



Debates

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Thursday, 20 October 2011

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Thursday, 20 October 2011

MR SPEAKER (Mr Rattenbury) took the chair at 2 pm and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Ministerial arrangements

MS GALLAGHER (Molonglo—Chief Minister, Minister for Health and Minister for Industrial Relations): For the information of members, Minister Burch is interstate on ministerial business during this question time. I am happy to take questions that would have been directed to her for her portfolios.

Questions without notice

Children and young people—care and protection

MR SESELJA: My question is to the Chief Minister. On 20 May 2009 Mr Stanhope said this during an estimates hearing:

The public service is not an entity of its own, you know. It has a head, and the head is the government. The head is the head of the government, the Chief Minister.

Recently we have seen the failure of child protection services, with the law being broken 24 times, resulting in children being traumatised. In response, you stated in question time yesterday:

This is a community responsibility.

Minister, why are you trying to blame the community for your government breaking the law, resulting in children being traumatised?

MS GALLAGHER: I am not. My comments yesterday were that child protection is a community responsibility, and it is. I would be surprised if anyone in this place would argue that that was not the case. Indeed, I see that my comments have been endorsed by Cheryl Vardon, who did the Vardon report, who has also reminded us all that child protection is a community responsibility. We all have responsibilities. Indeed, we all have responsibilities under the Children and Young People Act. That is not to say that the government does not accept the responsibility of ensuring that our child protection system is as good as it can be, and I have said that a number of times in this place.

MR SPEAKER: Supplementary, Mr Seselja.

MR SESELJA: Minister, isn't it true, as Mr Stanhope said, that when the directorate acts it acts not on its own behalf but on behalf of the minister and the cabinet?

MS GALLAGHER: That is right. I support the comments made by the former Chief Minister. The government is taking responsibility. We have already outlined that. I am sure you have got a killer blow yet to come, because I can see how excited you are at my answer there.

That is the case. The government accepts the responsibility. Whether that satisfies you about what you believe is the appropriate response to that, my view is that the responsibility is that once those issues are identified you get on with fixing it. That is exactly what Minister Burch has been doing and will continue to do, as is the case with any issues that are identified in the portfolio.

If Mr Seselja is suggesting here that there will never be any issues in the directorate, or any directorate, that ever need fixing or intervention—he has been in opposition a long time. There are always issues that need to be responded to, and ministers have responsibilities.

Minister Burch has acted to fulfil her responsibilities as a minister. I am very clear on that and I have looked at this very closely. The responsibility now is to ensure that any learnings we can take from the Public Advocate's report and from other views looking at the specific situation are followed and implemented as quickly as possible.

MR SPEAKER: Supplementary, Mr Smith.

MR SMYTH: Yes, thank you, Mr Speaker. Minister, given your answer that you accept that the directorates act on behalf of the government, isn't it therefore true that when the directorate breaks the law the minister also breaks the law—indeed the government breaks the law?

MS GALLAGHER: As I said yesterday, the government is taking further advice on this matter. We do not accept at this point in time on the information available to us that there have, as Mr Smyth has said, been 24 breaches of the law. The government is required to take further advice. We are in the middle of receiving that advice and when that advice is available we will be making, or the minister will be making, a statement to the Assembly.

Certainly I take responsibility for all matters that fall within the purview of the ACT government. The responsibility here needs to be to get on and make sure the care and protection system continues to improve and respond to the needs of the children and the families it seeks to serve. There are very clear statutory responsibilities under the Children and Young People Act that provide for certain powers for the territory parent as a statutory position. Ministers do not place children. Ministers do not remove children. Ministers do not organise placements. Ministers do not determine decisions—just as other members in this place should not. There are very clear responsibilities. The responsibilities of the government are to respond and implement change where it is required, and that is exactly what we are doing.

MR HARGREAVES: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Hargreaves.

MR HARGREAVES: To the Chief Minister: did Ms Vardon indicate that the continued politicisation of this particular subject will undermine confidence in the service?

Mrs Dunne: It is very interesting that she used the same words as the Chief Minister.

MS GALLAGHER: What are you suggesting, Mrs Dunne, with that highly inappropriate interjection, which I will not respond to? Yes, Cheryl Vardon has made some comments after, I presume, being asked by a journalist some questions. But they are views that I agree with, and I am worried about the view that you can over-review an agency to the point that it becomes difficult to provide the service that it is charged to provide. And we do need to be careful of that and we do need to be careful of the politics of child protection. It is very easy for others, who do not know all the details, to go off and make a whole range of allegations.

Mr Seselja: It sounds like you are going to sweep it under the carpet.

MS GALLAGHER: That is not the case, Mr Seselja, again with a highly inappropriate and disorderly interjection.

Mrs Dunne: Are you saying the Public Advocate does not know the story?

MS GALLAGHER: And another one from Mrs Dunne. I wonder what it is going to take, Mrs Dunne, honestly, for you lot to treat question time with the respect that it deserves. You ask a question and then you continuously interject as I seek to respond.

I think there are some lessons to be learned and some messages to take from Ms Vardon's comments. They are certainly comments that I would agree with. But that does not mean that you sweep things under the carpet. It just means that you are mindful of these things as you go on to improve the service.

MR SPEAKER: Before I go to Ms Hunter for the next question, I remind members that yesterday I was required to warn seven members for their conduct in question time. I also remind members that it is not obligatory for me to give a warning, and I do not expect the ministers to have to raise their voices to be heard over the noise in this place. Ms Hunter, you have the floor.

Bimberi Youth Justice Centre—review

MS HUNTER: My question is to the Minister for Community Services and concerns the government's response to the Human Rights Commission into the youth justice system. Minister, while the government has agreed with the majority of recommendations from the report, there appears to be some reluctance to accept the Human Rights Commission's findings and proactively pursue some of the recommendations. For example, the government has not committed to ensuring equality in education for segregated young people, the provision of a full-time nurse or an ongoing implementation and oversight mechanism to ensure proper reform. Could you please outline for the Assembly how you propose to deal with these matters?

MS GALLAGHER: I am happy to provide more information to Ms Hunter. I do not have the government's response to hand, but I can certainly say the government

remains committed and focused on implementing the reforms required in Bimberi. I have had a number of discussions with the minister around how Bimberi is operating at the moment and some of the changes that have already been put in place. The response from that and the information from the directorate are very positive.

In terms of our commitment, we are deeply committed to implementing the agreed recommendations of the Human Rights Commission audit into the Bimberi Youth Justice Centre. In relation to the nurse—that is an area where I have direct responsibility—there have been some issues around how a full-time nursing position can operate at Bimberi, but, certainly, from the government's commitment side, it is to provide all the level of health care resources that are required in order to provide that appropriate support to children and young people.

I do not want people to believe that we are not committed to serious reform in Bimberi—we are. However, there were a number of areas within the report where we may have agreed but not agreed with the exact mechanism or in the detail of the recommendation where we have differed in our views and in our response. But I can tell you that there is deep commitment to implement and continue the improvements at Bimberi.

MR SPEAKER: Ms Hunter, a supplementary.

MS HUNTER: Thank you, Mr Speaker. Given that many community stakeholders have been very active in trying to be involved in solutions to help these young people, what mechanisms will be put in place to ensure that there is a clear means for them to continue to contribute to the reform process?

MS GALLAGHER: I might take the detail of that on notice, Ms Hunter, but what I would say again, in line with the comments I have made to the earlier questions about this being a community responsibility, is that I think that is very relevant here and we do rely on our community partners to assist us with these young people.

From my point of view, there will be continued and extensive involvement with community partners. I am sure the directorate has a mechanism in place to do that. I will come back to you on that, hopefully before the end of question time today.

MS LE COUTEUR: Supplementary.

MR SPEAKER: Supplementary, Ms Le Couteur.

MS LE COUTEUR: On what basis does the government dispute the commission's finding that a Coree holding cell is regularly used to segregate young people who refuse to attend or misbehave in class, and what measures are you taking to ensure that this is not the case?

MS GALLAGHER: I will have to take that question on notice. I am just not aware of the detail of that. I do apologise.

MS BRESNAN: A supplementary.

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Minister, on what basis is government relying for its claim that the Human Rights Commission was incorrect in its findings that “young people were routinely strip searched on their way to and from court”, and what measures are you taking to ensure this is not the case?

MS GALLAGHER: I did discuss this with the head of the directorate at the time of the tabling of that report. At that point there was some disagreement between the detail of some aspects of the Human Rights Commission’s report and the data that the directorate had, but I can certainly provide further information about that as well.

Children and young people—care and protection

MRS DUNNE: My question is to the Chief Minister. Minister, in relation to the systemic problems with your government and its management of the community services portfolio, the spokesman for the Foster Care Association told ABC television:

I’ve been in the situation myself where I complained and there was a preset threat made and because I complained I was reviewed rather than the problem being addressed.

Minister, have you intervened or sought a briefing on this very serious complaint that has been publicly levelled at your government and, if not, why not?

MS GALLAGHER: No, I have not sought a briefing on the claims by Fiona Tito made yesterday. These are matters that the minister will be dealing with in terms of her own portfolio and she has already put in place a diary appointment for the Foster Care Association, to go through all of the issues that have been raised in their media release and their media comments yesterday, as is appropriate, Mrs Dunne.

MRS DUNNE: A supplementary.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, will you apologise to those who have made these complaints and, if not, why not?

MS GALLAGHER: I am not sure I am in a position to apologise. I do not have a complaint before me. If I had a complaint before me and a response provided and there was a need for an apology, I would be more than happy to provide one.

MR COE: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Coe.

MR COE: Minister, what confidence can the community have in your government when community service workers have been threatened by your government?

MS GALLAGHER: I do not have any evidence before me to say that community service workers have been threatened. I think there has been a claim made, and I have a lot of respect for Fiona Tito. I have worked with her for many years in her capacity as a community advocate and as a foster carer. I understand her deep commitment to providing care to very disadvantaged children.

But I think there needs to be a thorough examination of the claim she has made. It is appropriate that the minister responsible undertake those discussions with the Foster Care Association, and Ms Tito, if she so chooses, separately to provide all the information that she can.

I have not been contacted by the organisation or the individual with any such allegations to investigate. They were raised yesterday. The minister responded immediately. There is an appointment in her diary to meet with the organisation and to pursue this further.

Floriade

MS PORTER: My question is to Mr Barr. Minister, could you please give an update on this year's Floriade event?

MR BARR: I thank Ms Porter for the question. Members would be aware that Floriade—

Mr Hanson interjecting—

MR BARR: is indeed Australia's premier springtime celebration and that the event continues to attract many hundreds of thousands of people to Commonwealth Park each spring. This year's event culminated in a royal visit this morning that we all had the pleasure of attending.

I would like to observe that the labour day public holiday this year, 3 October, saw the highest recorded single-day attendance in the history of Floriade since turnstiles have been a feature of the event; almost 35,000 visitors attended on that single day. We will have a more detailed evaluation undertaken by Ernst & Young of the total attendance at the event and its economic contribution, but it is worth observing that last year there was a record of close to 475,000 visits over the month of Floriade and an economic contribution of well over \$25 million.

So it continues to be the premier tourism event for the ACT and, I think we would all agree, received a wonderful boost in publicity as a result of today's visit.

MR SPEAKER: Ms Porter, a supplementary.

MS PORTER: Could the minister please outline what benefits events such as these have to the territory?

MR BARR: Having a diverse calendar of tourism events is, indeed, very important for the tourism sector. It is important for hospitality and important for the territory's

economy more broadly. The government has a seasonal approach to tourism events—that is, we will focus around the four distinct seasons that our city offers. Floriade obviously anchors the spring celebrations. The Enlighten and Canberra festivals are the major feature of the autumn season. The wrap in winter campaigns—the fireside festival, for example—are in the winter period, and I am very pleased that we have again been able to reach a partnership with the National Gallery of Australia around a summer blockbuster major art exhibition this year, the Renaissance exhibition, building on the strength of the Masterpieces from Paris exhibition that set an Australian record for attendance at a major cultural event.

It is important that we continue to have a focus on each of the seasons, recognising those distinct features of Canberra's climate that can, in fact, be turned into a positive in selling our city to fellow Australians and, indeed, to international visitors. We will continue that approach.

MR SPEAKER: Dr Bourke, a supplementary.

DR BOURKE: Is the minister aware of any other views on this event?

MR BARR: There are, of course, always a variety of views in relation to Floriade. Some have suggested that what is required is a significant entry fee in order to, in some way, further boost the event. That would clearly go to exclude a large number of Canberra families from regularly participating in Floriade. This has been tried before.

Opposition members interjecting—

MR BARR: I note, from those opposite, that the attempts at charging fees for Floriade were, indeed, a dismal failure, resulting in a significant community backlash. No, the government certainly does not intend to pursue that particular idea.

It has also been suggested that we move away from the current theming of the event, of having a different theme each year. I think it is important that we continue to evolve the event, that we add new additions. Floriade NightFest, for example, has been a very warmly received addition to the program, something that targets a different demographic and has, again, been very strongly supported both by Canberra locals and visitors alike. We look forward to continuing to evolve the event but maintain its core focus.

MS BRESNAN: A supplementary.

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Minister, has the government considered having a gold coin donation for the entry to Floriade?

MR BARR: Yes, we have considered that and rejected it. The amount of money it would raise versus the compliance, collection and administration costs associated with its collection would mean it would be of negligible benefit. That would mean many hours of volunteer time potentially spent on collecting those coins. I would have

concerns for the safety of volunteers standing at the gate and holding large buckets of money. The money would have to be regularly collected. So it would be a very inefficient way and would not contribute significantly in terms of revenue. The previous government obviously looked at this issue when it made its decision to impose a fee, back in the late 90s, and even at that time they set a fee that was I think \$10. That was obviously not strongly supported, and I would like to take this opportunity to categorically rule out any fee on Floriade, the day-time event.

