of protocols to improve education and training pathways and support.

My department has also started work on the next phase, which is improving and planning for this transition period in a young person's life. Planning will begin at 15 years of age, and this planning will involve the young person and those people the young person wishes to be involved in this transition planning process.

As part of the process to inform the department and community thinking and planning, I am releasing a discussion paper today, *Maximising potential: improving life transitions for young people in care*. This paper discusses a proposal to develop a revised model of service delivery across government and non-government agencies for young people transitioning from care. The paper outlines the reasons for the need to change and proposes that we undertake to look at the services and supports already available in the government, non-government and general community and map them against the three important stages of transition. These stages are planning and preparation, transition and after care.

The department will ask young people and relevant stakeholders if this model makes sense. They will ask them to think what is needed in each of these stages and identify what services can be realigned or refocused. A consultative strategy will be developed as part of this process. A new model will be based on delivering the right services at the right time for young people. The department will also ask for innovative ideas that will help young people, such as developing community mentors to work with young people and accessing philanthropic organisations to offer supports.

Pivotal to the success of the proposed new model will be ensuring that young people are listened to and that services are integrated and customised to meet young people's needs. Gaps will also be identified. There may be gaps in funding and legislation identified that will be need to be considered. I look forward to learning about the feedback my department receives about this proposed new model. My department acknowledges a need to improve services for young people leaving care and is proposing a revised model to support the government's objectives that meets the needs of this group.

The discussion paper will be forwarded to peak bodies and agencies working within this group and young people for their consideration and comment. I will also be writing to young people in care to seek their views on what is required to meet their needs.

The department will welcome any feedback from young people, kinship and foster carers, Assembly members, community organisations, agencies and the ACT community who may like to make any comment. Following the finalisation of service models, I propose to inform the Assembly of the progress made and the services available to support the transition of young people from care.

The ACT government continues to be committed to providing services for children and young people.

At this point I want to digress from the prepared statement for one minute and acknowledge the work of the ACT Greens in this and their interest in this important area. I do appreciate an informed discussion. This is an important matter indeed. I thank the Assembly for leave to make the statement and I table the following paper:

Maximising potential: Improving life transitions for young people in care—  
Ministerial statement, 19 October 2010.

I move:

That the Assembly take note of the paper.

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (4.05): I am pleased to have the opportunity to be able to respond to the statement today. This is indeed an incredibly important issue and one that the ACT needs to be doing better on. At the moment we are not providing, I believe, the right amount of support for our young people who are transitioning out of the care and protection system.

To that end, as many members in this place would know, a couple of weeks ago I released a discussion paper, *Strengthening our support of young people transitioning out of care: a new framework*. I will be tabling that paper tomorrow here in the Assembly. That was an opportunity to really get out there the issues that are facing young people transitioning out of care.

We have had the CREATE report card 2009, which paints quite a grim picture of the outcomes for many young people—the high rates of homelessness and unemployment, the low rates of education attainment, and also the high rates of interaction with the justice system. These are issues that we really do need to take on board. The paper outlines that in other jurisdictions support is being provided for a longer period of time—up to the ages of 21 or 25 years—and that here in the ACT we need to catch up.

This is an issue that I am very passionate about, having worked in the youth sector for more than 10 years and having had quite a lot of engagement and interaction with organisations supporting young people, many of whom were in the care and protection system, or had been, and also with the young people themselves, many of them incredibly inspiring young people. Of course, over the years, many of them made it quite clear that they felt that they needed far more support than they were able to access.

I followed that up with a forum that was held a couple of weeks ago. That was an opportunity for some important players in this field. They included Annette Kelly-Egerton from Barnardos, Dr Justin Barker, Marion Le and Sue Mannion, covering the kinship care and foster care areas. Dr Morag McArthur, the Director of the Institute of Child Protection Studies, facilitated that event. That was really part of the consultation to try and find a new way forward on this important issue. When I came into the Assembly, that was an issue that I knew I was going to pursue. I am pleased that I was able to get out there on the front foot a few weeks ago.

I very much welcome the government paper. I look forward to reading that paper. I guess there are a couple of things I am a little concerned about that came out in the statement today. They are around the models that the minister was talking about. I suspect that some of this is around the fact that funding for the youth services program and the family support program is being reviewed at the moment; it may well be that this is going to be aligned with providing more support to children who are in the out-of-home care sector, the care and protection system.

This is already happening, of course, but I am a little concerned that what will come out of this is a focus for these programs or for the new revised and amalgamated program to solely focus on this group. I think that would be a mistake. There are many young people, some of whom have not been in the care and protection system or out of home care system, who also deserve the support of those services. We need to be looking at how we can increase the services, not limit them to a certain number of people. I thank the Assembly for the opportunity to speak today.

Question resolved in the affirmative.

## **Economy—employment**

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

**MADAM ASSISTANT SPEAKER** (Mrs Dunne): Mr Speaker has received letters from Ms Bresnan, Mr Coe, Mr Doszpot, Mrs Dunne, Mr Hanson, Mr Hargreaves, 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 Mr Hargreaves be submitted to the Assembly, namely:

The importance of a strong local economy to support local jobs.

**MR HARGREAVES** (Brindabella) (4.10): Before I start, I offer my condolences to Mr Coe. Madam Assistant Speaker, the Stanhope Labor government is committed to providing opportunities for Canberrans—the opportunity to live in a sustainable, fair, safe environment city, to participate in lifelong learning, to create, to be healthy and active, to share the benefits of an inclusive community.

This Labor government is committed to ensuring that Canberrans have the opportunity to do business, invest in new ideas and build partnerships and prosperity. Perhaps the greatest opportunity we can provide, an opportunity that is an absolute priority for this Labor government, is the opportunity to participate in a strong and dynamic employment market—job opportunities—and to protect and sustain those opportunities, particularly when faced with potentially catastrophic events, like the global financial crisis.

A stable job is the foundation, a precondition even, of so many other opportunities for Canberrans. It provides the income to support our families and sustain our community. It provides a sense of identity, purpose and inclusion, which support the wellbeing of individuals and society, and the goods and services that support our material welfare.

This Labor government is committed to supporting a strong local economy and local jobs and has a sound economic framework to support this commitment.

Let us look at capital development. In support of local jobs, the government released in September 2008 its strategy to build a stronger, more dynamic and sustainable economy for the ACT—capital development towards our second century. It is a high-level strategic framework which sets enduring objectives and themes to guide the government's economic policies. The foundation of this strategy is the government's ongoing commitment to responsible financial management, appropriate regulation and sustainable development. These policies help create the macro-economic conditions to support business and consumer confidence in the ACT economy and ensure that the economy can achieve sustained growth and development.

Building on this foundation, three strategic themes guide the government's economic policies: investing in people to increase the capacity and flexibility of the economy; encouraging business and innovation to help foster a more creative, competitive and dynamic business sector; and building infrastructure and planning for the future to support and coordinate economic activity.

These strategic themes are supported by more detailed strategies and action plans, including the ACT government infrastructure plan, our skills strategy, and a range of business development programs. Capital development also reaffirms our commitment to working strategically with our region to increase economic and job opportunities.

The ACT is the heart of a dynamic and growing region. As the largest city in the Australian capital region, Canberra is its economic centre. It is by far the main employment and services centre. The ACT provides many services and opportunities for residents in south-east New South Wales and, in turn, the region provides Canberra with other services, contributes significantly to our lifestyle pursuits and helps drive local economic and job opportunities.

There are strong employment links between the ACT and surrounding region. According to the 2006 census, of the 22,500 non-residents travelling to the ACT each day for work, 19,230 of them were Australian capital region residents. This represents about 10 per cent of the ACT's workforce. Some 17,500 are from the ACT's commuter belt, including Queanbeyan, with 11,700 from Jerrabomberra and the semi-rural areas surrounding Canberra.

Given the extensive links throughout the Australian capital region, there are clear opportunities for all governments of the region to work more closely to develop the region's economic strength and help create more local job opportunities. Indeed, there is still work to be done.

The ACT is a strong supporter of regional engagement and has supported a number of initiatives and partnerships to help secure the economic growth and development of the ACT and region. These include the regional leaders forum, the ACT's Regional Development Australia committee and a regional management framework agreement with New South Wales.

The ACT government will continue to pursue a cooperative approach with the New South Wales government and surrounding local government areas on planning, economic growth and development, services and infrastructure and environmental matters, recognising that this is important for local jobs and economic opportunities.

Let us now focus on business development. The ACT government also actively supports private sector development in the ACT through a range of targeted and well-conceived programs. These programs help small companies at important stages in their development. They support businesses as they grow and employ more Canberrans.

This Labor government's commitment is well demonstrated through its initiatives. Let me remind those opposite of a few of them. The Canberra BusinessPoint small business advisory service delivered training to around 500 small business owners in 2009-10, engaged around 800 people in information and advisory events through the year and had 4,700 contacts through its e-learning programs.

Focused mentoring and advisory services for growth-oriented businesses are an important way to accelerate their development and their economic contribution to the territory's economy. Canberra BusinessPoint provides guidance and support for business start-ups. It facilitates links and opens lines of communication for established businesses and service providers. Guidance, support and access to resources are key components, as are support with finance, accounting and taxation obligations, business structures, intellectual property, managing relationships and alliances, insurance and liability, record keeping, capital raising and even succession and exit strategies.

The ACT Business Licence Information Service is a free online resource providing comprehensive access and information on the range of business licences, registrations, permits and approvals required when setting up a business in Canberra. Clients can readily search and explore the range of business requirements and obligations applicable to their situation and access levels of information pertinent to their needs.

The Lighthouse Business Innovation Centre works closely with early-stage creative technology businesses to shape and improve their business model and business systems. Part of the ACT's innovation pipeline, Lighthouse works with businesses to focus on the critical competencies and resources needed to make any business run efficiently and effectively.

Innovation Connect is a competitive grants program that provides funding for small technology-focused companies and entrepreneurs. Grants range from \$5,000 to \$25,000 to match applicant funding. This initiative facilitates innovation by focusing on ideas at the early and first stages of commercialisation. To date, 61 applications have been funded with approximately \$1.03 million committed in grant support.

Other resources include CollabIT, aimed at connecting local small and medium businesses to larger ICT companies. The program helps business grow through collaboration and participation in larger procurement projects. The government also

supports the ACT Exporters Network and the ACT Chief Minister's export awards, providing private sector leadership for export-related activities.

This Labor government acknowledges that the ACT needs skilled workers to support a strong and dynamic local economy. In the 2008-09 budget, the government announced a suite of measures to tackle skills shortages in the ACT aimed at helping us attract quality workers, increase productivity, heighten participation and create more opportunities for education and training. The 2008-09 budget provided \$36.6 million over four years in recurrent funding and \$14.3 million in capital funding for skills, a total of almost \$51 million over four years.

Additional funding was provided in 2010-11 to augment the skills response and enhance collaborative approaches to skills and future workforce issues. The skilled and business migration program focuses on providing benefits to Canberra through increasing investment, skilled labour resources and knowledge capital. The 2010-11 budget also includes \$1.8 million to support Canberra's growing digital media, film and television production industry through the ACT film industry fund.