Planning—draft variation 306

MS LE COUTEUR: My question is to the Minister for the Environment and Sustainable Development and concerns draft territory plan variation No 306. Minister, the proposals to change the residential and other codes through draft territory plan variation 306 have been through a series of complex processes over the past year or two. Part of the process when the code changes were proposed for territory plan variations 301 and 303 was the formation of an expert reference group which included the MBA, the HIA, the Planning Institute, the Royal Australian Institute of Architects, community council representatives and the Conservation Council. Minister, will you release the final report and minutes of the meetings from this group to the public so that people can gain a better understanding of the intricacies of the proposals and the group's position on the proposed changes?

MR CORBELL: I thank Ms Le Couteur for the question. It is normal when a variation is finally submitted to me by the planning authority for there to be a detailed consultation report which outlines all of the issues raised by stakeholders during the development of the draft variation prior to it being submitted to me. That draft variation would in the normal course of events then be submitted to the planning and environment committee in this place along with those associated documents including the consultation reports, and I expect that would be the same case in this instance.

MR SPEAKER: A supplementary, Ms Le Couteur.

MS LE COUTEUR: Thank you, Mr Speaker. Minister, have you further considered putting the solar access provisions from DV306 into a separate, more streamlined process so that they are not held up by the complexity of the proposed changes?

MR CORBELL: It is not feasible to untie the solar access provisions from other elements of the planning document. This is a complex document where there is a close interrelationship in terms of the drafting of the document between the solar access provisions and the other provisions. I am advised, and I accept the advice, that it is extremely difficult and completely impracticable to separate the two.

MS HUNTER: A supplementary.

MR SPEAKER: Yes, Ms Hunter.

MS HUNTER: Minister, how do the changes in DV306 relate to the plans for sustainable densification proposed in the draft planning strategy released this week?

MR CORBELL: It is the case that draft variation 306 is all about facilitating and managing change in the suburban environment when it comes to new development activity. It would be fair to say that many of the elements of variation 306 do not have a direct impact on the issues of densification that are outlined in the draft planning strategy because they do not deal with land use zoning categories that relate to suburban areas, in that higher density development will occur in other land use zoning which is not suburban, although some suburban development areas may be impacted. I think those issues are well understood in the consultation that has occurred to date, and I would be happy to provide a further briefing to Ms Hunter in relation to those questions should she be interested.

MS BRESNAN: Supplementary.

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Minister, have you considered publishing better explanatory material on the proposed changes before the variation goes to the next public consultation phase so that the general public can clearly and fully understand what the proposals are?

MR CORBELL: The government has been working to provide as much information, advice and explanation as possible to a whole range of community organisations. That will continue to be our approach.

Community Services Directorate—intervention by Chief Minister

MR COE: My question is to the Chief Minister. Chief Minister, it has been reported in the media today that you intervened and directed the Community Services Directorate to keep Minister Burch better informed. Is this true? When did you intervene, and what exactly did you say to the department?

MS GALLAGHER: I must say that when I read the *Canberra Times* today—and you do not always believe everything you read in the *Canberra Times* or indeed the way it is written—I thought those comments came from yesterday at a press conference where I was asked questions. I do not think it is any secret in here—I have told members here over a number of days—that I have looked at this issue very closely.

I have sought to read the briefings that have been provided and, indeed, in the censure motion I referred to the fact that I did not think information had been provided in the way it should. And I have let the directorate know that. Those are the comments that I made in this place on Tuesday. It should be no surprise to anybody. They are consistently the comments I made yesterday.

I have spoken to the Director-General around the information being provided to ministers and about my belief that that information was not provided in that way. I am fulfilling my job as the Chief Minister, letting directors-general know exactly what I expect from them. I have done that and I have had a very good discussion about that with the Director-General who, I believe, shares my views. These discussions were in line with conversations that the minister herself had with her directorate.

Mr Hanson: Why did you need to do it?

MS GALLAGHER: Because I am the Chief Minister.

MR COE: A supplementary question, Mr Speaker.

MR SPEAKER: Yes, Mr Coe.

MR COE: Chief Minister, why were you forced to intervene, when did you speak to the director-general, and what did you say about your minister's performance?

MS GALLAGHER: I have had a number of discussions with Mr Hehir as the Director-General of the Community Services Directorate, just as I have a number of discussions with all director-generals across all of the directorates. Indeed, the last conversation I had with Mr Hehir was yesterday. I expect that I will be having a number more with him, as I will with Minister Burch and, indeed, all my colleagues—a very hardworking cabinet—working across a range of very difficult issues.

MRS DUNNE: Supplementary question.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, why does a government department need to be told by a Chief Minister to keep their minister better informed?

MS GALLAGHER: As the Chief Minister, on reading the advice that was provided to the minister, and I think this is a view the minister shared, I thought that that information was not provided in the way that it should have been. It is my job as Chief Minister to relay that feedback when it is required. We are not ceremonial figures up here just thinking these things but not passing them on because that might not be appropriate. We are actually involved and we are ensuring that the administration of the ACT public service is done to the highest possible standard. Where we see moves away from that or there is room for improvement, it is our job to point that out. That is exactly what I have done.

MRS DUNNE: A supplementary question, Mr Speaker.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Chief Minister, what other directorates have you intervened in and over what matters?

MS GALLAGHER: I can tell you that I have been actively involved in every single directorate and have spoken with every single director-general across the ACT public service since I took on this job.

Mr Smyth: You don't trust any of your ministers.

MS GALLAGHER: It is my responsibility. I am the Chief Minister—that is, the first minister. I have responsibilities across government. It is my job to do this. I am not going to stand back passively where I see the need to express a view and get involved. That is the way I do my work. It is the way I will continue to do my work. It is what the community expects of me.

Children and young people—care and protection

MR HANSON: My question is to the Chief Minister. Chief Minister, yesterday you said in relation to your government breaking the law in care and protection:

I have clearly said the government takes responsibility.

Chief Minister, how exactly have you taken responsibility? What does taking responsibility mean to you and your government?

MS GALLAGHER: I have answered this question previously. The responsibility for the government is to continue the continuous improvement work in care and protection and to ensure that we provide the best possible care and protection to children and their families in the ACT. That is the responsibility. It is a responsibility that sits with all of us in this place, but there are additional responsibilities of the government. The minister is fulfilling those, and the government will continue to progress areas in this very, very difficult and complex area of government service delivery.

MR SPEAKER: A supplementary from Mr Hanson.

MR HANSON: Thank you, Mr Speaker. Minister, how can you possibly take responsibility and still refuse to apologise to the children and families affected by your government's breaking of the law?

MS GALLAGHER: Yesterday in this place again I indicated that I was extremely regretful for any distress that is provided to children or their families if the service from the public service has not been of the standard that we would all expect. However, on the issue that Mr Hanson talks about, about 24 breaches of the law, we are taking further advice on that.

Mr Smyth: What was wrong with the first lot of advice?

MS GALLAGHER: We are taking further advice—because, Mr Smyth, it seems unusual to me and difficult for me to understand that there are no opportunities for the director-general to place children in emergency care if there are no opportunities to do that within organisations that are legal entities. I have asked a further question about that. That is the issue that is being—

Opposition members interjecting—

MR SPEAKER: Order, members!

Mrs Dunne interjecting—

MR SPEAKER: Order, Mrs Dunne!

Mrs Dunne interjecting—

MR SPEAKER: Mrs Dunne!

MS GALLAGHER: But if there have been families traumatised—and, again, these cases are extremely complex and traumatic for all involved. I think that is the nature of care and protection work. It is. It is hard to say it but that is exactly what this work is all about. As I said, if there are families and children who have not been given the level of service that they should expect from the ACT public service—

Opposition members interjecting—

MR SPEAKER: Members!

MS GALLAGHER: and it seems to me that particularly placing them in less than—

Mr Coe interjecting—

MR SPEAKER: One minute, Chief Minister. I have asked repeatedly. I warned seven members of this chamber yesterday. Mr Coe, you are now warned for the most recent interjection. The volume is unacceptable. I do not expect the Chief Minister to have to raise her voice. Chief Minister.

Ms Gallagher: My time has expired, Mr Speaker.

MR SPEAKER: Sorry; I forgot to stop the clock.

MR SESELJA: Supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Seselja.

MR SESELJA: Minister, will you now apologise for your government failing these children?

MS GALLAGHER: I thank Mr Seselja for the question. As I said, expressing regret is an apology. It is acknowledging that for people who have not received the level of care—

Mr Hanson interjecting—

MR SPEAKER: Mr Hanson, you are now warned.

MS GALLAGHER: that they should have expected to receive. Yes, the government is sorry. Yes, I am sorry. I read that report and, like anyone in this place, found that report and those case studies very difficult to read.

Mr Smyth interjecting—

MR SPEAKER: Mr Smyth, you are now warned.

MS GALLAGHER: But ministers, and I hate—

Mr Seselja: Point of order, Mr Speaker.

MR SPEAKER: Stop the clocks, thank you.

Mr Seselja: Could I just seek your ruling. Is the new standard that any words spoken by a member without the floor will incur a warning from you? Is that the new standard? I just want to make it clear. It does seem that that is how you are applying it at the moment to the opposition.

MR SPEAKER: I have asked a number of times today for some silence when the ministers are speaking. The fact that I am now having to make those requests again I think is a point where I am issuing a warning. And I am actually at the point where members are likely to be getting a warning and I am not moving straight to a naming. That is my position.

Mr Seselja: Just, then, to clarify: you said you asked for silence in question time. Is the new standard now silence in question time? Is that the new standard?

MR SPEAKER: I have asked on a number of occasions today for a reduction in interjections when the Chief Minister is speaking or when any of the ministers are speaking. When I make those requests and somebody immediately, within 30 seconds of me making my position clear, starts to interject, I am left with very little room to manoeuvre.

Mr Smyth: Point of order.

MR SPEAKER: Sorry, Mr Smyth.

Mr Smyth: I said one or two words.

MR SPEAKER: For about the 20th time in question time today, Mr Smyth. You are lucky I did not name you straight up. Let us move on with the question. Thank you, Chief Minister.

MS GALLAGHER: I have finished my answer.

MR COE: Supplementary question, Mr Speaker.

MR SPEAKER: Yes, supplementary, Mr Coe.

MR COE: As Chief Minister, as first minister and as the leader of this government are you sorry for the way your government has handled this issue?

MS GALLAGHER: The government has handled this issue appropriately, Mr Coe. The government—and I am talking about the executive government at this point—when an issue was identified sought to respond appropriately. I have also additionally spoken to the directorate and let them know where I believe there have been deficiencies in the information they have provided to the executive and in addition, and the minister has done this as well over her time as a minister, about areas where improvements need to be made to the system to ensure that the system provides the best care it possibly can to children and young people and their families in need of care and protection in the ACT.

I have said a number of times in this place that it is with enormous regret that there are children and young families who may not have been provided with the service or the standard of service that they should have received from their interactions with the care and protection system. That is extremely regrettable and it needs to be improved. I have said that a number of times. The minister has said that. The director-general is fully aware of our concerns and is working with his staff in areas where they need to improve.

But at the same time let us not underestimate the job that that directorate handles on a day-to-day basis. They do some excellent work. It is a human service department. Human service departments are hard and complex and they are often dealing with very traumatic situations. The government has full confidence in that directorate to do their job properly but we also acknowledge that where problems are identified they need to respond. The directorate knows that. They are responding but I would like to say that they do a very good job for hundreds of families. (*Time expired.*)

Planning—draft strategy

MR HARGREAVES: My question is to the Minister for the Environment and Sustainable Development. Minister, you released a draft ACT planning strategy on Monday for community comment. How will the planning strategy help in achieving the government's goals of a more sustainable city and adapt to the challenges of climate change and population growth?

MR CORBELL: I thank Mr Hargreaves for his question. The draft ACT planning strategy was released for public comment earlier this week and I am very pleased to see the broad level of endorsement that the strategy has received. We have seen endorsement from the Heart Foundation; indeed, even from the Property Council. We have also seen positive comments from other members in this place, for which I thank members.

The strategy is about providing a clear framework for a more sustainable pattern of development and settlement for the city between now and 2030. In particular, it is focused on providing more opportunities for people to live close to where they work, for people to live in a diversity of housing types, to recognise that the suburban environment is highly valued in our city and that we need to seek to maintain the wonderful garden city characteristics of our suburban environment but at the same time provide opportunities for more urban environments close to public transport centres, around centres, around town centres, around places such as Civic.

The draft planning strategy recognises that we will need to see 65,000 new dwellings built between now and 2030 to help meet that growing population, and we need to do that in a sustainable manner. So it focuses on keeping our city compact, minimising travel distances, having more people live along key corridors and around centres, where they are close to good public transport with good frequency, where they live close to services and retail activities and where they live close to where they work. This means, of course, that more people can choose active transport as the way they get around, at least for some of their journeys, whether that is walking or cycling or whether that is using public transport services. It allows the government to continue to invest in more efficient frequencies and better public transport services along those corridors.

But there is recognition as well that the suburban environment is an important one and that there will always be a requirement for some level of greenfields development. In this regard the planning strategy maps out where that greenfields development can potentially occur and highlights how that can occur in a manner which is consistent with the need to protect biodiversity and consistent with the need to manage the impact of greenfields development on the environment.