In response to the global financial crisis, the commonwealth government, as part of the nation building economic stimulus plan and jobs plan, invested over \$330 million in the ACT. These funds have been directed to work in schools, social housing, community infrastructure, road safety improvements, road upgrades, cycle paths and heritage properties. As well as providing much-needed facilities, this investment has secured jobs for many Canberrans at a time of great economic uncertainty. In addition, one of the stimulus plan requirements was for the employment of an average of 10 per cent of apprentices and trainees on projects funded under the plan, and also encouragement to increase the employment of Indigenous workers. The ACT has consistently performed in accordance with this target for apprentices and trainees, and in excess of 50 Indigenous workers have been employed.

A growing city needs more land for housing and business and to support its community. The government has a comprehensive and long-term land supply and release strategy in place to meet current demand for housing, respond to changing needs and support a strong economy. The 2010-11 budget provides \$8 million over four years to increase the supply of land ready for release in the ACT. Funding of \$3.6 million over four years has been provided to accelerate land development, with an additional \$1.7 million provided for coordination of the capital program to support the land release program.

Construction activity in the ACT continues to drive local employment growth. Almost \$7.2 billion worth of construction activity is currently underway in the region, supporting around 13,000 jobs. Right across the ACT, our community is benefiting from capital improvements to our hospitals and schools, safer roads, and more affordable housing. The construction and building industry is vital to the ongoing economic development of Canberra and the region. The industry creates long-term employment and has a flow-on effect in many areas of the economy.

The vibrancy and diversity of our local construction sector is highlighted in the ACT government's Canberra construction snapshot, which is prepared and released by the

Department of Land and Property Services. The third edition was released last month and continues to be an important tool in promoting the ACT and region as an investment location by providing up-to-date information on continuing and planned capital works and construction activities. The construction and building industry is vital to the ongoing economic development of Canberra and the region. The industry creates long-term employment and has a flow-on effect in many areas of the economy.

It is also pleasing to see that employer confidence in the ACT recently reached its highest levels since March 2008. A new report from the consultancy firm Hudson reveals a third of ACT employers plan to increase staff levels over the next quarter.

This government has delivered an unprecedented level of infrastructure investment in 2009-10. It has delivered a preliminary outcome of \$580 million in capital investment over the past financial year, almost double the previous record. The capital program is all about delivering valuable community assets for the people of the ACT and improving the infrastructure we rely on to deliver a wide range of services to our community.

Our investment in infrastructure supports the territory's growth and jobs and increases the productive capacity of our economy. This was particularly important during 2009-10 as we continued to recover from the global financial crisis and experienced ongoing uncertainty in the economic environment. The government's unprecedented infrastructure investment provided confidence to industry at this critical time, supporting jobs and economic activity. It is important to acknowledge the benefits of economic growth for our community. This growth supports local jobs and provides vital income streams for Canberrans, and it sustains our vibrant city.

The ACT has the lowest unemployment rate in the country at three per cent. More Canberrans are also able to benefit from employment with the second highest participation rate in Australia. Canberrans also benefit from higher incomes. Average weekly ordinary time earnings rose to \$1,469 in May 2010, well above the national figure of \$1,256. There was a seven per cent increase in the year to 30 May 2010. There is no denying that a strong and stable economy is essential for the welfare of our community.

As the national capital and the seat of the federal parliament, it is natural that the public service, particularly the commonwealth public service, will form a significant component of the economy. Under the economic stewardship of this Labor government, the ACT economy was protected from the worst of the global financial crisis, and the gross state product growth result for 2008-09 of 1.4 per cent reflects this. But the national government's presence in the ACT is not just about public sector employment. There is a large and dynamic private sector which services the needs of both government and its employees. I have already mentioned this government's investment in this sector.

Moreover, the employment in both the public and private sectors is a major factor in supporting the housing market and the construction industry, with the ACT enjoying the strongest housing market in the country. The housing market activity has been resilient during the economic downturn, supported by the federal government's

first-home owners boost initiative, the relatively low interest rate environment and strong population growth.

Canberra has the best home loan affordability in Australia. The ACT's healthy economy, with an unemployment rate which is the lowest in the country and household incomes outstripping all other states and the Northern Territory has continued to support growth in house prices. Many statistical and financial indices show that buying a home in the ACT is still affordable for the majority of Canberrans, given the ACT's high median household income. The outlook for the local housing industry is positive, reflecting a strong demand and continuing a high level of housing affordability in the ACT.

**MR SMYTH** (Brindabella) (4.25): I would have thought that Mr Hargreaves, given his interest in these matters, would have stood up and immediately told us that he is now interested in the sustainability industries because, as you would recall, Madam Assistant Speaker, it was Mr Hargreaves who said he did not know what they were and he did not care. That was Mr Hargreaves's approach. It was interesting to have Mr Hargreaves stand and read somebody else's speech, which really was just a list of the things we have done—inputs again—without actually telling the people of the ACT what the outcome was. You can rattle off a number of measures in this regard. You can take all the credit that you want but, at the end of the day, what we have seen in the ACT since the Stanhope government came to office is a decline in private sector employment in the ACT.

**Ms Gallagher:** Not true.

**MR SMYTH:** Ms Gallagher, the Treasurer, says it is not true. The latest stats as of 30 June 2009 say that there was 49 per cent public employment and 51 per cent private employment. In 2001-02, it was 41 per cent and 59 per cent. So it has changed. To say it is not true is just wrong. We know that this minister is often wrong on these matters. It is glib and it is easy to say it's not true but the reality is that it has changed.

If you go to the official statistics, you will find that the percentage of private sector employment has declined. Why is that? It has declined because of the lack of leadership of people like Jon Stanhope and Katy Gallagher. Indeed, people like Ted Quinlan—and people know that Ted and I did not always agree, but at least Ted did try. One can only imagine his exasperation. We can see what it led to when he left this place. We know that he could not control his colleagues. We know that because of FOIs of the government's activities. There are letters. I recall one matter where Mr Quinlan said, "Yes, you can spend the current money that you have." It was a letter to Mr Wood at the time. I think he had Urban Services, Mr Hargreaves. He said: "Yes, you can spend within your budget, but there is no more money. This spending cannot continue." But the spending did continue. That is why we have deficits and that is why we have the prospect of large borrowings into the future.

It is interesting to go back. After all the whining and the lamenting from the government—I have said it here before and I am going to say it again—we had the summary from Mr Stanhope which was, "Yes, I lament the lack of a broader economic base." But what did they do about it? They did absolutely nothing. I waited

for 15 minutes to hear Mr Hargreaves say what they had done, how they had broadened the economic base, but there was not a mention.

We know what they did. In 2006 it was to kill the programs, cut the funding to business support in the main and do the same to tourism—kill the programs, cut the funding and drag tourism back into the bureaucracy where it is rattled from department to department, lacking leadership from its various ministers and lacking direction. That is a failure to diversify the local economy and to make it stronger. That is a failing of this government.

As to the lament of the lack of an economic base, what did Ms Gallagher say when she was asked about it in this place? She said: “You cannot wind yourself off federal spending. That is all we’ve got. That is all we are ever going to be.” Let me repeat it: “You just cannot wind yourself off the federal spending. That is all we’ve got. That is all we are ever going to be.”

So there is no commitment to diversifying the economic base. There is no commitment to a strong local economy. According to the Treasurer and the would-be Chief Minister, we just hang off the fence: as long as the fence keeps spending then we will be okay. That is your strategy for the future. If that is how you think we have a strong local economy then you are fooling yourself.

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, about changing the proportion in any significant way of public sector and private sector, “I cannot do it; I am not even going to try.” That is the commitment to—

**Ms Gallagher:** Where’s that from?

**MR SMYTH:** From April last year. You should keep track of your words. That is the commitment in this place from the would-be Chief Minister. It is great that Mr Hargreaves brought forward the importance of a strong local economy to support local jobs. What the economy does not get from this government is the support that it needs, the attention that it deserves and the leadership that it craves.

**Ms Gallagher:** The strongest performing economy in the country.

**MR SMYTH:** The minister will get her chance. I am sure she will rattle off an endless set of statistics. They reflect very much the position that they were left and they reflect very much the fact that the ACT often outperforms the rest of the country. But the potential that we have here, what we could do in terms of securing the economic base and getting more revenue for the essential programs that we would all like to see—that is, spending on health, spending on education and on areas of need—is the question for this government.

Mr Hargreaves raised their answer, which is “towards our second century”, which looks at some of the economics. He said it is a high-level plan. He is dead right: it is a very high-level plan. It is supposedly supported by a series of under-plans, one of which is the skills plan from the Skills Commission. That sort of activity has been there for several years now, but we are still not seeing an end to the shortage of skilled staff.

This government talks a lot about skills, but you have to question whether its activity over the last nine years has led to a stronger skills base. If you talk to the employer groups and to employers, they are still desperate for trained staff. In many ways they are the limiting sum on a strong economic base, a strong local economy. Again, this government talks about inputs and all the things we do, but when you look at the outcomes, the delivery is sorely lacking.

I would almost bet that we will not hear from the minister about the outcomes. We will get the same sort of rhetoric about “these are the statistics”, but go underneath those and have a look at them. Give Ted Quinlan his due as Treasurer and economic development minister in his economic white paper. It had 49 recommendations, it had nine key areas of growth and it had targets in it. “Towards our second century”, by comparison, is simply fairy floss. There is nothing in it. Ted at least had the courage to say that what he was saying was basic; it was a statement of the bleeding obvious. His government abandoned him and abandoned the economic white paper because it was too hard and they did not have the commitment to make it occur.

What have we seen from this government with regard to the economy? We have seen cuts to key areas, we have seen a failure to show leadership and we have seen opportunities lost, delayed or ignored. I will go to the convention centre. Ted Quinlan said at the Tourism Industry Council dinner in December 2001 that by December 2002, the following year, he would announce the location of the new convention centre.

Convention centres are not just the boxes that people used to build. Convention centres are the meeting places of this century. They are the places where ideas are exchanged, where business is done and where you very much stake your place in the world by the level of activity that you bring to your city. We do very well. Full marks to the convention bureau and the PCOs and the other people involved in those industries and everybody that works to bring business events. These events are not about tourism. They are business events. This is a critical part of a strong local economy. But nine years after Mr Quinlan made that statement, they are still waiting for the location of the new convention centre. This is just one indication of the failure of this government to actually act and deliver something.

There is a process in place. It is a process being driven by the business community, headed up by the Canberra Business Council, and I salute them. I thank the government for the \$250,000 contribution they made. But this level of planning everywhere else around the world and every other city around Australia is done by the government. Because of their disinterest, because of their lack of leadership, because of their lack of commitment and because of their failure to understand that convention

centres are basic infrastructure, we do not have a convention centre commensurate with our place as the nation's capital.

**Mr Hanson:** Shame!

**MR SMYTH:** That is a shame and it has seen business go begging. There is a net loss of business from the ACT because certain government conferences cannot be held here because we do not have a facility. We put our position on the table in 2000 and stimulated this debate. The convention bureau is keen to see this happen. The Business Council are doing their bit as well. It is important that we get on with the job of providing the things that are essential for a strong economic base and a strong local economy into the future. The infrastructure in this regard is not being provided by this government.