This is an important document, and a document which has been many months in the planning. I want to acknowledge the work of my predecessor as minister, Mr Barr, who has significantly led large chunks of this work, and of course the officers of the ACT Planning and Land Authority, who have undertaken significant work in engaging with the community. That, of course, is the real strength of this draft strategy—the fact that we have seen strong engagement from the community in developing the principles that underpin the assumptions in the strategy.

We will need to make some difficult decisions and trade-offs to achieve the preferred future for our city. It will require partnerships and collaboration. But I am conscious that this draft planning strategy is a great opportunity for everyone to have another say on where they believe their city should head when it comes to land use decisions. I encourage everyone to be involved through the consultation process which continues from now until the end of this year.

MR SPEAKER: A supplementary, Mr Hargreaves.

MR HARGREAVES: Minister, how will the draft planning strategy assist in Canberra accommodating increased population in the future without compromising our suburban amenity?

MR CORBELL: Again, I thank Mr Hargreaves for the question. As I have previously said, the housing demand we expect to see between now and 2030 is for another 65,000 dwellings. That is a very significant increase in the overall number of dwellings in the city, and that is why we need to continue our greenfields planning for the remainder of Molonglo and for the Molonglo Valley, as is already outlined in the strategy. But we also need to focus on increasing the density around town and group centres and along those major transport corridors, and we also need to work with our neighbours over the border, recognising that some level of settlement will occur in the

region surrounding us. That settlement should be done in a coordinated fashion and in a fashion that provides us with the opportunity to ensure we have effective transport links, in particular, between the city and those regional settlements.

Of course, it is important to recognise too that the changing demographics of our city are driving this demand, at least in a significant part, for new housing types. As people age and as household formation changes and the number of people in a household continues to reduce, demand for more and more dwellings continues to increase, for example, people wanting to move from larger homes into smaller dwellings. People who are only ever going to be a one-parent household, for example, need a different type of dwelling from a family of four or five.

So all these things need to be recognised in the draft planning strategy, and the draft planning strategy seeks to recognise that that diversity of housing type must be accommodated and must be provided for by ensuring that there are a range of development opportunities around the city, both in the suburban and regional environments but also, importantly, around centres and along transport corridors.

MS PORTER: A supplementary.

MR SPEAKER: Yes, Ms Porter.

MS PORTER: Minister, how does the land use planning strategy link to the transport strategy that you also released recently and how will the government ensure that these key, important policies work together?

MR CORBELL: I thank Ms Porter for the question. It is, I think, very important to know that the draft transport for Canberra plan, which I released a fortnight ago, is very much a sister document of the draft planning strategy. It recognises that the provision of frequent, reliable and efficient transport services has to occur along those key corridors which are also the corridors identified in the draft planning strategy as areas for urban intensification.

The government has released both of these draft plans together so that people can see the full picture, not just the land use planning decisions but also the transport service delivery and infrastructure decisions. Together, they provide a complete picture of how the government is working to provide for a more sustainable city, to provide better transport choices for Canberrans, to provide a greater diversity of housing choices for Canberrans. It is important, I think, when people look at the draft planning strategy, they also have regard to the work that has occurred in the draft transport for Canberra plan to see the entire picture.

As an example of the work the government is doing to follow through on these interim strategic directions, obviously significant work already is occurring in relation to the Northbourne Avenue transit corridor, an important example of how planning ties in closely with strategies outlined in relation to transport. Also, the master planning for Tuggeranong and Erindale also includes Erindale Drive as a major transport corridor. Master planning for Athllon Drive will look at potential residential capacity in these areas.

This again highlights how the government is using its master planning program to fit in with its broad strategic planning and transport strategies. I would encourage the community to get involved and give their feedback on how we are going to achieve these outcomes.

MS LE COUTEUR: Supplementary, Mr Speaker.

MR SPEAKER: Supplementary, Ms Le Couteur.

MS LE COUTEUR: Minister, in your first answer you said there would always be some need for greenfields. Given that Canberra is coming up against the borders of the ACT in a number of directions, where do you propose that we will be going—taking a long-term view here?

MR CORBELL: I would draw Ms Le Couteur's attention to the aspects of the planning strategy that recognise that there are potential residential development opportunities in locations such as west Belconnen. Members will be familiar with the proposals that have been put forward by a private consortium, the Riverview Group, as to the potential expansion of west Belconnen towards the Murrumbidgee river corridor. This is an area that has been identified by the government in the draft strategy as an area worthy of more detailed consideration and that is the work that will occur as a result of its inclusion in this draft planning strategy.

Equally, the draft planning strategy reconfirms that there are opportunities potentially in the Kowen plateau as was confirmed initially in the Canberra spatial plan in 2004. However, it is important to make the point with Kowen that there are significant logistical difficulties if we are to seek to service development of the Kowen plateau from the ACT side of the border, but there is the potential to effectively, efficiently and economically service urban development in Kowen from the New South Wales side of the border. That is why it is recognised in the planning strategy that any development of Kowen should be considered in the context of a cross-border development potentially with the Queanbeyan City Council in the Queanbeyan City Council area.

That highlights that increasingly development around us must be viewed in a regional context. It is not development either on the ACT side of the border or the New South Wales side of the border; it is a regional context that we must bring to our consideration of these issues and I think that the draft planning strategy is setting a very clear way ahead about how we continue to strengthen and continue to highlight that we are a city in a region and that our connections and our relationships with the region are vital.

Children and young people—care and protection

MR DOSZPOT: My question is to the minister representing the Minister for Community Services. Minister, the ACT Public Advocate in her interim report of her review of the emergency response strategy for children in crisis in the ACT noted that policies and procedures “have had a serious and detrimental impact on children for

whom the director-general has parental responsibility.” In particular, the report noted that:

... there were no Placement Request Forms on either the paper or the electronic file (CHYPS) for ... the nine children subject of the specific incidents that initiated this Review.

Minister, how can this element of process be omitted, and what have you done to satisfy yourself that it will not happen in future?

MS GALLAGHER: The government will be providing a full response to the issues identified in the Public Advocate’s report. That has not been finalised at this point in time. There has been initial advice to me, and I do not think it relates to the specific issue that you have raised there, Mr Doszpot, but there are differing views from the directorate about some of the factual content in the Public Advocate’s report, and we need to work through that. But in terms of your specific question, I will take that on notice and get back to you if I can in a reasonable time. But in the general sense of responding to every issue that has been raised by the Public Advocate, we will be doing that in a very fulsome way, and, of course, that response will be made public.

MR SPEAKER: Supplementary, Mr Doszpot.

MR DOSZPOT: In relation to your answer, minister, why was this element of process omitted specifically, if you are looking into this? Why was this element of process omitted specifically in relation to the children whose plight sparked the Public Advocate’s review?

MS GALLAGHER: I cannot answer that question for you. I am happy to take further advice. But in terms of the overall response, the government will be providing one to all of the issues raised in that report.

MR SPEAKER: Supplementary, Mrs Dunne.

MRS DUNNE: Minister, what instructions have been given to the directorate in relation to reviewing its policies and procedures in relation to child emergency placements under child protection services, and what have you done to ensure that the documentation is up to date?

MS GALLAGHER: The discussions I had, and I think this question was given to me as acting minister for community services, so I am answering in that regard—the advice that I have from the minister around policies and procedures in general is that they have been updated. I am not sure of the broader issue of why they have not been provided to the Public Advocate in a timely way, but the instructions from the minister and from me around ensuring that all of the processes, procedures, documents and information are in order have been very clear to the directorate.

But we also need to give time. I have had an initial copy of a briefing that has been provided to the minister from her directorate. We need time to allow the Community Services Directorate—and give them some natural justice here—to respond to some

of the issues that have been raised in the Public Advocate's report. My understanding is that they had a few working days to respond to a draft copy of the Public Advocate's report but that there are still elements within that report that the directorate feel that they need to respond to and correct. We need to allow them the time to do that before we pass the judgements that have been made against them in this place this week.

MRS DUNNE: A supplementary question.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Chief Minister, why has the directorate been operating under placement policies and procedures that are seven years old and which do not reflect current practice? I would like you to reflect upon that both as the acting minister and as the former minister.

Mr Hargreaves: On a point of order, Mr Speaker, I believe that question has already been asked in the previous question time, almost verbatim.

Mrs Dunne: I do not believe it has.

MS GALLAGHER: Mr Speaker—

MR SPEAKER: Are you just going to take the question?

MS GALLAGHER: this issue will be covered fulsomely in the government's response, once the government has all the information available to them, not just the Public Advocate's report but also the advice from front-line staff and managers within that directorate, about the policies and procedures that they were operating under.

Industrial relations—security industry

MS BRESNAN: My question is to the Minister for Industrial Relations and is about the ACT security industry. Workers in the ACT security industry receive a lower wage for their work when compared to security workers in every other part of Australia. In a jurisdiction like the ACT, where a few security firms operate, it can be very hard to change working conditions. Minister, given that the ACT government is a significant purchaser of these low-wage security contracts, what consideration have you given to guaranteeing that the ACT government will only employ security firms which agree to pay wages in line with the Australian standard?

MS GALLAGHER: I have met with United Voice and a delegation of security industry workers in the last few months. The issue they raised with me was their priority around getting a portable long service leave scheme in place for their industry as they feel that they are, probably alongside retail, an industry that deserves to have portability as well. I think we briefly touched on this. They are covered by private sector awards or EBAs that are in place with United Voice.

The government, in terms of our own purchasing capacity, always makes sure—and it is a requirement—that contracts are funded to ensure that people are paid what they

are legally entitled to be paid. But this is not a workforce that we directly employ. I think there would be some difficulty if we were, as the non-direct employer, to inflate a contract to over-compensate for what those workers were actually engaged for and being paid. I am not sure how you would do it.

From my point of view, it is clear the government, as a responsible purchaser of services, needs to purchase in accordance with that so that all people's wages and conditions can be legally fulfilled. And we do that. The other issue that we are looking at is introducing a portable long service leave scheme to ensure improvements to their conditions overall.

MS BRESNAN: A supplementary.

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Minister, have you considered reviewing the security clearance requirements that ACT government agencies impose on security contractors, particularly in terms of over-classification problems and the costs and burdens that these requirements can put on security workers?

MS GALLAGHER: No, I have not, Ms Bresnan, but I am happy to take a look at it and take some further advice on that. It was not raised with me by the workers themselves, the delegation I met with, but I am very happy to take some advice from the head of service if our requirements are too onerous.

MS HUNTER: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Ms Hunter.

MS HUNTER: Thank you, Mr Speaker. Minister, what representations have you made to your federal government counterparts who are large employers of ACT security workers to ask that they employ security firms that pay fair wages and that they do not impose overly onerous security clearance requirements?

MS GALLAGHER: I have not made any representations to the government. As I said, this has not been an issue that has been raised with me or, indeed, that I have been made aware of until your questions today that there was a lower standard of pay here.

I was aware that their wages are not in the high level, but I was not aware there was a disparity between jurisdictions as I believed that a federal award would have ensured consistency. Whether other jurisdictions are paying over award with EBAs is something I do not have a great deal of control over. But if this is a big issue for the workers in the security industry here, I am happy to look at it further.

MS LE COUTEUR: Supplementary, Mr Speaker.

MR SPEAKER: Yes, Ms Le Couteur.

MS LE COUTEUR: Minister, are you aware of other industries where ACT workers have the lowest pay in the country and where the government is the major employer?

MS GALLAGHER: No, I am not. I am not aware of any example. I find it hard to believe that the security industry are the lowest paid in Australia here, but I will take some further advice on that as well.

Sports Alive—inquiry

MR SMYTH: My question is to the Minister for Economic Development and gaming and racing. Minister, in August 2011 the ACT registered online betting company Sports Alive was placed into voluntary liquidation. I have received a number of representations about the consequences of that collapse. I understand the ACT racing and gaming commission is conducting an inquiry into this matter. Minister, what is the status of the inquiry into the collapse of Sports Alive which is being undertaken by the commission?

MR BARR: I thank Mr Smyth for the question. I understand that his office has approached mine and sought some detailed briefings in relation to this matter, which I understand have been facilitated. The latest advice I have is that the inquiry is still ongoing.

MR SPEAKER: A supplementary, Mr Smyth.

MR SMYTH: Minister, what are the terms of reference for the commission's inquiry? Will you release these terms of reference and when will the commission's inquiry be completed?

MR BARR: I will need to seek some advice on the latter parts of the question from the commission, as obviously this inquiry is being undertaken at arm's length from government.

MR SPEAKER: Mr Doszpot, a supplementary.

MR DOSZPOT: Minister, when did you first become aware of the problems being experienced by Sports Alive, and what action, if any, did you take at the time?

MR BARR: There were a number of media reports, and I sought some advice from the commission, who have regulatory responsibility in relation to the matter.

Mr Doszpot: I asked a specific question of the minister: when did he become aware of the problems being experienced?

MR SPEAKER: Minister, do you wish to add anything further?

MR BARR: Is this another supplementary question?

MR SPEAKER: Mr Doszpot is seeking clarification of the answer.

MR BARR: I have answered the question.

MR SPEAKER: Mr Doszpot, another supplementary now?

MR DOSZPOT: Minister, which firm of auditors was the auditor of Sports Alive?

MR BARR: I will have to take that question on notice.

Health—general practitioners

DR BOURKE: Chief Minister, the government has allocated \$4 million for a GP development fund. Can you provide to the Assembly an update on this initiative?