Indeed, we have the whole problem of who is actually in charge of this area. Mr Barr in estimates basically said, "That is a private sector thing; let the private sector do it." It falls into the Chief Minister's portfolio of economic development. The Treasury has input because it is vital infrastructure. Again, the administrative arrangements that this government has lets down the community, the people of the ACT, because as a community we do not get the infrastructure we need. Let business go and do business. That is their job. It is the role of government to provide the infrastructure, the critical infrastructure, to ensure that they can do it, and we are not getting it.

We saw it at the airport. The airport ran the projects to deliver the road infrastructure to allow the airport to function because the Minister for Urban Services at the time was incapable of delivering that infrastructure. That is a great project, on time and on budget. It is ahead of time, ahead of budget, and it is delivered for the people of the ACT because the government could not, would not and did not do it. That is the problem. These are the things that hold back a strong local economy.

We saw the disaster that is Gungahlin Drive, and we have all seen the reports. We could rattle off the litany of wasted expenditure that could have gone into providing further infrastructure to allow business to get on with what it does—to enhance the role of the ACT public service and to assist the role of the federal public service—but we do not get that leadership and we do not have the plans. There are lots of plans. There are too many plans in many cases because the government's answer to everything is to drop another plan or have another review or another strategy. But if you go back and you track it through, what happens in the main is very little that contributes to a strong local economy.

I guess it is a good thing that we had initially 11 years of economic sunshine courtesy of the Howard government. Let's face it, the foundation of the strong economic foundation that we have now is in the reforms of the Hawke-Keating years. Well done to Prime Minister Keating in particular with some of his economic reform at the time, but even more credit to Costello and Howard in what they did to pay off the debt and deliver surpluses so that we can build the country a future and provide the economic services that people deserve.

What have we got? We have got deficits for years to come and the prospect of additional borrowing, but we have no attempt at all to diversify the economic base and

no attempt at all to strengthen the local economy even more. Let us look at the opportunities. I have spoken about the convention industry. Let us talk about tourism. We have got three or four ministers who potentially could have answered the media's request to talk about the report on festivals. Mr Barr did not want to do it. Apparently Mr Barr never faces the media whenever there is a hard issue or there is something wrong; he flicks that to somebody else. They put up Ms Gallagher as the acting Chief Minister, so she copped this one—a report that says there is so much wrong with the way we deliver our festivals and our events.

I asked the minister in estimates whether he had an event strategy and the answer was, no, he did not. "Do you have a blockbuster strategy?" "No, but we've got a policy." "Did you have an accommodation strategy?" "No, I've got a list of sites." "Did you have an attraction strategy?" "No, that's the federal government's role." That is the problem with Mr Barr. You cannot trust him with a portfolio because he does not have an answer and he does not show leadership. When he is not interested, those portfolios suffer, and they suffer dramatically. Tourism has enormous potential for this city. If you want a strong local economy, support the things that we are good at. We have something that the rest of this country does not have—our federal cultural icons. No-one else has those. You can see the investment of the former Howard government in the recent opening of the National Gallery, particularly the new galleries devoted to Indigenous art. It is sensational. Let us back that up and make it happen.

We are still waiting for the detail of Mr Barr's new autumn event. Apparently the details are coming. They are always coming because they do not have any ideas. The blockbuster that was the masterpieces fell into their lap. What we need is a coherent plan, but then what we need is action. What we do not have is action from this government to deliver a strong, vibrant economy. (*Time expired.*)

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (4.40): We have discussed very similar MPIs in the recent past, and economic prosperity will, of course, be a pressing issue for any community. A strong local economy is an essential part of our local prosperity. A strong economy provides opportunities for all members of the community to make a contribution and provide for themselves and their families. On this we all agree. The challenge for us, as community representatives, is to provide options and initiatives to maintain our position as a strong economy and to support local jobs, as we transition to a low emission, green economy.

We all know that significant changes will have to take place, if we are to become a sustainable local economy that provides jobs that make a positive contribution to our community. All the traditional measures suggest that our economy is performing very well. The real challenge for us is to maintain that prosperity into the future.

For the purposes of today's discussion I would like to focus on how we create sustainable, green jobs in order to ensure the ongoing strength of our economy. I would like to quote the opening paragraph of the ACTU report entitled *Green gold rush: how ambitious environmental policy can make Australia a leader in the global race for green jobs*. It says:

In this time of economic uncertainty, one of the few good news stories is the continued prospects for the growth of green industries. Strong action on climate change will promote green jobs and green businesses and help secure Australia's economic prosperity.

The ACT is arguably Australia's leading jurisdiction when it comes to the provision of education. Not only does education directly generate jobs, it gives us the capacity to generate green jobs second to none. Jobs in new industries will, of course, involve learning new skills. Equally, the transition of current industries to new, more sustainable practices will involve significant upskilling for many in our community.

We are a knowledge-based economy and we should be investing in our strengths. Improvements to our IT infrastructure and capacity are in the ACT's economic interests and will allow us to participate in the knowledge economy and capitalise on our educational resources. I should reiterate 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.

There are tremendous opportunities for new initiatives and economic creativity. The most notable current example of a new initiative to diversify the ACT economy—and Mr Smyth has just spent some time talking about the importance of diversifying the ACT economy—is the feed-in tariff. I think it is very unfortunate that some in the Assembly appear not to be able to see past some of the superficial figures that do not offer any qualitative evaluation. We need to ask them what value they place on all the jobs that have been created installing solar panels. What value do they place on the fact that the feed-in tariff offers us an electricity supply at a set price for 20 years? It is simply not conceivable that coal-fired power will cost less than the current premium price in 20 years time. What value do they place on all the research and development that will go into solar energy generation as a result of the market that has been created for the product by the feed-in tariff?

Initiatives like the feed-in tariff form an important part of how we respond to climate change. The world over, feed-in tariffs have been the single most effective driver of renewable energy generation. This will be just one part of a range of initiatives that will need to be implemented to achieve the necessary emissions reduction and economic change.

One other necessary change will be a shift to a more effective public transport system that helps to connect people and communities and contributes to the Canberra economy. My colleague Ms Bresnan has spoken often about the benefits that public transport brings to the ACT. She has been a passionate and strong advocate for building a world-class public transport system here in Canberra. She has spoken of the role of ACTION in facilitating social inclusion, combating congestion and reducing transport emissions. However, it is the economic benefits of public transport that are most relevant for today's discussion.

Building a fast, frequent and reliable public transport system is a valuable investment in the Canberra economy. It allows families to make the economic decision to

minimise car use, with all the expenses that car use entails. An average medium-sized car's whole of life costs, calculated on a weekly basis, are around \$150, and that is before parking costs. This is a huge strain on weekly household budgets. Creating a society which, through inadequate investment in public transport, compels families to own multiple cars is a strain on families. Building a public transport system that works effectively returns money to Canberra families, and that can then be spent in our shops, our communities and our businesses. This builds successful local economies that create local jobs, rather than giving more money to multinational companies such as oil companies—money which is then lost from the ACT economy.

We heard in the earlier debate about climate change that the Canberra Liberals fear that the family car will be an added cost burden under any strategy to combat climate change. They are concerned about added fuel costs or other transport cost measures. However, we should all recall that, prior to the global financial crisis, most economists were predicting fuel prices of upwards of \$2.50 per litre, and the invisible hand of expanding demand and dwindling supply will drive up costs. Under-investment in a cheap, effective public transport alternative will lead the families that the opposition leader is so concerned about to lose more and more money to international oil companies, and spend less and less in local shops. Of course, this blind reliance on a misguided ideal of a multiple car household remaining affordable—if you call the current \$300 a week affordable—sabotages the economic aspirations of Canberran families. In this context, building an affordable transport system for all is crucial in building economically and environmentally sustainable local communities.

We must also remember the practical aspects of public transport in the local economy. As many small business owners will tell you, foot traffic is crucial to driving sales and building small business success. As the small business owners located in places like Mawson, Kippax and Calwell will tell you, public transport infrastructure like park-and-ride facilities encourage higher customer levels, as mums and dads pop into the shops for bread and milk or for a coffee on their way to work or on their way home.

Earlier this year the ACT government adopted social tendering. This is something the Greens have been pushing for for years, and we are very pleased that this commitment has been made. There can be no doubt that government expenditure is a vital part of our economy. Of course, this primarily comes from the commonwealth government, but the difference and contribution that ACT government expenditure makes to the ACT economy should not be overlooked. Social tendering and the social outcomes that can be achieved from targeted and well-considered government expenditure can make a real difference to small enterprises that deliver positive social outcomes. Small initiatives like employing public housing tenants in undertaking cleaning and maintenance of Housing ACT properties, as has been done successfully in New South Wales—another example of a small social enterprise initiative—can create local jobs.

As I have said many times before, we need businesses and infrastructure to deliver 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. We know that we can do this, that

it is in our economic interest to do so and that just about every sector of our economy wants this to occur. It will create jobs and ultimately make the ACT more environmentally and economically sustainable.

As I said at the outset of my speech, our economy is doing well and our level of unemployment is lower than the national average. I think that we are at a point now where the majority of the community understands that a low emission, green economy is the most appropriate and prosperous way forward for the ACT. I thank you, Mr Assistant Speaker, for bringing on this MPI topic today.

**MS GALLAGHER** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations) (4.50): I join with Ms Hunter in thanking you, Mr Assistant Speaker, for today bringing on this MPI about the importance of a strong local economy to support local jobs. I welcome the opportunity to outline the government's ongoing commitment to supporting local jobs by maintaining a strong and dynamic ACT economy. I know Mr Smyth cannot wait for this speech.

**Mr Smyth:** I am hanging off every word: you always say something I can use later.

**MS GALLAGHER:** That is good, Mr Smyth. I am glad I keep you entertained. The government's commitment to maintaining and building new high-quality infrastructure has been critical to this goal. We understand the importance of high-quality infrastructure as it expands the productive capacity of the economy.

It also attracts new investment and provides more employment and more business opportunities. It helps us to be more prosperous and it provides for the health, learning and amenity of ACT citizens. In short, high-quality infrastructure helps make Canberra a great place to live, work and do business. Not only does the government recognise the critical role of infrastructure; more importantly, we have acted strongly in this area.

This government's achievements in planning, investing in and maintaining the ACT's infrastructure are substantial. Importantly, this infrastructure investment has played a direct role in maintaining the strength of the ACT economy. This is evidenced through recent data from the ABS.

The data shows that the ACT economy's state final demand growth was above trend at 7.8 per cent in 2009-10. Data from the ABS clearly shows that the ACT economy's outstanding performance is a direct consequence of both the federal and the ACT government's stimulus initiatives. Public demand, both in consumption and in investment, contributed significantly to state final demand growth in 2009-10, with government investment being the main contributor to growth throughout the financial year. The combined ACT and commonwealth government public investment in infrastructure increased by 42.8 per cent in 2009-10.

Since coming to office this government has invested massively in infrastructure, to support jobs and our local economy, with record-breaking capital works delivered over recent years. Our annual capital works expenditure more than doubled from around \$110 million in 2001-02 to \$296 million in 2008-09. During this period, government investment as a share of the total economy also doubled.

In the 2008-09 budget, the government provided a record \$1 billion for the five-year building the future infrastructure program, which focused on establishing a health system to serve the needs of the future, improving the transport system, meeting the challenges of climate change, improving urban amenity, investing in public service infrastructure and providing for the growth of the city and its economy. This program was boosted with an additional \$685 million in 2009-10, with \$306 million funded by the commonwealth.

Additionally, the total 2009-10 budget capacity allocated to capital investment is just over \$2 billion over the next four years. This is an ambitious four-year program with unprecedented commitments to territory infrastructure. These commitments take a long-term focus in providing confidence and stability for industry to support jobs in the short term. They will increase the territory's asset base by more than 20 per cent and boost the productive capacity of the economy in the longer term. Given conservative estimates that \$1 million of capital expenditure supports an average of around three jobs in the construction and associated industries, the government's investments could support more than 2,000 jobs in the ACT economy.

The government has given particular focus to young people, to ensure that they do not suffer as a result of the long-term consequences of the financial downturn. Some examples of our support for a range of initiatives and infrastructure investment to help build the productive capacity of the workforce include: the delivery of up to 10,000 additional training places for existing workers and job seekers, through the COAG productivity places program; the expansion of the CIT scholarship program, helping around 1,000 students per annum with materials and fees in courses in areas of skill shortage, at a cost of \$1.4 million over four years; and providing almost \$10 million over four years to increase the number of school-based apprenticeships, with up to 100 new apprenticeships supported each year through the established group training arrangements. Students in this program can achieve a nationally recognised vocational qualification and are engaged in paid work, training and formal study as part of their year 12 certificate.

We are providing a further \$9.9 million over four years for the construction of a new purpose-built facility for electrotechnology training at the Fyshwick trade skills centre. This facility will focus on green technologies and industry partnerships, and will provide up-to-date training and equipment to ACT students. We are supporting ACT apprentices at risk of losing their job through a new service to help them stay at work and continue their studies.

Another important contribution we made to the local economy was to ensure strong local employment was part of the local initiatives package presented to the Assembly as Appropriation Bill No 3. This package included a very modest, but essential, spend of \$25 million worth of works to be delivered over two years. That contained a wide variety of works, targeted at areas where there was emerging capacity in the building and construction industry. The package was developed to respond in a timely manner to concerns that were identified within the building and construction industry and communicated to government through a series of roundtable meetings, and it was in addition to the significant work the government had announced and funded in the budget.

The local initiatives packages also complemented the additional work which was announced by the federal government in its nation building and jobs plan. That package, of which the territory gets a \$350 million share, had a very positive impact on this city, both in terms of the additional or upgraded facilities that it will provide and in terms of the jobs that it supported.

Given the unprecedented global economic and financial conditions, the immediate priority in response for the government was to support economic activity and jobs in the ACT. As I mentioned earlier, the ACT government made a strong commitment to investing in health infrastructure to support our economy, job growth and the provision of high-quality services.

Over recent years the government has invested around \$500 million in the implementation of the capital asset development plan for health infrastructure. This plan is central to the achievement of many of the health priorities in *The Canberra plan: towards our second century*. The capital asset development plan contributes to the broader social and economic objectives in the Canberra plan, by providing a stimulus to the local building industry and contributing to the revitalisation of town centres across the territory in the form of new and expanded community health centres.

This investment in health infrastructure is also central to the health components of the ACT government's infrastructure plan, which sets out the broad elements of the capital asset development plan as priorities for government over the next 10 years. The government committed \$300 million over four years towards the capital asset development plan in the 2008-09 budget. New announcements in the 2009-10 budget, valued at \$148 million, related to e-health, the Belconnen enhanced community health centre, and the walk-in centre. Furthermore, we expanded on our commitment in the 2010-11 budget, through an additional \$33.1 million, including \$14 million towards a significant expansion of the Tuggeranong community health centre and \$15 million towards the extension of the clinical services reserve.

The 2010-11 budget also identified \$28 million for the commonwealth funded capital region cancer service centre. There have also been specific commitments towards local jobs in the health sector, through our support for GPs and increased numbers of nursing staff, more GP training scholarships, the successful lobbying for the pre-vocational general practice placements program—and, indeed, we also funded some extra professional development for allied health professionals, doctors, nurses, and assistants; they are well advanced. Additionally, eight new speech therapists have commenced with Therapy ACT and, in response to increasing demand for obstetrics and gynaecology services, we have also provided significant new resources in that area.

We have continued our efforts in working collaboratively with academic institutions, with a large number of student placements, covering a broad range of the health professions. Across government, we are working with our partners in the non-government sector and in the industry, to keep our eye on the main game, which is to make sure that our economy performs strongly.

Despite what Mr Smyth will have you believe if you listen to his speech today, we have the strongest performing economy in the country. I am not saying that that does not come without some risk, because there is only one place when you are number one, but this government's focus has always been on supporting jobs, making sure the environment is right for business and not picking winners but creating the right business environment. I do not think you can say that, after nine years of being in government, all of that is down to the Howard government. If you do, I beg to differ. I think the federal government does have influence, but I have to say that I do not think we would have such a strong economy in place in the ACT if the measures that this government has introduced over the last nine years were not working.

**MR ASSISTANT SPEAKER** (Mr Hargreaves): The discussion is concluded.

### **Climate Change and Greenhouse Gas Reduction Bill 2010**

[Cognate bill:

Climate Change (Greenhouse Gas Emission Targets) Bill 2008 (No 2)]

Debate resumed.

**MS LE COUTEUR** (Molonglo) (5.01): I rise today to speak in support of the Climate Change and Greenhouse Gas Reduction Bill 2010. This target of 40 per cent reduction in greenhouse gas emissions on 1990 levels by the year 2020 is of course a top priority for the ACT Greens. We made the introduction of a legislated target the number one policy item in our parliamentary agreement with the Labor Party. And I am delighted we are going to pass that legislation today.

**Mr Smyth:** No.

**MS LE COUTEUR:** I guess I should say that I am hopeful that we will pass this legislation today. I am also conscious of the need to keep working on it so that we do more than pass legislation, we start a process to change the ACT so that we achieve the goal of this legislation.

As I said in my maiden speech to the Assembly in 2008, the main reason I stood for the Greens was the issue of climate change. Two years later I am even more concerned. World greenhouse gas emissions are going up, not down. It is the goal of me and all my Green colleagues to be part of changing how the world works so that we do face up to climate change. Business as usual will no longer work.

The Greens are working on change. Already in our short time in the Assembly, we have been driving changes in areas such as solar orientation, solar hot-water, sustainable transport, ethical investment, renewable energy, waste and recycling. All of these actions address climate change issues across the spectrum of portfolios. We are continuing this agenda, with the goal of ensuring that the ACT does its part so that, even in the absence of national leadership, the ACT meets the climate change obligations of all governments and all citizens of our one world.

There is simply no getting away from the reality that we must respond to climate change. And we need to do it in ways that are equitable so that the impact of climate

change does not fall more heavily on the less fortunate members of our community. Climate change is a human problem, created by humans, affected humans, and it will be solved by humans, by us. We need to solve it with compassion and kindness as well as technology, skill and some great ideas.

I am sure we all have heard the dire predictions that are in store for us and for the planet's climate if we fail to respond to climate change. I referred to some of these changes in my maiden speech, to the global warming we have already experienced and the warming that is already locked in for the future. Each day the picture becomes clearer as there is more scientific evidence.

I will look in this speech at just one consequence of climate change, extreme weather. This is very disturbing. So far in 2010, 18 countries have broken their top temperature records. This is the most ever for a single year. In India, the heavy rainfall from monsoons has doubled in just the last 50 years. In May this year, Pakistan reached a temperature of 53.5° Celsius. This is the hottest temperature ever reliably recorded in Asia.

Arctic sea ice is at its third lowest extent on record and is declining fast. There is virtually none of the oldest ice remaining in the Arctic, that is, ice that is five years or older. David Barber, an arctic climatologist, recently declared that the changes in the Arctic are now irreversible and, as he put it, this is a very big change for the entire planet.

But these changes are not just happening somewhere else. Australia is one of the countries whose climate will be most impacted. We are of course very fortunate to be a wealthy country, which will put us in a better position than most countries to mitigate and to adapt. And mitigate and adapt is what we need to do now.

These changes are already impacting on human beings. This year in Pakistan extreme flooding left 20 million people homeless and, worse than homeless, they have lost for at least a season the agricultural land that they depend on for food. A paper published in the journal *Science* this year estimated that climate change will threaten the food security of approximately 60 million people in Asia by the year 2050.

Closer to home, we are currently struggling with the human impact of extreme events such as the Gippsland bushfires and the prolonged drought in south-eastern Australia.

As my colleague Mr Rattenbury said, there is a moral imperative to act on climate change. We know that every minute we delay will amplify the negative impacts of climate change in the future, making it harder for our children and grandchildren to address. This is why the 2020 target is so important. We need strong short and medium-term targets.

Like my fellow Greens and the ACT community, I am proud and pleased that the government has agreed to the target of 40 per cent. It is the target recommended by the Standing Committee on Climate Change, Energy and Water and by the ACT Greens. It would be wrong for us to set a target any lower than 40 per cent, despite the alternatives that Mr Seselja and the Liberal Party are trying to push today. The science is clear. Thirty per cent will not be enough.

Dr Hansen, one of the world's leading scientists on climate issues, said:

I am sorry to say that most of what politicians are doing on the climate change front is green washing—their proposals sound good but they are deceiving you and themselves at the same time. Politicians think that if matters look difficult, compromise is a good approach. Unfortunately, nature and the laws of physics cannot compromise—they are what they are.

And we have to deal with this.

Reaching our target of a 40 per cent reduction will, however, bring positive changes to our quality of life—cleaner air and water, a closer community and growing new green industries. And we can see it now. Using solar hot-water systems for water heating or passive solar design for houses saves their owners money over time. Walking, riding a bike or taking the bus saves money as well as giving us the exercise that most of us need and reduces greenhouse gas production.

One of the key things about this 40 per cent target is that it is just that, a target. It has to be backed by action. We do not want it to have the same fate as no waste by 2010. And in the ACT we are in a good position to act. As the recent ACT environment commissioner's annual report points out, our ecological footprint is 8.5 global hectares, which is nearly four times higher than the global average. But it has doubled in the past 10 years, which means that in the next 10 years we could reduce it by half and be back to square.

We have 10 years before 2020. Thinking about the changes we can make in the coming decade is very exciting. And if we do this right, this is going to be a truly great period for the ACT. I am going to discuss a few areas where we can make positive changes and I will concentrate on my portfolio areas.