MS GALLAGHER: I thank Dr Bourke for the question. The government have, since 2008, as part of our previous election promise, allocated \$4 million to a GP development fund. This fund has undergone several rounds to provide additional resources to general practices across the ACT. We are just about to conclude the decisions around funding for round 4, which will provide for another 30 new projects to be funded.

In total, 33 practices have received funding to date. I think in round 4 almost a million dollars is going out the door basically to support the expansion of and the training assistance for the general practice workforce, not just GPs but also their nursing and administration staff as well. Already we have had rounds 1, 2 and 3. Round 4 has just been finalised. This will ensure that about 33 practices across the ACT will have received funding for approximately 72 different projects.

MR SPEAKER: Dr Bourke, a supplementary question.

DR BOURKE: Chief Minister, how has this assisted local general practices in the ACT?

MS GALLAGHER: Thank you, Dr Bourke. This has been a very successful program. Through the program and the flexibility around payments, practices have been able to attract new GPs to the ACT. There have been 34 additional GPs recruited over the past 2½ or three years to the ACT. That is just fantastic. It has been able to be used to increase services that have been provided, such as purchase of equipment and training for identifying skin cancer, purchase of IT equipment to allow for remote access to assist with home visits to housebound patients or patients in care facilities, and different training opportunities for practice nurses such as immunisation training to allow them to increase the immunisation programs in their general practice.

It has assisted with the website development, particularly around improving recruitment outcomes for GPs. It has allowed for additional consulting rooms and replacing ageing, broken or inadequate equipment. It has allowed for remodelling of practices to improve space for patients, OH&S for staff, the widening of doorways and things like that to ensure greater accessibility for patients who may have a disability.

The feedback we have had from general practices has been extremely positive. They have been able to use these grants from the ACT community to be able to upgrade, expand and allow for innovation to occur within their practices.

MR HANSON: Supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Hanson.

MR HANSON: Minister, is it still true that the ACT has the lowest number of GPs per capita in Australia, the lowest rates of bulk-billing in Australia and the highest cost of visiting a GP in Australia?

MS GALLAGHER: You can always count on Jeremy Hanson to come in on what—

MR SPEAKER: Chief Minister, some facts.

MS GALLAGHER: is a positive story about GP infrastructure payments. In terms of the GP shortage, yes, I imagine. I have not seen anything to say that we have got to the national average of GPs. We have recruited 34 additional GPs, but of course there have been a number of GPs that are close to retirement age.

In terms of bulk-billing, this is a fraught issue in the sense that GPs do not believe that they should be required to bulk-bill and these are business decisions that they make themselves. Of course, the walk-in centre now has seen over 20,000 people. The walk-in centre is a service we established to ensure that people with low-acuity illnesses and injuries would be able to access out of hours and free primary health care. That has been enormously successful. We know that GPs have a view about the expansion of that and whether it should be expanded, but in terms of the government's responsibility we do not have the capacity to order GPs to bulk-bill although I will be interested to see if that is something that Mr Hanson comes up with during the election campaign. We do not, and we do not think it is the right thing to do. The right thing to do is to look at other models to provide care in an affordable and effective way. And we have done just that.

MS PORTER: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Ms Porter.

MS PORTER: Thank you, Mr Speaker. Minister, what other GP initiatives has the government introduced in this term of the government?

MS GALLAGHER: I thank Ms Porter for the question. The \$4 million in the GP development fund was part of a \$12 million commitment in GP support initiatives. We have also established the business hours aged care GP locum service, which provides care to people who cannot easily access their GP practice. I spoke to the GPs who have been providing that service and we will have to look at how it goes. It is early days but it is certainly filling a need in the aged care sector.

We have the ANU graduate scholarships program, which again needs some finetuning because it has not been able to provide the students—well, there are some tax issues there that have made it a problematic program, but we are continuing our discussions with ANU about how to ensure that that money gets spent and gets spent in the right way.

There is the PGPPP program, which is allowing for rotations of four junior doctors into general practice to encourage them to take up life as a general practitioner at the end of their training, and we are providing support for clinical teaching in general practice.

This really important. As we train more and more medical students, more and more medical students need access to clinical placements in GP practices. GPs were telling us they are too busy. It is costing them money to train students. So we have sought to intervene there and fill that space.

We have also announced, of course, the scholarship for Dr Pete. I know that there are a number of other organisations looking to provide or be part of a legacy to Dr Pete. So if we are able to work with them to make that a really special program, we will do so. The contribution from the ACT community through the government will be a scholarship of \$50,000, and that is specifically to help the Indigenous health stream.

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

Papers

Mr Corbell presented the following papers:

Civil Law (Wrongs) Act, pursuant to subsection 4.56(3), Schedule 4—Professional Standards Councils—Annual Report 2010-2011.

Crimes (Controlled Operations) Act, pursuant to subsection 28(9)—Annual Report 2010-2011—ACT Policing Controlled Operations, dated 15 September 2011.

Crimes (Surveillance Devices) Act, pursuant to subsection 38(4)—Annual Report 2010-2011—ACT Policing Surveillance Devices, dated 15 September 2011.

Standing and temporary orders—suspension

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

That so much of the standing and temporary orders be suspended as would prevent Executive business being called on forthwith.

MR SPEAKER: Members, the consequence of this is that we will not be proceeding today with the matter of public importance.

MR SESELJA (Molonglo—Leader of the Opposition) (3.11): We will not be agreeing to this motion. What is it about housing affordability that this government do not want to debate? Do they not believe that housing affordability is a matter of public importance? This is the ordinary course of business and there is no reason why we should not be having this matter of public importance brought on today. The fact that the government and the Greens do not want to talk about housing affordability is really irrelevant. It is irrelevant what they think of the issue. The fact that they have failed on the issue is irrelevant.

What is relevant is the fact that it is listed. It is listed here for a reason and the opposition, the Canberra Liberals, had anticipated that that would be followed through, that we would have the opportunity to talk about what is a critically important issue to Canberrans, a critically important issue for tens of thousands of Canberra families who are struggling as a result of this government's flawed policies in this area. It seems the Labor Party and the Greens do not want to talk about it.

Offers were made to get through the business but it seems that the government do not want to stay long to get through the business. So what they are doing is shutting down debate on one of the most critical issues in our community today, the matter of public importance that has been proposed by me on housing affordability. I think this is disgraceful.

We will not be supporting the suspension of standing orders to shut down debate on housing affordability simply because the Labor Party and the Greens are so embarrassed about their record on housing affordability, on how much harder they have made it for Canberra families. This is an issue that deserves to be debated. There is no reason for it to be pushed back, and for that reason we will not be supporting the suspension of standing orders.

MS BRESNAN (Brindabella) (3.13): The Greens will be supporting this motion. The Liberal Party know what this is about. This is about their continuing to break agreements that are made between the different parties.

Mrs Dunne: There was no agreement made.

MS BRESNAN: On the issue of affordable housing, the Greens actually had an MPI on low income households and housing stress in the last sitting. We had that MPI there. How about we actually try to make an agreement? I know that is hard for the Liberal Party to do. In the next sitting, let us all put in an MPI about affordable housing. Of course, they probably would not stand to that agreement, so there is no use actually even contemplating that.

Mr Seselja says that this is a disgrace. He knows exactly what this is about. This is about the fact that we keep getting the same situation over and over again with the Liberal Party. They are not engaging. They are not collaborating with other parties and they are not keeping to agreements.

Mrs Dunne said that no agreement was made. I think it is worth going back to what happened in the administration and procedure committee. There was a discussion

about Mr Doszpot's item of Assembly business. It was agreed that that was important to happen. They also acknowledged that this was not a typical sitting day.

Mrs Dunne: You said that.

MS BRESNAN: No, we all actually said that, Mrs Dunne. We talked about that in admin and procedure. We talked about actually trying to work out a fair process whereby Mr Doszpot can have his item of Assembly business and we can get through legislation. Let us actually come to an agreement being respectful of the fact that we all attended the visit to Floriade this morning and recognising that this was not a typical day.

I acknowledge what Mrs Dunne said. We talked about not having an MPI and we said that we would take it back to our party rooms. But what was also said in admin and procedure is that nobody saw this as being a problem because we agreed again that Thursday was not a typical day. We also did agree—we also discussed in admin and procedure that we would not sit late, that we would sit to the typical time.

Mrs Dunne: No, you said you would not sit late.

MS BRESNAN: No, Mrs Dunne, that was actually what was discussed. That was discussed in admin and procedure. I think the problem we are also experiencing is that we are becoming quite frustrated with this ongoing process where agreements reached in admin and procedure and other agreements reached between the whips are not being respected and adhered to by the Liberal Party group. It is becoming increasingly difficult to be able to advise my colleagues what we can expect in a particular sitting day because it is continually changing.

On the issue of the Liberal Party whip, Mrs Dunne has made the point that we cannot talk about timing and issues in admin and procedure because that needs to be done between the party whips. I would like to point out, Mrs Dunne, that we should be able to discuss those issues at admin and procedure, as I understand has been done in the past. But the problem that is the Liberal Party whip does not actually sit on admin and procedure, so it makes it very difficult to discuss those issues.

I think all we are actually seeing here is the Liberal party trying to adopt some Tony Abbott style approach to wrecking the parliament. That is what we see. We have seen that. We have the usual argy-bargy of politics but we also try to actually have a process whereby, in the way the parliament sits, if we have particular days like today we can have a process that everybody agrees on and we can get the business of the parliament done. But we are not getting that from the Liberal Party.

I would also like to note that I am yet to receive an apology from Mr Seselja for directly misrepresenting in the adjournment debate a number of weeks ago the position the Greens took in admin and procedure—

Opposition members interjecting—

MR SPEAKER: Order!

MS BRESNAN: He said that we had tried to stop Mrs Dunne from listing an item of business, which actually did not occur.

Mr Seselja: Sorry, is this relevant?

MS BRESNAN: It is relevant because it goes to the fact that what gets discussed in admin and procedure is not honoured by the Liberal Party. It is happening over and over again and the only reason this has happened today is your behaviour, and you know that.

MR HARGREAVES (Brindabella) (3.17): I note while I am on my feet, Ms Bresnan—

MR SPEAKER: Are you taking a point of order or are you speaking to the motion?

MR HARGREAVES: No, I am speaking to the motion, Mr Speaker. Ms Bresnan was speaking about the processes on the administration and procedure committee. She was talking about the relationship that the whips should have in that particular forum. She was saying, if I can paraphrase it a bit, how disappointing it was that we could not have any agreements between the three parties in that particular forum, because that is the very forum created to arrive at those agreements. All she did was suffer the abuse from those opposite who were shouting her down while she was trying to make her case, including Mr Seselja and—

Mr Seselja: Point of order, Mr Speaker. Could you ask Mr Hargreaves whether he is taking a point of order or making a speech? This is not relevant to the suspension of standing orders and I would ask you to ask him to be relevant.

MR SPEAKER: Order, there is no point of order at this stage. Mr Hargreaves, you have the floor.

MR HARGREAVES: Thank you, Mr Speaker. It goes to the point that Ms Bresnan was trying to make without interruption and she was howled down about the courtesies which should normally exist. In fact, admin and procedure is the place where we get together and put the views of our groups. We actually sometimes take a minority position into that particular discussion.

I have done it on a number of occasions to find that the will of admin and procedure was that the Labor Party would not have its position advanced. I have accepted that. I did not like it but I have accepted it because I understood it to be the majority view of the committee. In this particular case, we left that committee knowing that we were going to go with the swap.

Mr Seselja said that it is the business of the parliament. Mr Speaker, if in fact we have got a truncated day because we were on official duties elsewhere, I would submit to you that Mr Doszpot's items should not be on the paper. In fact, the agreement was that we would swap Mr Doszpot's item for the MPI because it was important to Mr Doszpot. Mrs Dunne advocated this for him, quite reasonably, and it was important to the Greens to have that item finished. We supported that.

But what we did say was: “You cannot have it both ways. You cannot have a half a day, talk about ordinary parliamentary business and then say, ‘We will have both items, thank you.’” That is not the way it works.

I also wanted to refer to the point Ms Bresnan made about being able to deliver on the part of the party rooms. It has been very rare that we have not been able to speak on behalf of our caucus rooms, our party rooms—very rare indeed. I would submit, Mr Speaker, that the parliamentary process which applies in admin and procedure is not being respected by those opposite.

We have the government business meeting which deals with executive business. Let us talk about the separation of powers in this place. It talks about executive business. It is talked about by the manager of opposition business, the manager of government business and the manager of crossbench business. When we talk about private members’ business, we talk about that in the context of the whips. The whips are not part of the executive. That is why admin and procedure is the perfect place for the whips to come together to discuss private members’ business.

Mr Doszpot’s business item is a private members’ item. The MPI is a non-executive piece of business. It is appropriate, Mr Speaker, that the whips come together and discuss that, not the manager of opposition business. It should be the opposition whip.

I will be raising this in the administration and procedure meeting coming up very shortly. I am going to ask how we can address standing orders to automatically place membership of the administration committee under the chairmanship of the Speaker. Quite properly then, the membership shall be the whips of the three segments of this chamber. This is to separate the powers, because quite clearly if you have got a whip from the opposition somewhere else and the manager of opposition business sitting in there, the conversation cannot work.

We saw a crystal clear example of it only yesterday. We tried our best to come to a collegiate position on this. Ms Bresnan gave a bit. I gave a bit. Mrs Dunne was not prepared to move an inch. Mr Speaker, I think that speaks very poorly of those opposite. It shows me that they cannot embrace the separation of powers. In fact, all they really want to do is to play politics with what we should be seeing as a parliamentary process. I urge this chamber to support the motion.