Despite what Mr Seselja said, many things can be done which save money, reduce greenhouse gases and improve our quality of life. As I keep on saying in this place, we need to plan and build for the future. I hope we are not going to see any more battles in the Assembly like the one over my legislation to mandate more greenhouse friendly hot-water heaters. All of our long-life infrastructure must be consistent with reducing greenhouse gas emissions and meeting our climate change targets.

Buildings are responsible for 75 per cent of the ACT's greenhouse gas emissions. As I said earlier today in the Assembly when discussing the building quality forum, it is essential that we build better and for longer. A culture that says 35 years is an appropriate lifespan for a house is just not appropriate for a world that is reducing greenhouse gas emissions. We cannot afford the environmental impact of continually replacing buildings when we know that buildings can be built to last a lot longer.

We also know that houses can be built and have been built in Canberra that require no external energy. As a result of the Labor-Greens agreement, we now require all new houses to be six-star energy rated. We may need to go further to meet the greenhouse target. However, progress in solar orientation and solar access, also in the Labor-Greens agreement, seems to have stalled by being included in some controversial but unrelated planning changes.

There are now a small but significant number of houses in Canberra that do not need external energy to maintain a comfortable internal temperature. They are great to live in as they are comfortable, have very low or zero energy bills and produce very low or zero greenhouse gas emissions. They are showing us what we can do and they should become the norm. Houses in Canberra have been getting bigger over the years. They use more energy, materials and greenhouse gases to build and to run. At the same time, household sizes are going down. This is a trend which we need to change to meet our targets.

ACTPLA is working on new developments in East Lake which I understand will use 40 per cent less energy and water than current developments. We need all new developments in the ACT to be at least at that standard. So it is disturbing that we are continuing with conventional development, business as usual, in Gungahlin and Molonglo. The Greens have been calling on the government to change the Molonglo development to show, as it does say in our agreement, excellence in sustainable design.

We need to push for more of our new houses to be in existing town centres and near transport corridors. This will reduce transport-related emissions and preserve green space as well as providing an environment that, it is clear, many Canberrans want.

Of course, most buildings in the ACT are existing buildings, and we need to work on improving them. We can insulate them and weather-strip them. In many cases, the payback period for these improvements is only a few years, and they are very cost effective. For instance, when I insulated my ex-govie house, I halved my heating bills while improving the comfort of the house.

Commercial buildings can also be improved. Again, as a personal example, I used to work for Australian Ethical Investments, and, for our headquarters, we took a typical second-hand, 20-year-old commercial building and renovated it. It now uses 75 per cent less energy to run. As most commercial buildings are refitted or refurbished every seven years when they get new tenants, we should be able to quickly improve our commercial buildings.

Our car-based transport system faces the twin challenges of climate change and peak oil. Both of these mean we must use less fossil fuel. We can change our transport system by good planning so that we have more people living close to the facilities they need and close to transport facilities. We can change it with better use of ICT so that people telecommute sometimes, which can mean but not always means a reducing of greenhouse gas emissions. We need better footpaths and cycle paths so that we can use human energy, not just fossil fuel, to move us around. And we need a world-class public transport system.

With things like this and things which my colleague Ms Bresnan will speak about, we should easily be able to reach the goal that Canberra's families should only need a maximum of one car per family. And as each car costs at least \$5,000 a year to run, this will save money for the people of Canberra, as well as saving our environment.

Waste is another area needing attention. Our waste production has increased, unfortunately, by 80 per cent since 1995. Most of our organic waste goes to the tip. We are responsible for the majority of greenhouse gas emissions from the waste sector. We have reached 2010 and we do not have no waste. What we need is a new waste strategy.

One of the positive things of this target is advancing a green economy in the ACT. We all know that eventually all the world is going to adopt stringent greenhouse gas reduction targets. If the ACT does it early, it gives us the chance to develop industries, ideas and skills that we can export. We could export the retrofitting house industry. We could export the green building industry, if we develop it here. We could export ideas like the world-class solar research that is being undertaken at the ANU.

Looking at another of my portfolios, arts, it is clear that arts is going to be part of a positive adaptation to climate change. The arts can show us the full impact of climate change in a way that we can understand. A picture of a totally dried-out piece of land is so much more moving than hearing or reading about it in the paper. There are stories of how it has impacted people. The arts can tell us what climate change really is. Arts can also guide our way in terms of how we are going to adapt to climate change, how we can move positively, how we can make our community stronger and closer, more vibrant, more enjoyable in the context of climate change.

I will finish by saying that we live on one world and we share the climate with all the other humans and all the other species on the world. We need to remember this. We need to act on the old saying “live simply so that all can simply live”.

**MS GALLAGHER:** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations) (5.15): I am very pleased to have the opportunity to speak in this debate on this very important piece of legislation before the Assembly. I think one of the previous speakers said that the commitment about achieving the 40 per cent target is important not in itself because of the target but because it has to shape all of government’s thinking in terms of how we provide services and how we provide infrastructure to the community.

I have to say, having been in this place nine years now, I am amazed at the speed with which this debate and community thinking has moved. I know that nine years ago, whilst issues of sustainability were around, they were not at the forefront of consideration in the community to the point that they are now, certainly here in the ACT. I know of the work and the thinking that is going on in my own agencies, and I am going to use ACT Health as a good example of an opportunity that exists in this space as we are setting these targets and developing our health system to be mindful of how we are developing it.

ACT Health and health services in general are a huge user of energy. I was lucky to see some of the developments overseas in Norway and Denmark where they have already begun this very important work around designing buildings for the future with a very strong focus on reducing energy consumption across health services. Indeed, that trip has informed the development of a sustainability strategy in health which has

recently been completed and also our thinking on the design of the new buildings that are underway across the ACT.

ACT Health has implemented a number of specific sustainability initiatives within the CADP and is continuing to plan on a number of other initiatives. But in terms of some of the sustainable actions already implemented, we have completed the designs of a number of new major health facilities that have integrated efforts to reduce greenhouse gas emissions. These include the women's and children's hospital, the new southern multi-storey car park, and the new adult acute mental health in-patient unit.

Some of the sustainability strategies that we have already used in these designs include rainwater harvesting tanks which are fitted to the new buildings. For example, there is a 50,000 litre tank fitted to the new women's and children's hospital and there is a 680,000 litre tank fitted to the multi-storey car park, and the water harvested from there will be piped into the landscaping around the new acute adult mental health in-patient unit.

Sun shading to the women's and children's hospital includes external sun shades as horizontal louvers which protect window openings from direct sun and which are activated by the patient from the patient's bed. There is a mixed mode of controlled ventilation with natural ventilation and patient-controlled air conditioning and heating to reduce the requirement for air cooling and heating and to enable patients to control their own room temperature.

Use of thermal mass where possible, particularly in the acute adult mental health in-patient unit will have a significant thermal mass achievement through the large on-ground concrete slab and more robust finishes through internal use of masonry. Other strategies include: high efficiency, low energy lighting throughout all new buildings; high efficiency heating and cooling plant to achieve resource efficiencies; positioning of stairs to encourage less use of lifts and, in addition, to provide a health benefit particularly to staff; use of endemic plants in landscaping to reduce the need for water; the elimination of polyvinyl chloride products where possible; and the use of low voltage organic compounds in paints and flooring material.

In addition, as part of our own upgrade program, \$300,000 has been allocated for work associated with reducing energy use and environmental sustainability. This includes the installation of more energy efficient hot-water systems in community facilities to replace outdated and inefficient hot-water systems, improved metering systems to improve efficiency and tracking capability, and window tinting to buildings 6 and 12 at TCH to reduce the thermal load on the air conditioning systems.

We are also implementing an integrated building management system at some non-acute sites to allow automated and/or remote monitoring of the environmental system and large plants such as chillers and boilers. There is the installation of energy efficient lighting, occupancy-censored or timer-controlled lighting for non-critical building lighting and air conditioning systems, the installation of flow restrictions or sensor systems for plumbing fixture appliances, the progressive replacement of old and less efficient heating and cooling systems with more efficient systems, and

progressively changing the vehicle fleet to low greenhouse gas-rated vehicles and limiting the number of vehicles by continuing to manage the utilisation of the fleet.

ACT Health has already reduced its transport related CO<sub>2</sub> equivalent emissions from 1,152 tonnes in 2005-06 to 972 tonnes in 2009-10, a reduction of 180 tonnes or 15 per cent. In addition, we are providing additional bike parking spaces in the main bike parking shed at the Canberra Hospital and incorporating additional bicycle parking spaces into building 24. There is the establishment of the smart travel car pooling to reduce air pollution, traffic congestion on roads and in car parks and converting gardens to drought-tolerant landscaping to reduce water usage.

Over the next five years ACT Health expects to spend at least \$1 million on projects aimed at reducing greenhouse gas emissions. Specifically ACT Health is planning to conduct a feasibility study into the possibility of providing a decentralised power supply for the Canberra Hospital as part of CADP. A decentralised power and co-location of heating and cooling plant may take advantage of economies of scale and be better placed to provide the sustainability initiatives of cogeneration and trigeneration.

ACT Health has also participated in a national study to determine the costs to premiums for obtaining various ratings under the green star pilot tool for health care facilities. This work is now complete and will assist to quantify the various cost benefits and investment return periods for achieving 4, 5 or 6-star green star environmental ratings. Further deliberations of the finding of the study by the government will be considered for incorporating inter-funding options for the entire CAPD to be conducted through a full cost-benefit analysis.

ACT Health has also recently endorsed a sustainability strategy to minimise the risk and cost from reactionary fragmented decisions and to future-proof for success in the changing environment and is developing actions directed at ensuring sustainable provision of services for the future. The background to the development of the sustainability strategy originated from increasing stakeholder pressure for a robust position on sustainability.

ACT Health is required to achieve the targets under the ACT climate change strategy, comply with the Building Code of Australia and meet ACT gas emission targets and at the same time attract and retain staff. The strategy is designed to provide a road map for a collaborative sustainable future and to mobilise the staff within ACT Health to consider sustainability initiatives to input into the formulation of an action plan.

The sustainability strategy will leverage off the following existing seven key focus areas of activity within ACT Health to ensure alignment of strategy across ACT Health, for example, into models of care. These areas are building and infrastructure, the digital health environment, transport, the regulatory environment, workforce, partnerships, and external service delivery. The road map of collaborative action between ACT Health and all stakeholders, clients and staff will ensure business and clinical services are linked with a strategy and incorporate actions and achievements to deliver the objectives of a sustainable health system for the future. But also, importantly, it will ensure we play a large role in the government's agenda to reduce our greenhouse gas emissions overall.

I am very proud to be part of a government that has supported a 40 per cent target. I think it is important for governments to lead the way. It will be hard work to get there, but I know that it is the view of large parts of our community that we need to take this strong action now. I know from being the Minister for Health, as the head of a large agency responsible for large energy consumption across government, that we have extremely good buy-in from that agency about preparing for the future, making changes, making those changes early, walking those changes through with staff and being absolutely serious about playing a major role in the government achieving this target overall.

From where I have seen this area of policy development grow over the last nine years, I think significant steps forward have been made. There is more work to be done, and passing this legislation today, the government's legislation, is an important part of that journey along the way.

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (5.26): It has been a long time coming, and we are certainly not there yet, but at least we now have a tangible start with the government's bill on the table. Unlike any other jurisdiction in Australia, the ACT will probably—not today, but certainly by Thursday—commit to a level of action on climate change that will go some way to addressing the problems and the challenges we face.

The Bureau of Meteorology website states:

Australia and the globe are experiencing rapid climate change. Since the middle of the 20th century, Australian temperatures have, on average, risen by about 1°C with an increase in the frequency of heatwaves and a decrease in the numbers of frosts and cold days. Rainfall patterns have also changed—the northwest has seen an increase in rainfall over the last 50 years while much of eastern Australia and the far southwest have experienced a decline.

The changes are all around us. To some extent, our wealthy urban city is insulated from the early impacts, though we certainly will not be from the later ones.

So much has been said about climate change that it is hard to know what else to add. The world's best scientists have told us how urgent it is that we take drastic action now. Community advocates have told us of the litany of failures at every level of government, both in Australia and around the world, and the ACT community have heard the ACT Greens talking about the need to act on climate change for as long as we have been here in this Assembly.

In 1996 Kerry Tucker moved a motion calling on the government of the day to develop a greenhouse gas reduction target specifically for the ACT. At that time the framework convention on climate change set targets of a return to 1988 levels by the year 2000 and a 20 per cent reduction in greenhouse gas emissions by the year 2005. As we all know, far from achieving these goals, closer to the opposite has been achieved, and leaders of both political persuasions have hidden behind the actions of others to excuse their own failings.

Rather than dwell on the mistakes and failures of the past, it is worth while to reflect on how we got to where we are today and where this change will take us. Fifteen years ago, those who propounded the need to urgently address the impending tragedy that climate change will bring were labelled, criticised and ridiculed by those who did not want to face up to the problem. Deniers tried to brand climate change as just some new leftie environmental ideology. We now know—the science clearly shows—that the planet is warming and that it is our greenhouse gas emissions that are causing it. The only ideologues now are those left hanging to the barest threads of climate change denial, funded by vested interests and blinded by short-term profits. The only ones who do not see are the ones who refuse to objectively evaluate the science.

It is only because of those who are prepared to come to the matter with an open mind and evaluate the science objectively that we are here debating this bill today. There have been many agitators, and they all deserve our sincerest thanks for their persistence and tireless efforts in advocating for the most pressing cause we face this century. Thanks to their efforts, in the ACT at least we are no longer having a debate about the science, the moral imperative or the great urgency for meaningful emissions reduction.

What today's debate does show is that we are a progressive jurisdiction, and the fact that the question before us is whether we should adopt a 30 per cent or a 40 per cent target reflects very well indeed on the ACT. That said, it must be remembered that, as much as any other jurisdiction in the world, we are proportionately responsible for causing climate change and we are the ones who should be taking the most significant steps to reduce our negative impact on the planet.

It must also be made abundantly clear that we are only having the debate today because of the Greens. The Greens are the political party that have driven this issue across Australian parliaments, the only party that have advocated for meaningful action on climate change for the past two decades. We made it the first policy outcome in the parliamentary agreement with the ACT government, with the ALP. I must say that I am immensely proud and pleased that the commitment made in that agreement is being fulfilled this week.

Equally, as I mentioned earlier, it must be said that the credit also belongs to the many hundreds, if not thousands, of Canberrans that have devoted many thousands of hours working for change and also to the many thousands of Canberrans that have turned out to actively say they want real action on climate change. It is because of these people—they have advocated, participated and voted for the Greens—that we are having this debate today. We all know about the devastating impacts climate change will have, not only on the environment but on just about every aspect of our economy and society.

As has been indicated, the Greens will not be supporting the Liberals' bill. It is not consistent with current science and does not represent the best way forward for the ACT. There are important initiatives within the bill, but equally there are some unworkable provisions. On balance, the bill presented by the government, with the Greens' amendments that will be moved during the detail stage, represents the most appropriate way forward.

On the question of what is an appropriate reduction, 10 years ago a 30 per cent emissions reduction target was appropriate. Today it does not represent the contemporary science. The IPCC reports have consistently found that increased action is required and that the level of urgency is greater than previously understood. Our understanding of the impacts of climate change increases almost daily. We must also respond to the science and recognise that it may well be the case that even more urgency than is provided for in the 40 per cent target may be required. Of course, 40 per cent is a good start. It is an ambitious target that will see significant and very positive changes in our community.

Human ingenuity knows no bounds. I am reminded of this every time I read about the amazingly energy efficient houses being built here in Canberra. I heard the other day that the coldest it has been in Canberra's sustainability house in Ainslie this winter is 18 degrees, with absolutely no heating whatsoever. The hottest it got last summer, I think, was around 25 degrees, with no cooling whatsoever.

It is now possible to buy an Australian-made electric car. The ANU is developing world-leading solar energy generation technology. And the implementation of the feed-in tariff has seen the number of PV panels on Canberra roofs grow exponentially. ACT schools teach our children about the impacts of climate change, and in many ways these children have been community leaders in encouraging sustainability initiatives that reduce our emissions and demonstrate how easy it is to have a positive impact.

The point that I am making is that Canberra is ready for this. This is something that we can achieve and be very proud of. We have come to a point now where almost everyone in the community wants change. Businesses can see how having a positive environmental impact can also have a positive economic impact. The Canberra Business Council have been very strong advocates for both light rail and high-speed rail in Canberra, two very important transport initiatives that will reduce our emissions, promote positive economic activity and make Canberra an even more liveable city.

The proposed emissions reductions will significantly change our economy. As much as it will be a challenge, it will also be an enormous opportunity. Countless experts have said that those who act first will not only do it at the lowest cost, but also will enjoy the greatest benefits.

The ACT can be a green economy of the future. We are well positioned to start the transition for existing industries and to develop new, green, clean technologies for export to the rest of the country and the world. Green jobs are the future. As long ago as 1990, the United Steelworkers union in the US declared:

... the real choice is not jobs or environment. It's both or neither.

Australian workers unions see this too. The union movement have been calling for action on climate change, for a strategic and steady shift away from polluting industries, and for the resources and education opportunities for people to learn new

skills and find sustainable and fulfilling jobs that make a positive contribution to our community.

The ACTU, as I mentioned earlier in the MPI, recently released a report entitled *Green gold rush: how ambitious environmental policy can make Australia a leader in the global race for green jobs*. That details a way forward for the Australian economy to take advantage of the transition that all economies will have to make.

Here at the Canberra Institute of Technology, the CIT, there is now a range of courses available both in new industries and in the traditional trades that have adapted to the water and energy constraints that we must recognise and live within. There can be no doubt that our long-term economic prosperity depends on us acting quickly on climate change and transitioning to a low emission economy. Diversifying our economic activity and participating in developing markets will be vital to our long-term economic sustainability.

When talking about a path to economic prosperity, it must also be noted that climate change will have a disproportionate impact on the most vulnerable people in our community. This is true in Canberra; it is true the world over. Perhaps the saddest part of the scenario we are faced with is that those who are least responsible for the problem will suffer the most from the consequences. It is vital that in our response to the challenge we are aware of this and we ensure that there are safeguards and safety nets in place to protect those who are vulnerable in our community, who may well be disproportionately impacted by climate change.

This week really is a momentous time in the history of the ACT. We were the first Australian jurisdiction to recognise human rights in legislation, and this week we are the first Australian jurisdiction to make the commitment to meaningful action on the most pervasive and important challenge our society faces and to properly acknowledge our responsibility to change and begin to find mechanisms to achieve that change.

This is, of course, the easy bit. Implementing measures that progress the change will be far more difficult. It is important to acknowledge that. There will be a transition period that will involve difficult decisions and at times disruption and readjustment. Members of this parliament and every future ACT parliament will now have a statutory mechanism for government accountability for action on climate change.

This is one of the most important bills that has or will be passed by the Assembly. I hope that everyone in the community recognises what it means, what it has taken to get here and the direction that we are now headed in.

I would like to acknowledge the role that the climate change committee made in this process as well. The climate change committee conducted the greenhouse gas reduction inquiry to see what sort of targets should be in place. I would like to acknowledge fellow members in that inquiry. There was Mr Zed Seselja; we had Mary Porter early on, and then Mr Hargreaves. And I thank Hanna Jaireth particularly for her support as our secretary on that inquiry.

That really was a wide-ranging inquiry. It gave an opportunity to have a conversation with the Canberra community and to seek a range of views—to seek input from the ANU and academic institutions, from normal people out there in the suburbs who are really trying to make a difference in their daily lives through to business and other sectors. That gave us a great insight into a feeling out there across Canberra that the ACT should be a leader in Australia—that it was our responsibility, that we were up for the challenge and that we had some great opportunities here to achieve that target and to be able to reposition ourselves, for instance to reposition our economy by looking at more clean, green jobs and the sorts of businesses and industries that go along with that.

I would like to acknowledge the hard work that was put in there. I think that that very much provided a lot of information and direction that I am pleased to say the ACT government did take on board. It has resulted in us this week debating this very important bill, the Climate Change and Greenhouse Gas Reduction Bill 2010. I am pleased to support the bill.

**MRS DUNNE** (Ginninderra) (5.41): This is an important bill, and there is a level of unanimity in this chamber on the issues. There is no doubt that all of the members in this place agree that the ACT should have climate change greenhouse gas emission targets. It is with some pride that I stand here as a member of the Canberra Liberals, because it was the Canberra Liberals who led the way on this. Not only did we lead the way in 2007, when I had the privilege to introduce into the Assembly the first climate change target emissions bill, but we did so back before that, in 1997, when Canberra, under the Liberals, was the first jurisdiction in Australia to sign up to Kyoto-like emission target reductions at that time.

Part of what Ms Hunter says is correct. Setting the targets is the easy part. As we found through the first part of the greenhouse gas reduction program and the strategies, it was very hard to do, and it will continue to be hard to do. I think this is where we depart from the rest of the chamber on this. The mechanism that was set up in the bill that we are debating here today presented by Mr Seselja is, in many ways, a better mechanism for dealing with those very stringent targets, those very difficult targets. Most of that has been thrown out by this government or will be thrown out by this government, with the connivance of the Greens.

The Climate Change (Greenhouse Gas Emission Targets) Bill 2008 (No 2) has a lot more mechanisms, a lot more grunt, behind it. That makes the whole process much more accountable. Mr Seselja touched on this this morning. This bill sets a range of interim targets, not just for greenhouse gas reductions but for those things which inform that. It sets interim targets for reductions in per capita use of electricity and also sets targets for the use of renewable energy—sets them in the legislation.

The interesting thing about that is that there are two mechanisms for reporting in this legislation. One is the minister's annual report, which is, to some extent, reflected in the government's bill; the second is a two-year report on progress and what needs to be done to ensure that we are meeting those requirements. That is not here. The single biggest criticism that I and the Canberra Liberals have had of the Stanhope and Labor

Party approach to greenhouse gas emissions is that they have what I have classified as “set and forget” targets. It is easy to come up with a big number a long way away and then just leave it. Even 2020 is a long way away, and there are very few mechanisms between now and 2020 for reporting on this matter and keeping whichever government is in power accountable for progress.