MRS DUNNE (Ginninderra) (3.22): The Canberra Liberals are not supporting this motion because there was no agreement in admin and procedure, nor should there be an agreement in admin and procedure. Admin and procedure is there to list business. Admin and procedure agreed to list Mr Doszpot’s item of Assembly business and there was discussion about other measures that we would take during the day. We said that we would take this back to our party rooms.

As soon as I had discussed the matter with the party rooms, I notified all of those people and the government and the manager of government business to say that we were not prepared to give up our MPI. On the other hand, we were prepared to sit until the business of the Assembly was done today. But only the Liberal Party is

prepared to actually sit in this place and do any business. Everyone else wants to bundy off at 5 o'clock and go home. This is really what it boils down to.

Members interjecting—

MR SPEAKER: Order, members! Mrs Dunne has the floor.

MRS DUNNE: You are not prepared to put in the hours. You are not prepared to put in the hours and only the Liberal—

Ms Bresnan interjecting—

MR SPEAKER: Order, Ms Bresnan!

Ms Bresnan interjecting—

MR SPEAKER: Ms Bresnan!

MRS DUNNE: And the number of times that I have said on a regular basis that the Canberra Liberals are prepared—

Mr Coe: Point of order, Mr Speaker.

MR SPEAKER: Yes, Mr Coe.

Mr Coe: Mr Seselja and I were warned earlier today for making interjections. You said that a new standard would apply going from there. I ask that you apply that standard in debates such as this.

MR SPEAKER: Mr Coe, there is no point of order. I did not say, and Mr Seselja has pressed me on this, that I expected silence. What I would note is that you, Mr Hanson and Mr Smyth have all interjected numerous times and I had used each of your names numerous times before I issued a warning. Mrs Dunne, you have the floor, and there are about two minutes left.

MRS DUNNE: The Chief Minister is not allowed to raise her voice. I have to raise my voice because of the interjections.

I just want to make the point that there was no agreement. When my party room made a decision I immediately took the step of informing members what the party room's decision was. We had a discussion about this at the government business meeting yesterday. There was no agreement that there would be no MPI. There was an agreement that we would take this matter back to our colleagues.

It has boiled down to the fact that the Greens have decided that they did not want to debate an MPI because they want to bundy off. They want to go home. They have had a big day out in the sun and it is too hard for them. It is really time that some of the members toughened up around here and actually did some work in the Assembly. It is constantly the case that Mr Hanson and I have time and time again said that we

are prepared to sit late. But no, it is always the Labor Party and the Greens who want to go home and everyone wants to knock off early today.

We have not done any work today. There is a reason for that. But the day is not so special that our responsibilities as legislators have to go completely out the door. There are forms in the standing orders, and the standing orders apply. If someone puts in an MPI, the MPI gets listed. That is how it works.

Today is the day we have Assembly business. It is always the case that we have Assembly business. We had the discussion about how long Mr Doszpot's item would take. Seeing that it is part heard, there was general agreement that it should not take very long. There was also a high level of commitment from Mr Doszpot and, I understand, from the Greens to have this matter dealt with today.

It was never an either/or thing. There was a discussion about whether it could be an either/or thing and I made it very clear, as soon as possible after I had discussed it with my colleagues, that the Canberra Liberals did not believe it should be an either/or thing, that we should do all the business of the day. This is why we are not supporting the suspension of standing orders and bringing on executive business. For the most part—

MR SPEAKER: The time for debate has expired.

Question put:

That so much of the standing and temporary orders be suspended as would prevent Executive business being called on forthwith.

The Assembly voted—

Ayes 10

Noes 5

Mr Barr	Mr Hargreaves	Mr Coe	Mr Smyth
Dr Bourke	Ms Hunter	Mr Doszpot	
Ms Bresnan	Ms Le Couteur	Mrs Dunne	
Mr Corbell	Ms Porter	Mr Hanson	
Ms Gallagher	Mr Rattenbury		

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

Business Names Registration (Transition to Commonwealth) Bill 2011

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

Title read by Clerk.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment and Sustainable Development, Minister for Territory and Municipal Services and Minister for Police and Emergency Services) (3.28): I move:

That this bill be agreed to in principle.

I am pleased to introduce in the Assembly today the Business Names Registration (Transition to Commonwealth) Bill 2011, which will repeal the Business Names Act 1963 and associated subordinate legislation.

The government is committed to providing a nationally consistent system for business names registration, to make it easier to carry on a business in the ACT and around Australia. The aim of these reforms is to facilitate consumer protection and allow businesses to register once regardless of how many jurisdictions they operate in. The new national system will also reduce red tape, thereby saving businesses time and money.

This bill reflects the ACT's commitment to implement the intergovernmental agreement for business names signed by all states and territories on 2 July 2009 and tabled in the Assembly on 18 August that year. This follows the 2007 agreement by the Council of Australian Governments to adopt a national business names registration scheme.

The intergovernmental agreement includes a commitment by the parties that the levels of service provided under the national scheme will not be less than services currently provided in the state and territory systems. I am confident that this bill will provide a seamless transfer of business names registration functions to the commonwealth.

To ensure there is no disadvantage to any ACT businesses, the provisions in this bill enable the automatic registration of business names under the national system with the Australian Securities and Investments Commission. The Office of Regulatory Services will provide ASIC with the details of the ACT business name register so that registrations of individual businesses will be carried over unchanged.

This bill will ensure a smooth transition to the national system by preserving some of the arrangements under the existing Business Names Act for a transition period. Name renewals will continue with the Office of Regulatory Services up to one month after the day the national scheme commences, which at this stage is anticipated to be in May 2012. Decisions by the Office of Regulatory Services to cancel a registration can also be challenged in the Supreme Court up to two months after changeover day.

Businesses in the ACT will benefit from this national scheme which will mean that businesses which operate across jurisdictions pay lower fees for registration and renewal. Businesses and the community will also benefit from no longer needing to be registered in each state or territory in which they trade. Businesses trading across jurisdictions will be saved from incurring additional expenses and reporting burdens. This will increase competition in the territory.

The new national system will also enhance consumer protection by allowing consumers and traders to identify and locate those trading under a business name through a national register of business names. It will also attempt to prevent the registration of business names which are inappropriate, likely to offend, mislead or deceive consumers and traders.

A 24-hour online business name registration system will result in improved efficiency and convenience for business name owners. Simultaneous registration with the Australian business number registration will also provide businesses with convenience. Information will be prefilled from one registration to the next. Applicants will also be provided with information and links to trademark and domain name searches during the business name registration process.

The national scheme will use an identical or nearly identical test when assessing a proposed business name against existing business names. This test will provide a consistent approach across Australia. Under this test existing businesses with similar names to other businesses in Australia will not be disadvantaged. The name will be retained with a geographic identifier. For example, a company in the ACT with the name Acme Glass will become Acme Glass (ACT). In Western Australia, a company with the same name will become Acme Glass (WA); however, both companies' signage and stationery will remain the same.

The implementation of these reforms was carefully considered in the context of the territory's human rights legislation. This legislation will potentially raise issues of privacy. To generate and maintain a comprehensive national business names register, the Australian Securities and Investments Commission may have access to personal information about individual business proprietors, such as name, residential address and telephone number.

However, limitations on privacy are reasonable and will be minimised as information held by ASIC will be subject to a number of protections contained in the commonwealth regulations. The information that will be provided is no more than is currently collected under the ACT system.

I am confident that this bill will achieve the policy goals of the intergovernmental agreement for business names, such as less red tape and saving businesses time and money. This is achieved while imposing the least possible limit on this right to privacy and those limits are reasonable in the circumstances.

This bill offers a number of benefits for existing ACT businesses and has the prospect of also attracting new businesses into the territory. I commend the Business Names Registration (Transition to Commonwealth) Bill 2011 to the Assembly.

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

Statute Law Amendment Bill 2011 (No 2)

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

Title read by Clerk.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment and Sustainable Development, Minister for Territory and Municipal Services and Minister for Police and Emergency Services) (3.34): I move:

That this bill be agreed to in principle.

The Statute Law Amendment Bill 2011 (No 2) makes statute law revision amendments to ACT legislation under guidelines for the technical amendments program approved by the government. The program provides for amendments that are minor or technical and non-controversial. They are generally insufficiently important to justify the presentation of separate legislation in each case and may be inappropriate to make as editorial amendments in the process of republishing legislation under the Legislation Act 2001. The program is implemented by presenting a statute law amendment bill such as this in each sitting of the Legislative Assembly and including further technical amendments in other amending legislation where appropriate.

Statute law amendment bills serve the important purpose of improving the overall quality of the ACT statute book so that our laws are kept up to date and are easier to find, read and understand. A well-maintained statute book greatly enhances access to ACT legislation and is a very practical measure to give effect to the principle that members of the community have a right to know the laws that affect them.

Statute law amendment bills also provide an important and useful mode for continually modernising the statute book. For example, laws need to be kept up to date to reflect ongoing technological and societal change. Also, as the ACT statute book has been created from various jurisdictional sources over a long period, it reflects the various drafting practices, language usage, printing formats and styles throughout the years. It is important to maintain a minimum, consistent standard in presentation and cohesion between legislation coming from different sources at different times so that better access to and understanding of the law is achieved.

This Statute Law Amendment Bill deals with three kinds of matters. Schedule 1 provides for minor, non-controversial amendments proposed by a government agency that require approval from the Chief Minister. Schedule 2 contains amendments of the Legislation Act 2001 proposed by the parliamentary counsel to ensure that the overall structure of the statute book is cohesive and consistent and is developed to reflect best practice.

Schedule 3 contains technical amendments proposed by the parliamentary counsel to correct minor typographical or clerical errors, improve language, omit redundant provisions, include explanatory notes or otherwise update or improve the form of legislation.

This bill contains a large number of minor amendments with detailed explanatory notes, so it is not useful for me to go through them now. However, I will take the opportunity to briefly mention several matters. Schedule 1 of the bill contains amendments to a number of acts in relation to bankruptcy. Members may recall that two years ago the Statute Law Amendment Act 2009 (No 2) inserted a new definition of “bankrupt or personally insolvent” in the Legislation Act 2001, dictionary, part 1, that established a single term to cover the range of circumstances by which an individual may be considered bankrupt or insolvent under the Bankruptcy Act 1966.

The definition includes individuals having a similar bankruptcy or personal insolvency status in a foreign country and people in any other circumstances seeking to benefit from any law for the relief of bankrupt or insolvent debtors. A number of acts and regulations were also amended in that act, schedule 3, as a consequence of the new definition.

The Statute Law Amendment Bill (No 2) continues the process with similar amendments being made to the Intoxicated People (Care and Protection) Act 1994, the Medicines, Poisons and Therapeutic Goods Act 2008, the Medicines, Poisons and Therapeutic Goods Regulation 2008, the Radiation Protection Act 2006 and the Tobacco Act 1927. Language in relation to bankruptcy has been replaced with references to the Legislation Act definition of “bankrupt or personally insolvent”.

Schedule 1 also amends the Domestic Animals Regulation 2001 to insert a new item in schedule 1 which lists reviewable decisions under the act and regulation. The effect of the new item is to make a decision by the registrar to revoke a permit to keep a dog or cat that is not desexed a reviewable decision. Schedule 1 also amends the Exhibition Park Corporation Act 1976 to reduce the membership of the board from not more than nine members to not more than five members.

Schedule 2 provides for non-controversial structural amendments of the Legislation Act 2001 initiated by the Parliamentary Counsel’s Office. Structural issues are particularly concerned with making the statute book more coherent and concise and therefore more accessible. Strategies to achieve these objectives include avoiding unnecessary duplication and achieving the maximum degree of standardisation of legislative provisions consistent with policy requirements and operational needs.

The schedule amends the Legislation Act to include new definitions in the dictionary, part 1, for ease of reference across the statute book. Schedule 3 includes amendments of acts and regulations that have been reviewed as part of an ongoing program of updating and improving the language and form of legislation. These amendments are explained in the explanatory notes and are routine, technical matters such as the correction of minor errors, improving syntax and omitting redundant provisions.

In particular, the schedule revives the Financial Sector Reform (ACT) Act 1999, which was repealed in 2002. The act, in conjunction with complementary commonwealth and state legislation, transferred the regulation of building societies and credit unions to the commonwealth. The transfer of the business of authorised deposit-taking institutions has since been covered by the Financial Sector (Business Transfer and Group Restructure) Act 1999 of the commonwealth. As a consequence of the commonwealth act applying to the territory, the Financial Sector Reform Act was repealed, while saving the effect of transitional provisions. However, to facilitate transfers of business under the commonwealth act, particular provisions are still required to be enacted in the state or territory where the receiving body is established. The repealed act contained those provisions for the ACT.

The schedule also omits part 4 of the revived act, which contained transitional provisions only. Any remaining operation of part 4 is saved by the application of the Legislation Act 2001, section 88.

In addition to the explanatory notes in the bill, the parliamentary counsel, as always, is available to provide any further explanation or information that members would like about any of the amendments that are made by the bill. I commend the bill to the Assembly.

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

Evidence (Consequential Amendments) Bill 2011

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

Title read by Clerk.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment and Sustainable Development, Minister for Territory and Municipal Services and Minister for Police and Emergency Services) (3.42): I move:

That this bill be agreed to in principle.