The bill presented by Mr Seselja is in this regard far superior to the bill that has been introduced by the government. The government has a whole range of amorphous set and forget things. The government is not prepared to say what its renewable energy target should be. It is going to leave that for somebody else to do by regulation. It is not prepared even to countenance the issues of whether we should have targets for reducing per capita use of electricity. These things are not there.

As with a whole lot of other agencies that this government has set up, we are going to set up a council with a whole range of amorphous, ill-defined responsibilities. We are creating a situation where this minister will be able to deny responsibility when he fails to implement this legislation properly, when he fails to meet his targets. It will be very difficult to report against those targets and interrogate whether those targets are being met. Of course, he can then say, “But it’s not me; it is the independent body that I’ve set up. They’re the people who are failing.” This is what has happened time and time again with this government and its statutory and so-called independent bodies. It is a way of distancing itself from accountability. It is a way of saying, “Don’t blame me; blame somebody else.” When things go wrong in planning, those opposite say, “It’s not my responsibility; it’s the responsibility of the planning authority.” When things go wrong here, it will not be Mr Corbell’s responsibility; it will be the responsibility of the independent council that he has set up.

When you look at the independent council, you see that its functions are fairly amorphous. When you look at the membership—I understand that Mr Seselja is going to move some amendments in relation to that—you see that some key areas are left out. We are talking about climate change here, Mr Speaker. The two single biggest contributors to greenhouse gas emissions in the ACT are the stationary energy sector and the transport sector. There is no-one on this committee that represents either of those groups. The two biggest contributors to greenhouse gas emissions in this territory do not get a seat at Mr Corbell’s council.

That is a shameful omission from this piece of legislation—a piece of legislation that the Greens have, with panting anticipation, embraced. Again, it is: “Let’s not worry about whether it will work. This is something, and therefore we must do it.” It is the Nike approach, which you hear over and over again from the Greens: “Let’s not worry about the consequences. Let’s just get on and do it.” You have been so uncritical that there are glaring errors. There are glaring omissions in this bill, but you do not care; you just want to get on to be seen to be doing something in an area which you think is important.

It is important; there is no doubt about this. This is an important issue. That is why today we are debating two bills. There are two bills on the table; there are two policy approaches here. And the policy approach of the Canberra Liberals is far and away the superior one. There is a superior approach to setting the targets. There is a superior

approach to setting interim targets. There is a superior approach in reporting on whether or not those targets are being met.

It is very interesting that Mr Corbell and the Greens are not prepared to countenance reporting in the robust way which is advocated in the Canberra Liberals' bill.

In addition to that, the major difference is whether we agree to 30 or 40 per cent by 2020. This is a matter that the Canberra Liberals have considered for a long time. It has been our consistent view that 30 per cent was an approach that was robust and rigorous. It would require considerable effort on the part of the community, but it would not be so difficult as to cripple the average Canberra family and make their cost of living so exorbitant as to make it difficult for them to make ends meet.

The cost implications of meeting these targets, even with a 30 per cent target, are considerable, but they are more so with a 40 per cent target. It is easy for early adopters and enthusiasts to get carried away. I probably count myself as an early adopter in greenhouse gas emissions and energy efficiency, and it is easy for us to get carried away. But first of all we have to sell the story to a whole lot of people who are not yet engaged, and we have to make it financially affordable for them to do so. The ACT government has been quite remiss and quite lax in its approach to addressing issues of energy efficiency, helping ACT families address energy efficiency and actually advocating for energy efficiency in a way that would be appealing for a whole lot of people out there in the community who are still not engaged with this issue.

The fact that the ACT government puts forward a bill here today that does not look at cutting our per capita use of energy shows that it is not concerned about energy efficiency. Mr Corbell mentions it in passing, but he really likes glittering baubles rather than hard grunt. And energy efficiency is a hard grunt area. There are not ribbons to cut on solar power plants and there are not PV cells to unveil. It is actually hard grunt, and it is not sexy; therefore this government has not engaged in it.

I commend my colleagues in the Canberra Liberals for their commitment to this issue over a very long period. Since 1997, the Canberra Liberals have been the leaders in the ACT in relation to addressing greenhouse gas emissions and setting targets and trying to meet those targets. They are very difficult things to do. I am proud to be a member of a party that has had a consistent policy and has led in this regard all that time. I am proud to have been the first person in this place to have introduced target legislation. I am sad to see that the policy will go down today.

I have a word of warning for this minister. The task that he has set himself today on behalf of the people of the ACT is a herculean one. It will be an expensive one, and the people of the ACT will bear that cost in their everyday family budgets. The minister needs to deliver this commitment in a way that does not cripple the average family member in the ACT who has enough to do sending their children to school and paying the already high taxes imposed by the ACT government.

I commend the Climate Change (Greenhouse Gas Emission Targets) Bill 2008 (No 2) to the Assembly.

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

## **Adjournment**

Motion by **Mr Corbell** proposed:

That the Assembly do now adjourn.

## **Economy—employment**

**MR HARGREAVES** (Brindabella) (5.54): I want to follow up on some of the things that I spoke about in the MPI. Mr Smyth was a bit critical of what I had been saying. I talked about all the things we had done but I did not talk about outcomes. I actually do want to talk about some of the outcomes, some of the things that we did.

We actually preserved quite a number of jobs in the building industry. We preserved a number of apprenticeships and traineeships. What we did not do was introduce policy that cost us so many jobs in Tuggeranong. In fact, I can remember in 1996 it cost 7,000 jobs in Tuggeranong. I might ask rhetorically, of course, Mr Speaker: who was the federal member for Canberra in February 1996?

It is a trivial pursuit question but it is not a trivial question. The answer is Mr Smyth. Who was the member for Canberra at the end of March 1996? It was Annette Ellis. Why do you think that was? It was because Mr Smyth was an apologist for the economic and workplace relations policies of John Howard. We suffered 7,000 jobs lost in our electorate because of the policies of John Howard. Mr Smyth was a member of that government in those days. Of course, the people in Tuggeranong said, “No, we want the jobs for our kids preserved, not sacked like that.”

I can remember, in fact, campaigning and looking at all of those “to let” signs around the windows—all the businesses that went bust in Tuggeranong because of it. These are the small businesses. I hear Mr Smyth saying, “What are you doing for small business?” The answer is that we are trying to support small business.

I ask now in return what he was doing. He was the small business adviser for that prince of balaclavas, Peter Reith. That is who he was the small business adviser for. And what happened? Swathes of businesses went down the guts—down the toilet. They were absolutely slashed in Tuggeranong. What happened? He got tossed out.

I think there is a little bit of hypocrisy at play here. I really think that is a little disappointing. I think we need, as we have been told so often in the past from Mr Smyth, to go back and have a look at a bit of history. He was also a minister in the Carnell government, as a matter of fact. We saw their great business support initiatives—an overnight loan, which was a real beauty. I can remember, in fact, the “feel the power of Canberra” campaign. Where was that? It was smack on the side of a big aeroplane that did not get off the ground.

It was not the only thing that did not get off the ground, Mr Speaker. The Liberal Party’s re-election did not get off the ground because they lost it in 1998. Then we

had the green grass of home at Bruce. Then we had, of course, trying to put some impetus into the building industry. How about the Hall-Kinleyside affair? Who was a minister during those days? It was not me. I became a mere humble backbencher then, like I am today.

We cannot allow such rank hypocrisy to come across the chamber that we have got to talk about outcomes. What we had to do in the first term of office was undo all of that pain and misery that was perpetrated and visited upon the people of Canberra, particularly in our own electorate. What are we seeing now? We are seeing the Stanhope Labor government over the last nine years injecting huge amounts of money, huge amounts of competence, into things.

I did not hear Mr Smyth say, "Chris Peters does not reckon it is a good idea." This is because Chris Peters actually does think that what we have done is a good idea. I did not hear him quoting Bob Winnel. Bob Winnel reckons it is a great idea. Go and ask Steve Byron what he thinks of the road out to the airport. What about the confidence to get the money to build the airport? He went to the banks and said, "Can I have some money to build an airport, please? I want a better airport." The bank said, "We will have to think about the economic environment of the ACT. It is a lot of money. Okay, you can have it." Terry walked away with the money to build a new airport.

Look at the forest of cranes around the city. What we saw, in fact, when the Liberals were previously in government was a scorched earth policy in the ACT. It was a period of negativity. Everybody was downtrodden, felt miserable and did not think that their kids would have a better start in life than they did. Well, they do now. Our education policies, processes and infrastructure improvements have given the kids an absolute boost.

I can honestly say now that thanks to this Labor government my kids and their kids and their kids after them will have a better start in life than I got when I was a youngster. That is all I asked for to be successful in this place.

### **Canberra Girls Grammar School War veterans**

**MR SESELJA** (Molonglo—Leader of the Opposition) (5.59): I briefly want to make mention of a couple of events I have had the opportunity to attend recently. I had the opportunity on 13 October, along with a number of colleagues including Mr Smyth and Mr Barr, to attend the official opening of the new Clements Hall at Canberra Girls Grammar School. It was great to be welcomed by the grammar community.

We were made to feel very welcome and we heard from Ms Heather Ablett, the head of the junior school, the Reverend Paul Harris, the chaplain at the school, Bruce Handley, the acting principal and David Holmesby, the chairman of the school board, along with Gai Brodtmann who was there as well.

I want to pay tribute to the Canberra Girls Grammar School. I was particularly impressed by the students who were there to welcome us, who made us feel very welcome, and who I think represented Girls Grammar very well on the day. I

particularly thank the chairman of the school board, David Homesby, for the wonderful work that grammar does, for the contribution that it makes to our community and the contribution that it makes to the education of many Canberrans and Canberra families.

I would also like to pay tribute to Peter Cooke-Russell from the Naval Association of Australia who was the master of ceremonies at the annual commemoration service at the national naval memorial on 7 October this year. Peter does an outstanding job there. Peter and I, as we chatted at the memorial, talked about how many different groups there are representing veterans.

There are so many of them who do a sensational job for the veterans community, but they also contribute in a broader way to our community. They contribute in terms of charitable donations and charitable functions and, of course, look after our vets and provide social functions for many of our vets.

It must be said that many of our vets are ageing. Many of our vets are from World War II in particular. That was the largest group. While many of those have passed away, many still remain with us. There is also, of course, a large group, but not as large, of Vietnam vets and there is a strong Vietnam veterans community in Canberra.

I thank Peter Cooke-Russell and Chaplain Owen Davies for the welcome that they give me when I attend their events and for the sensational contribution they have made as veterans representing our nation, serving on behalf of all Australians, and for the contribution that particularly Peter Cooke-Russell continues to make in his role as the president of the Naval Association of Australia.

### **Mental health—mindfulness exhibition Drugs**

**MS BRESNAN** (Brindabella) (6.02): I would like to talk about a couple of events I was able to speak at in the last couple of weeks. First off, I had the honour of opening the mindfulness exhibition for Mental Illness Education ACT, who are also known as MIEACT. This was on World Mental Health Day on 10 October, the beginning of Mental Health Week at the Huw Davies gallery.

The exhibition was the coming together of the *Moving minds* and mindfulness projects, which are a collection of films and portraits involving MIEACT photo access in the Tuggeranong arts centre. *Moving minds* was a short film project coordinated and given artistic direction by Jenni Savigny from MIEACT through which 13 courageous volunteers tell their stories about their lived experience with mental illness.

*Moving minds* is a very unique project because while we have had people telling their stories about their lived experience with mental illness on film before, these films actually have very strong and powerful visual images that accompany them which indeed do make them very unique and also quite powerful. I understand from MIEACT that the films have already been used as a resource by a number of organisations in the ACT and also interstate for people recovering from mental illness and exiting psychiatric services.

Mindfulness is the photographic exhibition of the portraits of the 13 filmmakers behind *Moving minds*. Barbie Robinson created the portraits and Ed Whalen and Katie Ryan gave creative and technical support for photo access. The ultimate credit does obviously need to go to the 13 wonderful filmmakers. Their names are Matt, Annie, Greg, Jenni, Charmaine, Michael, Rosie, John, Lisa, Isabel, Laurie, Joe and Jacqui for having the courage to tell their very moving and honest stories of living with mental illness.

There is still much stigma associated with mental illness and projects such as this go a long way towards addressing the stigma and also showing people with mental illness and their families and friends that people can receive treatment and become well through their mental illness. People telling their own personal stories is often the most powerful way of dealing directly with misconceptions about mental health. Groups such as MIEACT are vital with the work they do in addressing this.

The other event I spoke at was the annual remembrance ceremony for people who have lost their lives to illicit drugs, which is organised every year by the Friends and Family for Drug Law Reform in the ACT. I would like to acknowledge Brian and Marion McConnell for their work in not only organising this event but for their tireless efforts in raising the issues associated with the impact of drugs on people and their families.

The ceremony is for people to come together to share their grief for loved ones that they have lost and also to celebrate their loved ones' lives. There is often much shame and stigma associated with drug addiction and with the loss of a life from drugs. Being able to publicly display and acknowledge the loss is an important part of letting people know how they feel and being able to share their grief with others who understand.

I would also like to acknowledge the other speakers at the ceremony. Jo Wade spoke very eloquently about her daughter who lost her life to drugs and provided her story of how this has impacted on their family and their friends. This was a very brave action to take and I think Jo should be applauded for having the courage to tell her story.

Reverend Rex Graham, a social justice consultant from the Uniting Church, read out the names of the many people of different ages and from all walks of life who have lost their lives to drugs. Reverend Graham also spoke about the supervised injecting room in Sydney run by the Uniting Church which, after 10 years of being on a so-called trial, has been given ongoing funding.

I would just like to read from the statement in the program for yesterday's ceremony which I think really sums up why this type of ceremony is so important for people.

Let us draw strength from their life and show our tenacity. We have been pressured to hold our loss to ourselves, even to invent a different life and cause of death. In short we have been pressured to deny one whom we love. Our gathering today is a rejection of that blame and shame. Gathering together today, in public in the midst of all this beauty is a statement—"a cry against the ports of space, Beating their sides to make its fury heard". We go forth from here into the light.

## **HESTA awards**

**MS BURCH** (Brindabella—Minister for Disability, Housing and Community Services, Minister for Children and Young People, Minister for Ageing, Minister for Multicultural Affairs and Minister for Women) (6.07): Thank you, Ms Bresnan, for bringing that to the Assembly.

I just wanted to talk about the 2010 national winners of the first ever HESTA early childhood education and care awards that were announced on Friday, 1 October. These awards recognise the achievements of individuals in the provision of outstanding early childhood education and care. The pursuit of excellence in early childhood education and care professionals is recognised as being vital to ensure that early childhood services in Australia are world's best practice. Nominations for the awards were made from early childhood education and care practitioners, the families of children attending childcare services, operators and colleagues who wanted to recognise individuals.

I am very pleased to say that in the first ever HESTA awards the winner of the individual excellence in early childhood education and care award went to a local early childhood provider. Raeline George, from Forrest primary outside of school hours care, won the individual excellence award. It is very good for a local girl to be recognised in that way. For Raeline to secure that award—she received a \$5,000 travel voucher and a \$5,000 educational grant, courtesy of ME Bank—she had to display the highest standards of early childhood education and care, and professional practice in her role, working with children. She had to enhance the image and status of early childhood education and care in Australia and she had to have undertaken the achievements to support improved outcomes for children in early childhood education and care settings.

Those are fairly high nomination criteria. As I said, to have the first ever HESTA award taken out by an ACT worker against a very strong field is something that we should recognise in the ACT. It goes to show that the childcare sector in the ACT is one of solid work and best practice. My congratulations go to Raeline George on her efforts. Indeed, it is also an opportunity to say thank you to each and every childcare worker in the ACT. Whether they are in long day care, family day care or after school care, they all do a fantastic job for the children of families in the ACT.

## **Canberra bachelor of the year**

**MR COE** (Ginninderra) (6.09): I rise this afternoon to put on the record my thanks to a number of people involved in the Canberra bachelor of the year fundraising event held last week at the Realm Hotel. As I stated on 22 September in this place, the fundraising event was held to raise funds for the ACT Eden Monaro Cancer Support Group. The event was a great success, with a considerable sum being raised for the charity. A good night was had by all and it is a testimony to the hard work undertaken by Danielle Neale and Erin Molan.

I would like to congratulate the winner, Trent Kingi, the runner-up, Mal Osborne, and all the contestants for the good spirit in which they took part. As members would

know, I was pleased to take part in the event, and I am grateful for the generous support offered to the Eden Monaro Cancer Support Group through my involvement.

I would like to thank the following organisations in particular: Ryleho Home Solutions, Maria Selleck Properties, Metro Constructions, Consolidated Building Ltd, Canberra Airport Group and Peak Property Group. I would also like to thank the individuals that made donations to my fundraising efforts or attended on the night.

The Eden Monaro Cancer Support Group was founded by Yvonne Cuschieri in 1986 with a goal to provide emotional support and financial assistance to cancer patients and their families. The group is a not-for-profit organisation which relies on the generosity of businesses and the local community, and fundraising such as the Canberra bachelor of the year event, to carry on its good work.

I would like to commend the members of the group's board: founder Yvonne Cuschieri; president, Caroline Comparelli; treasurer, Carol Williams; and members Paul Walshe, Hugh Percy, Kathy Richardson, Elaine Graham, Bernard Powderly, Andrew Herring and Dale Jordan. The board are also well assisted by many volunteers who keep the organisation running so well on a day-to-day basis.

The ACT Eden Monaro Cancer Support Group are currently supporting 1,700 families, and counting, who live in the region and are living with all kinds of cancer. The youngest member is just two years old and their oldest is 87 years old. Thursday night's attendees at the finale heard from both Warren and Tristen, who are both living with cancer. They relayed to the crowd their own personal experiences of being diagnosed with cancer and also gave the crowd an idea of the kind of support the Eden Monaro Cancer Support Group can offer individuals and their families in times of need. Hearing from both Warren and Tristen was a really moving experience and it did reassure me why we were all there. Again, I thank all of those involved in the event and the sponsors who came on board to make the event possible.

**Canberra bachelor of the year  
Prostate Cancer Support Group  
Rotary Club of Weston Creek  
Juvenile Diabetes Research Foundation**

**MR HANSON** (Molonglo) (6.12): I would like to pass on my congratulations to Mr Coe on supporting such a good event and putting himself out there as a contender for bachelor of the year in support of such a worthy cause. Well done.

A few weeks ago, on 24 September, I and other members of the Assembly went to King O'Malley's and supported the Prostate Cancer Support Group of the ACT at the minister's barbecue. The event was held in City Walk outside King O'Malley's in Civic and was supported by Peter Barclay, who is the owner of King O'Malley's, and Dean Hall from the CFMEU. We cooked over \$600 worth of sausage sandwiches and sold them to the many people who attended the event.

As I said, there were seven members of the Assembly at the event, and most of us actively participated in the cooking and selling operations. I would like to note that

members included the minister, Katy Gallagher; Alistair Coe; Mary Porter; Meredith Hunter; Vicki Dunne; Shane Rattenbury; and me. I particularly acknowledge the minister's role and her office's role in organising and putting on the event and welcoming other members of the Assembly at what was a tripartisan event. I think it was a very good opportunity for a community organisation and the public to see members from the various parties shoulder to shoulder working together for a good cause.

A number of media personalities also attended, including Ross Solly, Michael Milton, Tim Gavel and Lachlan Kennedy. Well done to them. They are the sort of people that go to many events. They sacrifice a lot of their time supporting community organisations such as this.

The minister, Mary Porter, Amanda Bresnan and I also attended the relaunch of the Prostate Cancer Support Group website earlier in September. I am sure that all members of the Assembly would join with me in offering our thanks and support to the group for the important work that they do in helping men with prostate cancer and increasing the awareness of this disease in our community and the need for timely check-ups. Mr Speaker, you might be a bit young, but I am sure that you are aware that you are getting closer, as am I. Well done to the president, Peter Daley, and to all members of the group, including John Hayhoe, Malcolm Whyte, Steve Sweet, Dennis Armstrong, Mike Boesen and Jim Clough.

I would also like to congratulate the Rotary Club of Weston Creek on the recent success of their book fair that they held at the Weston Creek community centre last Friday and Saturday. The book fair sold thousands of second-hand books that they had collected. The club put in a monumental effort in collecting the books in the first place, sorting them and transporting them and then selling the books. I would also like to acknowledge the Islamic school who offered space to the Rotary Club of Weston Creek to store the books in. There were piles and piles of them. All the moneys raised will be going to Camp Quality and to local Rotary projects. I commend the president, Janice Paull, all the members of the club and the other volunteers who attended to make the event such a success.

In the time remaining, I would also like to acknowledge the work of the Juvenile Diabetes Research Foundation in walk for a cure 2010. The organisation conducts this event every year. It is to raise money for research and to support people, particularly children, who have this insidious disease—juvenile diabetes, which is type 1 diabetes. I think that there is a real distinction between type 1 and type 2 that is often not understood in our community. Type 1 is a disease that affects often children and does not have a cure. People get it not because they are overweight or through lifestyle habits but simply for no other reason than, I guess, they lost the lottery.

It was great to see so many Canberrans out supporting this cause and walking to raise money—children like Cassie, a very brave little six-year-old girl, who has diabetes. It was also good to see my colleague Brendan Smyth at the event. I would like to put it on the record that Brendan Smyth can walk very fast. I have a body geared, I think, for jogging. He has a body that is geared for walking, and he certainly set the pace. He attends every year, and he should be congratulated on doing so.

I would like to congratulate Liz Daly, who was one of the organisers of the event, Haydon from 106, who was there, and all of the other volunteers who put in such a wonderful effort—and all of the Canberrans that got out there and walked around the lake for such a good cause.

Question resolved in the affirmative.

**The Assembly adjourned at 6.17 pm.**