Today I present the fourth and final bill in the series of bills that have been presented this year to reform the law of evidence in the ACT. This bill's purpose is to make consequential amendments as a result of the establishment of the ACT's Evidence Act 2011. The bill includes a large number of technical amendments which are necessary to recognise the establishment of the ACT's Evidence Act and the cessation of commonwealth evidence law in the territory. These include amendments to update references to the commonwealth Evidence Act with references to the new ACT act. The bill also removes notes from provisions across the ACT statute book which refer to the operation of provisions in the commonwealth Evidence Act. These notes were included to raise awareness of the operation of the commonwealth law in the territory.

The bill also removes individual provisions from the statute book which are now redundant with the establishment of the ACT Evidence Act. For example, the new Evidence Act establishes a presumption as to the signature and status of an office holder under an Australian law. Across the territory's statute book at the moment this presumption exists for specified office holders. One example is the Nature Conservation Act 1990, which establishes a presumption that a document that purports to have been signed by the conservator is taken to have been so signed. The broad operation of the new Evidence Act means that it is no longer necessary to have targeted provisions like the Nature Conservation Act provision throughout the statute book. This bill will remove these provisions.

In addition to these technical amendments, the bill repeals the Evidence Act 1971. The Evidence Act 1971 was formerly the Evidence Ordinance 1971 and enacted a comprehensive code of the law of evidence replacing various New South Wales statutes and other law previously in force in the ACT. A large proportion of the provisions in this act have become redundant on the establishment of the territory's new Evidence Act, justifying its repeal in this bill.

As part of the ACT evidence reforms, a small number of the provisions in the Evidence Act 1971 which were required to be preserved have been transferred to the Evidence (Miscellaneous Provisions) Act 1991 and to other legislation in the ACT statute book where appropriate. For example, the second bill in the series of evidence reforms that have been debated in this place preserves provisions relating to the evidence of dangerously ill people. These provisions, currently contained in the Evidence Act 1971, will be moved to the Evidence (Miscellaneous Provisions) Act 1991.

This bill contains amendments to preserve the operation of the further provisions of the Evidence Act 1971 on its repeal. One amendment inserts a provision into the Administration and Probate Act 1929, which sets out how grants of probate or administration can be used in evidence; in particular, as evidence of the execution and the death or date of death of a person. The new provision replicates existing law and has not been changed with this transfer to the Administration and Probate Act 1929.

The bill also inserts a new provision into the Court Procedures Act 2001 to provide that where evidence is to be given by a witness in a criminal proceeding through an interpreter the prosecutor must provide a competent interpreter for the witness if the witness does not provide their own. This new provision replicates part of the existing law in the Evidence Act 1971 and updates it in accordance with human rights. The Court Procedures Act 2004 is the most appropriate location for the new provision, given its procedural nature. Finally, the bill preserves the operation of the existing law allowing entities other than ACT courts which are authorised to receive evidence to use interpreters.

The bill contains a further two amendments which I would like to bring to the attention of members. The first is the removal of chapter 6 of the Civil Law (Wrongs) Act 2002. Chapter 6 contains a large number of provisions which concern the way in which expert medical evidence is received and treated in court. The types of rules contained in the chapter are concerned with the way in which the court controls the receipt of expert medical evidence, the assessment of its admissibility and the treatment of evidence given by experts. This body of law is more appropriately made at the court rules level, where the remainder of rules concerning expert witnesses are found.

A subcommittee of the court's rule-making committee is currently developing rules to govern this area of the law, to be included in the court Procedures Rules 2006. There are sufficient safeguards in place to ensure that chapter 6 will not be repealed until these rules have been made. This will ensure that the transition from the existing law to the court rules is a smooth one. The removal of this body of law and the introduction of rules governing this area of the law will enable better integration of court processes and will also enable the court to be dynamic in responding to the trends in this area.

The bill also includes a minor amendment to the new Evidence Act to further clarify its operation. Section 8 currently provides that the territory's new Evidence Act does not affect the operation of provisions of other acts. To remove any doubt about the

intended operation of this section, two examples have been inserted to refer to parts of existing ACT legislation which are not impliedly repealed by the establishment of the Evidence Act. It is important to note that the examples do not limit the operation of the section, ensuring that provisions of other acts not listed in the examples are also not impliedly repealed by the establishment of the Evidence Act.

The amendments in this bill will see the ACT take the final steps in the development of the territory's own stand-alone Evidence Act. The reforms that have been introduced in the Assembly this year represent the government's firm commitment to the principle of uniform evidence law and have provided an opportunity to update and consolidate evidence law in the territory. I commend the bill to the Assembly.

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

Leave of absence

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

That leave of absence be granted to Ms Burch for this sitting due to her attendance at a ministerial forum.

Education, Training and Youth Affairs—Standing Committee Reference

Debate resumed from 25 August 2011, on motion by **Mr Doszpot**:

That this Assembly:

(1) notes:

- (a) that Professor Denise Bradley has recently presented a report to the ACT Minister for Education and Training on "Options for future collaborations of the Canberra Institute of Technology and the University of Canberra";
- (b) that Professor Bradley was not provided with any financial data to assist in her deliberations and was not asked to provide any recommendation as to the financial implications of any recommendations; and
- (c) that this is the third review in the last 12 months involving the Canberra Institute of Technology and Canberra University, none of which has examined the financial context or consequences of changes to current administrative arrangements; and

(2) refers to the Standing Committee on Education, Training and Youth Affairs all matters relating to current and potential options for the future of the Canberra Institute of Technology and the University of Canberra, including, but not limited to:

- (a) closer collaboration, merger and in the case of CIT, financial independence;

- (b) the current operating structures of both the Canberra Institute of Technology and the University of Canberra;
- (c) the financial implications of all options for both institutions;
- (d) the financial implications of all options for both the ACT Government and potential students of both institutions;
- (e) examination of all current CIT articulations and their success in attracting students;
- (f) any other matter relevant to the issue; and
- (g) to report back to the Assembly by the first sitting week of 2012.

and on the amendment moved by **Ms Hunter**:

Omit all words after “notes that”, substitute:

- “(a) Professor Denise Bradley has recently presented a report to the ACT Minister for Education and Training on *Options for future collaboration of the Canberra Institute of Technology and the University of Canberra*;
 - (b) the report recommended the University of Canberra (UC) and Canberra Institute of Technology (CIT) merge to create a new dual sector tertiary institution;
 - (c) the public consultation period on the Bradley Report closes on 23 September 2011; and
 - (d) the Government has committed to responding to the Bradley Report; and
- (2) calls on the Government to report to the Assembly on the progress of the proposed Bradley reforms; and
- (3) refers, on introduction to the Assembly, any proposed legislation for the merger of UC and CIT to the Standing Committee on Education, Training and Youth Affairs for inquiry and report.”

MR SMYTH (Brindabella) (3.50): I started making my comments on this important motion on 25 August this year. As an aside, I note that the opposition sought to conclude this debate on 25 August, but Ms Gallagher said that there were more important matters than the future of education in the ACT that the government had to get to. It was sad that we did not finish this in August. Education has been and continues to be a critical policy issue for the Canberra Liberals even if it is not for the ACT Labor Party.

There was quite a spirited debate on this motion on 25 August. Many sound arguments were put forward by my colleague Mr Doszpot, particularly relating to the confusion of inquiries and reports on this matter. That was simply answered by

obfuscation from Minister Barr. It is a shame that this debate has not been treated with the seriousness that it deserves and allocated the time that it should have had.

Let us pick up the threads of that debate and continue. I would like to acknowledge that there have been some fascinating developments since 25 August in relation to this merger proposal.

On 27 September 2011 the University of Canberra vice-chancellor, Professor Parker, set out a set of what appear to be demands which would have to be met if the merger of UC and CIT were to proceed. Among other things, Professor Parker identified merger costs of more than \$20 million. This makes perfectly the case that Mr Doszpot was making. These funds would need to be covered by either the commonwealth government or the ACT government, but it is not something that was public before that time. As Mr Doszpot pointed out, it looked as though we were about to make decisions in total financial darkness on this matter.

Professor Parker said that the ACT government had until 30 November to meet the demands from the University of Canberra; otherwise, according to the article in the *Canberra Times* of 27 September, UC would “part company with the idea”. On the following day, the 28th, we had the CEO of the CIT, Adrian Marron, quoted in an article in the *Australian* repudiating any idea of the proposal being a takeover of CIT by UC. As Mr Marron said:

If a takeover is the bottom line, then we won't be merging.

We should recognise that there may be some hubris associated with some of these reports; nevertheless, we have to ask what is going on with the proposal, particularly when two of the key players appear to have such divergent views. Added to this are the concerns which have been expressed on behalf of employees of each of these institutions about any merger, amalgamation or whatever form the final proposal may take.

Further, there is a more fundamental issue with the proposal for a merger. I am not aware of any financial analysis which has been undertaken of this proposal or made public. This proposal for a merger would involve two substantial education institutions. Each of these organisations has its own significant financial arrangements, substantial financial and other assets, substantial liabilities and numerous financial commitments. And any relationship between these two organisations would involve quite complex financial negotiations. Unfortunately, the estimated cost of the merger, at in excess of \$20 million as quoted by Professor Parker, is the only indication that I am aware of of the financial cost of this proposal which is in the public domain.

That is not a particularly good example of the ACT government being open and accountable about such an important matter, given that the Chief Minister, in the only real speech about where she wanted to take the ACT, said that we were to be in a new era of openness and accountability. How about we practise what we preach? I could say that this is yet another instance of a lack of transparency from the ACT government.

In addition, what a surprise it is about the estimated transaction costs of more than \$20 million, especially as another of Professor Parker's demands was that the ACT government would transfer an agreed list of CIT assets to the University of Canberra. This gives even more significance to the question of whether any new relationship between the university and the institute would be a merger or a takeover—or what. And what about the financial arrangements associated with any merger?

I want to mention another aspect of the proposal. Some of us will recall the so-called initiatives implemented by the then federal education minister, Mr Dawkins, in the 1980s—a Labor minister—combining many of the smaller universities and colleges of advanced education, or CAEs, as they were known, to form larger regional and other universities. There have been two broad outcomes from that merger activity. First, there has been the creation of what are now successful universities, such as Charles Sturt, Southern Cross and our own University of Canberra. Second, a new generation of technology-focused institutions emerged to fill the gaps left by the removal of the CAEs, such as our own Canberra Institute of Technology.

What has the history of the past 20 or 30 years shown us? It has shown that our community wants sustainable tertiary institutions. It shows that our community wants viable universities offering graduate and postgraduate courses. Our community also wants the provision of technology-oriented courses as an alternative to graduate and postgraduate courses.

You have to ask what is the motivation for this proposed merger. What other actions were taken or considered before this decision was reached? If the recent history of the ACT is any guide, the removal of CIT through a merger with UC will leave a gap in the range of tertiary courses our community wants. And it would seem to be a reasonable assumption that demands will emerge for a new institution to replace CIT with a similar or like organisation in probably very quick time.

There are many unanswered questions about this proposed merger. There are high-level questions about an overall strategy for tertiary education institutions in the ACT. There are then follow-on questions about the nature of tertiary education institutions and the number of tertiary education institutions. There are associated questions about the interests of the employees at each of these institutions, the size and location of the tertiary education institutions, the relationship between tertiary institutions and secondary education institutions, and the potential for pathways for students between secondary and tertiary education institutions. And what is it that the students want? One of the reasons students choose where they go is that some do not want to do a degree; they want to do something on the more practical side of things. That needs to be taken into account as well.

The only responsible action this Assembly can take on behalf of the people of the ACT, and the students of the ACT, is to refer this important matter to an Assembly committee for appropriate inquiry.

MS BRESNAN (Brindabella) (3.57): The Greens have revised our position on this matter and will be moving an amendment to Ms Hunter's previous amendment to

reflect this position. Ms Hunter will speak to the amendment and explain the reasons for the revised position. I seek leave to move amendments Nos 1 to 4 circulated in my name together.

Leave granted.

MS BRESNAN: I move:

(1) Omit subparagraph (1)(b), substitute:

“(b) the report made three recommendations, the preferred option being that the UC and CIT merge to create a new dual sector tertiary institution;”.

(2) In subparagraph (1)(c), omit “closes”, substitute “closed”.

(3) Omit paragraph (2), substitute:

“(2) calls on the Government to:

(a) table in the Assembly a formal response to the Bradley Report; and

(b) provide the Standing Committee on Education, Training and Youth Affairs with all relevant material used in the formulation of the Government response;”.

(4) Omit paragraph (3), substitute:

“(3) on tabling of the Government response, refers to the Standing Committee on Education, Training and Youth Affairs for inquiry and report:

(a) the Government response; and

(b) any other relevant matter concerning the future of the Canberra Institute of Technology and the University of Canberra.”.

MS HUNTER (Ginninderra—Parliamentary Leader, ACT Greens) (3.58): The Greens have revised our position on this issue for a number of reasons. Firstly, the level of interest and concern by many within the education sector justifies a faster public consideration of this issue. Merging the University of Canberra and CIT would be a very significant step and reform if it were to take place, and it certainly is not something that we should enter into lightly. Equally, it is an issue that does require as timely a response as possible. I say that in the context of ensuring that everyone has the opportunity to participate in the process and have their point of view heard.

The committee process will achieve this, and it is appropriate that the process commence as soon as it is reasonably possible. The revised time line does bring the inquiry forward, and there are a number of benefits to this. There was a concern in the community that waiting until a bill was tabled may be too late in the process. The amendment seeks to address that concern so that those affected can participate earlier in the process before they feel that a particular course of action has been committed to.

Of course, we know that that would not be technically correct; however, I do accept that this is a reasonable point of view and I think that, particularly given the significance of the issue, we should be involving the Assembly committee and the community at the earliest possible stage.

The revised amendment does address this issue and provides for all the relevant material to be provided to the education and training committee to ensure that it can comprehensively cover the issue and make a judgement about the best course of action with the benefit of all that information.

The Greens have come to the view that the most appropriate point in time for that to occur is once the government has had the opportunity to respond to the Bradley review and we have the benefit of all the work that the public service is currently undertaking, so that we can better understand the impacts and consequences of the proposed reforms. The government has convened a task force to assist in the development of its response to the issue. This is an appropriate course of action and I very much look forward to having the opportunity to evaluate the material that it produces. I would say that I have received some feedback about the level of stakeholder involvement in the process, and I emphasise the Greens' view that, given the nature of the change, if it were to take place, the merger will require significant community participation; the more extensive that can be the better as far as involving people in discussions is concerned.

Whether or not we pursue the merger option, it is clear that extensive thought will have to be given to how best we provide tertiary and further education for Canberra's students, to ensure the best educational outcomes and also the viability of the sector, which is a very important part of our economy—a very important part of our clean economy. There is a spectrum of options in the Bradley review; in the event that the merger option is not supported, it would be appropriate for the committee to consider the other options.

I have already outlined the benefits of having a committee inquiry into this issue, and I do not think anyone doubts the merits of that. The question is about the timing of that inquiry. I hope that we can all agree that, whilst there are arguments for the different options, ultimately the best course of action is to let the government finish its existing process and then allow the committee to consider the issue.

Let me finish by saying very clearly that the Greens do not have a fixed view on this issue. We very much look forward to analysing all the evidence before deciding on the most appropriate course of action. We are open to each of the proposals and cognisant of the significant changes that will take place in the tertiary sector as a result of the commonwealth reforms. No-one knows exactly how these changes will play out. Given the importance of our education sector, it is vital that we respond to these changes as well as we possibly can to ensure that we continue to deliver the best educational outcomes—outcomes that the ACT is so renowned for.

I reiterate that the quality of the educational outcomes and the capacity to deliver the best education to all Canberra's students must be our primary consideration in assessing the merits or otherwise of any reforms. And that is not just our domestic students; it is students from interstate and international students as well.

Mr Doszpot did talk to me about having a date put into this amendment. I have put some thought into that. It was circulated. A date has not been put in there. My view is that we do need to have a report to go to the committee by November. I understand, from discussion with the minister's office, that there is also a desire to move on this sooner rather than later. I understand that there is a stakeholder who has been given an extension of time for a submission. There is a concern that we do not want to miss out on that by having the November date if they get it in in early December. But I understand that there is a very clear view from the government that they want to move on this sooner rather than later.

As I said, I have not included a date in there, but it would be my expectation that we would be looking at late November or early December. If this does not occur, we can come back into this place and we can take the action at that time. I commend Ms Bresnan's amendments to the Assembly.

MR DOSZPOT (Brindabella) (4.04): I would like to thank all of those who have spoken in this debate, especially my colleague Mr Smyth, who earlier canvassed all of the issues surrounding this and highlighted just how little is known about so many aspects of this proposed merger, amalgamation, fusion or whatever is the word that best describes or reflects the range of possible outcomes.

I also want to thank Ms Hunter and her staff for their cooperation and for the amendment and support for this motion. I flag that the Liberals will be supporting Ms Hunter's amendment. Unlike many issues we debate in this chamber, this motion was, in truth, not one driven by partisan politics. It is great to see that our mutual concern for education has led us to this point, and I welcome the matter, in time, being referred to the education committee.

The consideration of a merger of any two educational institutions in any state would be deserving of thorough consideration. In Canberra, it is even more critical that we get it right. It is not something that we ought or should undertake without the utmost scrutiny—scrutiny to ensure that we understand all the financial and educational implications of this proposal for the University of Canberra, the CIT and the Canberra community. To date we have not had that. We have had two relatively hasty reports. We have had a contracted examination by Professor Bradley, who, by her own admission, did not look at or consider the financial aspects. We have had a brief, but hardly thorough, public submission process. And an internal committee is now going through these issues.

I do not know what the merits of a merger versus a non-merger might be, based on the information that we have before us at the moment. What I am concerned about is that I am not sure that those tasked with making the decision are fully informed either. There has been too little critical examination of these issues. Like Ms Hunter, I do not have a firm point of view as to the direction we should be taking with this. We need to examine a lot of detail, and a lot of information has to be put before us.

To this effect, I wrote to the minister for education over six weeks ago, I think, asking for financial analysis or any information that could shed a bit more light on why the

decision has been brought to the stage that it is at at the moment. The minister has so far not given me any indication of whether he is going to give me that information. In the last sittings you mentioned that in due time this would be provided, Mr Barr, but this has not happened.

Chief Minister, I am sorry that you were not down here yesterday when we were debating a few points about Mr Barr. I have got to say that what really concerns me about Mr Barr's attitude in this University of Canberra-CIT affair is that he is not only the minister for education but also the Treasurer and the Deputy Chief Minister. Yet he is adopting a very cavalier attitude about his responsibility—to the ACT Assembly, to the community and to all of us—to make these decisions and to understand the implications. I believe he is totally cavalier in this.

I think he is also very cavalier regarding his financial responsibilities and the requirements to keep this Assembly informed. Chief Minister, your much vaunted open government policy is showing enormous cracks, if not downright contempt for your stated policy, through your Deputy Chief Minister, Treasurer and minister for education.

Yesterday we also talked about the number of backflips that have occurred in the areas that Mr Barr has been involved in, especially in education and the disability-related areas of education, where I think the number of backflips outnumber the total number of backflips that may have occurred through any other minister's areas. One of the things that we have not looked at is why such backflips occur. Is it because there is not enough consultation? Is it because there is too much haste in the decisions Mr Barr makes? Or is it just downright bad decisions—bad decision after bad decision? And when the community finally wakes up to what has been proposed by the minister or his department, then, after a huge public outcry, a Barr flip occurs each time.

Chief Minister, I think that it is also your responsibility. You said that you have responsibility for all of your ministers. It is high time you looked at the record that Mr Barr has—and why all of these Barr flips need to occur and why we have to re-examine all of the decisions that he makes. It is no secret in this place that, based on these comments, I have very little confidence in the current education minister. But even if I did, I would be pressing for a more transparent process, a more rigorous examination of the contributing factors that have led to these two institutions.

We need to know what the driving factors are. The best way to have that public scrutiny is through the standing committee on education in the Assembly. I thank Ms Hunter for her amendment. As I said, we will be supporting her amendment and I commend Ms Hunter's motion to the Assembly.

Ms Bresnan's amendments to Ms Hunter's proposed amendment agreed to.

Ms Hunter's amendment agreed to.

Motion, as amended, agreed to.

Executive business—precedence

Ordered that executive business be called on.

Smoking in Cars with Children (Prohibition) Bill 2011

Debate resumed from 25 August 2011, on motion by **Ms Gallagher**:

That this bill be agreed to in principle.

MR HANSON (Molonglo) (4.12): I rise today in support of this legislation. The National Health and Medical Research Council states that the negative health effects related to children's exposure to second-hand tobacco smoke include the increased risk of asthma, lower respiratory tract infections such as pneumonia and bronchitis, coughing and wheezing, and sudden infant death syndrome. Therefore, it is important to ensure that children's exposure to second-hand smoke is minimised. However, the tools used to achieve this must be balanced against individual's rights. The tools used must prove that they will result in real and measurable changes in behaviour, and thus must be constructed in a manner that minimises the impact on individual freedom.

The Smoking in Cars with Children (Prohibition) Bill 2011 seeks to reduce the number of children exposed to second-hand tobacco smoke as part of a wider review into action on smoking in the ACT. Whilst the Canberra Liberals support this bill today, it is important to note that each individual measure that is aimed at changes in smoking behaviour must be measured against the impact it has on the liberty of the person.

The important factor in the smoking in cars legislation is that it focuses on the rights of the child—the rights of a child not to be exposed to the dangerous and harmful chemicals that are a product of tobacco products. Children have smaller lung capacity, smaller body weight and an underdeveloped immune system. This means they are more likely to develop respiratory and ear infections when exposed to second-hand tobacco smoke.

A Royal College of Physicians report in 2010 revealed that passive smoking triggers 22,000 cases of asthma and wheezing in children every year. Around 9,500 hospital admissions among children are linked to the effects of second-hand smoke inside and outside the family home. Forty babies, this report states, die from sudden infant death syndrome every year caused by passive smoking—one in five of all such deaths.

The contained area of a car increases the effect of the tobacco smoke on children. A Harvard University study measuring air quality in passenger cars under actual driving conditions found unsafe levels of second-hand smoke, especially for children. Other US studies have shown that tobacco smoke can reach higher concentrations inside cars than inside homes. Children have smaller airways and breathe faster than adults, so they breathe in more harmful chemicals than an adult would in the same amount of time.

Children who suffer asthma and frequent respiratory disease are likely to miss more time at school than healthier children. Even controlling for SES and parental smoking status, exposure to second-hand smoke has been demonstrated to reduce school attendance and the productivity of parents who need to stay home to care for children. Poor school attendance is a very strong predictor of academic failure.

Exposure to second-hand smoke may still reduce academic performance even when children do not miss out on school. A recent longitudinal analysis of educational achievement in children participating in the British national child development study found that young people exposed to second-hand smoke at home were more likely to fail standardised UK O-level tests. It might be an excuse for my failing my O-level art exam!

It is also important to remember that often children have no choice but to endure smoking around them. Unlike adults, they lack the ability to remove themselves from the area in which smoking is occurring or have the ability to request that smoking does not happen. The continued act of smoking around children leads them to associate smoking as a commonplace pursuit connected with family activities. Smoking as an acceptable habit must be changed, and the only way to do this is with a cultural change and lower numbers of young people taking up smoking.

There is legislation to ban smoking in cars with children in South Australia, Tasmania, New South Wales, Western Australia, Queensland and the Northern Territory. It is also banned in New Zealand, parts of the US and a number of European countries. There would be a hope, given the aim of this legislation, that in some ways this legislation will be self-enforcing. The policy is broadly popular, with a 2004 Cancer Council of Victoria survey showing that 90 per cent of people supported banning smoking in cars with children.

It is important, however, to examine the means by which this legislation will be enforced to ensure that it does not create an unnecessary imposition on individual rights to achieve its aims. This bill is drafted as a strict liability offence. This in itself raises concerns, and I acknowledge the concerns raised by members of the community on the implications of drafting the offence in such a manner.

I wish to briefly take the opportunity to congratulate the Health Directorate staff who drafted the explanatory statement to this bill. The statement is a comprehensive review of the issues and the implications of the strict liability offence. The offence in all the other Australian jurisdictions is a strict liability offence. It is necessary in this offence to do so to allow for the practical enforcement of the offence. It is useless to enact an offence that the police have difficulty in enforcing.

I have received advice on the nature of the penalty that is incurred by a breach of this offence. I think that two matters are important in the consideration of the offence: the burden it will place on the offender and the comparable penalties applied by similar jurisdictions. As is well discussed, smoking is becoming an equality issue. Studies show that significantly higher numbers of people living in lower socioeconomic conditions smoke than those who are tertiary educated. It must be taken into account

that the non-payment of this fine should not result in people automatically losing their licences or car registrations. We believe an on-the-spot fine is an appropriate measure in these circumstances.

Additionally, given that we are an island in the middle of New South Wales, it is important that our fines are comparable with that jurisdiction. This ensures that people crossing the border have a realistic chance of knowing the impact of their decision. It is my understanding that the fine imposed by this bill is comparable to that in New South Wales.

As foreshadowed, the Canberra Liberals will be supporting this bill. However, it is important to be aware that this legislation is just one tool that we can use in addressing the prevalence of smoking, and engaging legislation may not always be the best measure to address such a widespread problem.

MS BRESNAN (Brindabella) (4.19): The Greens will be supporting the government's Smoking in Cars with Children (Prohibition) Bill and are pleased to see the ACT take another progressive step to combat smoking. It is good today to see tripartisan support for this initiative. It is also good to see the ACT government take steps to pursue the rights of children and young people to live in a healthy environment.

In responding to today's bill I would like to highlight the work done by the commissioner for children and young people by consulting with children and young people about the proposed legislation. While the Canberra Liberals have questioned at times the importance of consulting with children and young people, the Greens believe children should have a voice and be consulted about issues that affect them.

When the commissioner surveyed children and young people, asking them if they would be happy to sit in a car with someone who was smoking, 75 per cent said no and 70 per cent said it should be banned. Children understood the health and environmental impacts of smoking and proposed good reasons as to why a ban should occur.

The impact of second-hand smoke on children in a car should not be underestimated. The US Surgeon General stated several years ago that second-hand smoke is dangerous and no level of second-hand smoke exposure should be considered risk free. Scientific studies have shown that infants who are exposed to second-hand smoke after birth are at a greater risk of sudden infant death syndrome and children who are exposed to second-hand smoke are more likely to develop severe lung infections such as pneumonia, ear infections and asthma.

Smoking simulation studies have shown that second-hand smoke in a car can have much higher concentrations than second-hand smoke in a house. A UK report found that the particle concentrations of tobacco smoke in a car could be 27 times higher than in a smoker's home and 20 times higher than they used to be in some bars.

Recent studies have also shown that exposure of children in cars to second-hand smoke may be linked with nicotine dependence. Most smokers start at a young age

and, the younger they start, the harder it is for them to give up. If we can minimise children's exposure to second-hand smoke in a car, we may be able to minimise the chances of a child having a nicotine dependence and then taking up smoking in their teenage years.

In regard to human rights issues relating to the bill, some interesting comments have been raised about the right to privacy and whether or not the inside of a car constitutes a private place. In the UK some people have argued that the space inside a person's car is like the space inside their house. This puts the argument that essentially adults should be able to engage in activities of their choice inside a car just as they do at home, including smoking around children and young people.

The explanatory statement attached to the Smoking in Cars with Children (Prohibition) Bill provides a very good explanation as to why the area within a car does not provide the right to privacy. Opponents of smoking restrictions often cite civil liberties as a reason not to ban smoking in certain situations, such as with this bill. The explanatory statement provides a strong defence against such arguments and, like Mr Hanson, I would commend the government for the quality of the explanatory statement.

The ACT is the second-last jurisdiction in Australia to have legislation banning smoking in cars with children. While enforcement occurs opportunistically, like with the enforcement of seatbelt laws, much of the legislation's success comes from the accompaniment of a strong education program.

ACTCOSS has pointed to the success of a New South Wales education program called "car and home: smoke-free zone". The project involved three waves of media campaigns using television, radio and billboard advertisements, supplemented by brochures, a website, other printed material and free education sessions. Specific resources and strategies were developed for Aboriginal and Torres Strait Islander people and people from culturally and linguistically diverse backgrounds.

Evaluations of the education program showed that 56 per cent more homes in the target audience were smoke free in the month after the project and there was a 42 per cent increase in reports of children travelling in smoke-free cars. I have been advised that the ACT government will be communicating its education program via radio advertisements and advertisements on buses. While the Greens support this, we also want to see some education targeted at people on low incomes.

The penalty proposed in the ACT is \$250, which copies that of New South Wales, and I understand that if a person is having problems paying off a fine they can ask for a payment plan.

One aspect of today's bill that I do not think has been fully discussed is the matter of equity. For many years smoking was common across all income levels. However, over the last 20 to 30 years there has been a significant reduction in tobacco use. Unfortunately, in terms of equity, people on low incomes or from vulnerable backgrounds have higher rates of smoking and this has widened the equity gap. As smoking is the single most preventable cause of ill-health and death in Australia, it is

of concern that significant socioeconomic differentials exist in the proportion of people who are current smokers.

For example, recent statistics issued by Catholic Health Australia show that for women aged between 25 and 44, about 66 per cent of those living in public housing smoke, compared to around 15 per cent of those with a tertiary education. An online report provided by the Cancer Council of Victoria states that rates of smoking amongst single mothers is about 46 per cent, with women aged between 18 and 29 years old reporting the highest rates at 59 per cent. The Cancer Council also is concerned that people with a mental illness have a much higher rate of smoking. For example, in Australia up to 73 per cent of men and 56 per cent of women suffering from serious psychiatric illnesses are smokers.

In stating these figures I do not seek to exempt the behaviour of smokers, as this pattern is having a detrimental impact on children from disadvantaged backgrounds—something which Mr Hanson has referred to. However, the relationship between smoking and income must influence how government implements anti-smoking laws and campaigns. The government should ensure that people from low income backgrounds, particularly women, have education programs targeted to them and can easily access smoking cessation programs.

It is my strong belief that many young mothers probably do not wish to be smokers and they especially would not want to cause harm to their children. Many low income and single mothers would, I am sure, want to give up, but sadly they are just trying to get through the day. In implementing anti-smoking schemes such as the legislation being presented today, the government must speak directly to these vulnerable women and support them to give up smoking.

The Greens applauded the move last year to list nicotine patches on the pharmaceutical benefits scheme. This will help many people on low incomes to quit smoking. The normal cost of a four-week course of nicotine patches is up to \$140, but now, if a person gets a prescription from their doctor, they will only have to pay \$33.30, or \$5.40 if they have a health care card.

I wrote to the Minister for Health last week, seeking clarification as to whether the ACT government will seek to increase this targeting of anti-smoking campaigns and smoking cessation programs to vulnerable groups, such as low income mothers. The minister's reply advised that in addition to the distribution of posters to educational facilities, the Health Directorate will provide information for inclusion in publications produced by the Community Services Directorate, which I think is a very positive step. In fact, the Greens made the suggestion in particular about including information in Housing ACT publications, to target some of those vulnerable populations.

On the issue of strict liability, I too acknowledge that Civil Liberties has written to all parties, concerned that the ACT government had not stated a reason for having a strict liability offence in the bill. The Greens have given consideration to Civil Liberties' concerns. The question we examined was whether or not the legislation could achieve the same results if the offence was not a strict liability and we could not see how that could be done.

The difficulties with this are connected to police officers needing to be able to make a judgement about whether or not a person in a car looks like they are under the age of 16. Our understanding is that the only way this scheme can work is if the onus of proof is on the defendant to prove that the person who the police officer suspects to be under the age of 16 is not under the age of 16.

There may be cases where a police officer will believe that a young person looks like they are under the age of 16 when in fact they could be 17 or 18 years of age. To quash a fine, the defendant would need to provide proof of their age, such as a proof of age card or a copy of a birth certificate, to a local police station to have the fine overturned. This process obviously exists with other such fines. The Greens appreciate that this is not the most ideal situation. However, it is difficult to see how police officers could enforce the laws if they themselves had to prove that one of the people in the car was under the age of 16.

The Greens take matters regarding strict liability offences seriously and seek to follow best practice guidelines on the construction of strict liability offences. In 2005 Dr Foskey called for clearer guidelines on strict and absolute liability offences and the legal affairs committee investigated and reported on the subject.

In conclusion, the Greens support the government's bill today and hope that it will assist in providing children and young people with a healthier environment. This is an extremely important issue and it is good that we have this legislation today. It is difficult for children to speak up for themselves and it is our duty as legislators to assist in implementing their rights. However, I also note that I hope that the government's education program provides specific targeting to vulnerable people who are more likely to be affected by the laws and can provide greater assistance to help them quit smoking.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Health and Minister for Industrial Relations) (4.30), in reply: I thank members for their comments today on the Smoking in Cars with Children (Prohibition) Bill 2011.

This is a bill that will prohibit smoking in motor vehicles when children under the age of 16 are present. The government shares the view of many in our community that are concerned about the serious health effects tobacco smoke places on our children. Through education and regulatory measures such as prohibiting smoking in cars with children, people should re-evaluate their smoking habits for the better. If a person makes the responsible decision not to endanger children through passive smoking when in a car then a decision not to smoke around children in any environment should come more easily.

The bill represents another step in the ACT government's move to protect the community from the dangerous effects of tobacco smoke. More importantly, the bill will help protect children in the community who lack the ability to protect themselves. Children have the least capacity to remove themselves from the harmful environment that tobacco smoke creates.

It is well documented that there is no safe level of environmental tobacco smoke and that even the shortest exposure can have negative health consequences. Children are even more susceptible to tobacco smoke's harmful effects due to their smaller lung capacity, body weight and undeveloped immune system. Research from New Zealand has shown that the air quality when smoking in the confined space of a car is similar to the smoky pub environments seen in the ACT prior to the 2006 ban on smoking in pubs and clubs. Research shows that even smoking in cars where the window is rolled all the way down is not enough to protect children. Even a child's brief exposure to this environment can result in detrimental health effects, triggering long-term developmental and behavioural difficulties.

For the purposes of this bill, a child is defined as someone that is less than 16 years old. It is noted that this is different from the definition of a child used elsewhere in the ACT statute book. The government has proposed the age of 16 to be consistent with New South Wales. This could help assist in cross-border awareness and enforcement of the ban. The law has been structured so that those under the age of 16 cannot commit the offence. This reflects the government's policy that it is not an offence to smoke underage. However, if a person over the age of 16 is smoking in the presence of a passenger younger than 16, the offence will apply.

The law will be enforced by ACT Policing. While smoking legislation is customarily enforced by the Office of Regulatory Services, there was concern over the safety of public officers stopping vehicles during alleged offences. Police enforcing this proposed law have the appropriate authority and training to safely stop vehicles on our roads. ACT Policing have agreed to the responsibility of enforcement and we thank them for that.

I am pleased to say that the ACT has one of the nation's lowest smoking rates. At 16.3 per cent we are well below the national average of 18.9 per cent, but these figures are still high. These statistics are in part reflective of the territory's progressive stance on smoke-free legislation and tobacco control, often unanimously supported in this place. Still, this legislation is necessary to help protect children from tobacco smoke in cars.

The passage of the bill today will create a strong and effective measure to protect children from the dangers of passive smoking. Members have already indicated their support for this legislation during a 2009 consultation process where three out of four people supported a prohibition on smoking in cars with children. I was pleased to launch the community education campaign in August. With the passage of this bill the Health Directorate will continue the campaign to inform the ACT community about this law and the health implications tobacco smoke poses, particularly its effect on children.

The campaign tagline of "smoke with kids in the car and cough up a fine", and an iconic smoking red car, has already been successfully used by South Australia and Tasmania in implementing their own ban. This campaign and tagline has been adopted by the Health Directorate to help convey the important health message to not smoke in cars with children present. The campaign will be targeted at parents and those who regularly drive young passengers on the road. Material will be placed

around areas which children frequent, such as schools, community centres and childcare facilities, to educate these target groups on the introduction of the new law and when it is to occur.

The education campaign will run for six months to educate and inform the community and thereafter the act will commence. This period should allow sufficient time for the community to learn the health message and make any appropriate changes.

The purpose of the education campaign is to ensure that people are aware of these changes. The government hopes that many people will not face fines under the new act. The government would rather educate people to not smoke around children, particularly in the confined space of a car. The purpose of the fine is to enforce this health message for those who would otherwise willingly endanger children.

With the passage of this bill the ACT will join many other Australian jurisdictions which have been enacting their own similar bans since 2007. After a similar ban was put in place in South Australia, local authorities saw a 13 per cent reduction in those who smoke in cars with children, down from 31 per cent to 18 per cent. This reduction shows that legislation such as this can alter people's behaviour.

Similar to other government proposals to encourage people to try not to take up smoking, this legislation aims to deter smoking with children as well as to protect them. Children who are exposed to smoking are twice as likely to take up the habit themselves later in life and then show the greatest challenges when trying to quit.

This will not be the last development in the fight against tobacco. In the past five years the ACT has implemented bans on tobacco vending machines, smoking in enclosed spaces and smoking in outdoor eating and drinking areas. Canberra's strong support for smoking legislation has seen places such as the Canberra Stadium, Manuka Oval and the National Hockey Centre go smoke free and this year Floriade has made moves to follow. Our achievements in tobacco reform have empowered our community with a strong knowledge base on the dangers of smoking.

The passage of the bill today is a pivotal step forward in our goal to improve our children's health. The bill will protect those in our community that are most at risk, it will protect our children and young people from the harms of environmental tobacco smoke and will deter smoking behaviour amongst this impressionable age group. This bill will create a more responsible, safer place for our children to live.

In conclusion, I would like to acknowledge the efforts of the non-government sector organisations and the Health Directorate in supporting us to develop this very important piece of legislation. It has taken a number of years but the work that organisations such as the Heart Foundation do in this area is vital in supporting us in our campaign to improve the health and wellbeing of Canberrans. Indeed, I say to the Health Directorate, who have struggled, agitated and advocated for change, and who have won arguments across government around how this should be implemented, that it has taken a bit of time to get here but this is an important moment today and I thank them for all of their efforts. Indeed, I thank the Assembly for working unanimously in supporting this legislation today.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Unit Titles (Management) Bill 2011

Debate resumed from 23 June 2011, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

MRS DUNNE (Ginninderra) (4.39): The Canberra Liberals will support the Unit Titles (Management) Bill 2011. This bill seeks to move the law relating to the management of unit titles into a dedicated statute. It in fact represents the approach this government should have taken in 2008 and 2009, when it pushed through a range of significant and far-reaching reforms with very little consultation. These reforms caused considerable confusion and anger in the community, particularly amongst unit owners and residents. There was confusion about how the new law would work, what impact it would have on owners corporations and what it meant for individual unit owners and occupiers.

Under pressure from the opposition and crossbench the government finally relented and agreed to address some of the concerns of the community by mounting an extensive, if expensive, information campaign. This was followed by a consultation process which again should have occurred before the bill was introduced in 2008 but which in the end resulted in the much more sensible bill that we have before us today.

In fact this bill is largely the same as the existing legislation but it is easier to follow and understand. It also introduces a range of new provisions. It removes barriers to the adoption of sustainability measures and utility infrastructures. This probably is the most important of the new provisions, for it makes it clear what an owners corporation can and cannot do when it comes to infrastructure for unit plans. The bill introduces a code of conduct for executive committee members. It requires approval of annual administrative and special purpose fund budgets by ordinary resolution instead of by special resolution, thus making the process more efficient and manageable. It creates a clearer linkage between budgets, contributions and expenditure for the general and sinking funds. It provides guidance to the ACAT for the approval of developer control period contracts. It provides for clearer insurance requirements, including compulsory disclosure of insurance details at the AGM of the owners corporation. It enables the minister to determine by disallowable instrument the content of the unit titles certificate and the maximum fee that owners corporations can charge.

In what perhaps is a ground-breaking move for this government, the bill comes with accompanying regulations. I want to compliment the minister for doing something which is often called for in this place and rarely delivered on. The regulation covers

prescribed insurance levels, sets a maximum fee of \$10 for access to the corporate register and sets the prescribed maximum costs of taking legal action relating to the recovery of contributions. I note that proceedings of this nature can only proceed if the estimate of costs made by the legal adviser is less than the prescribed amount.

The act follows New South Wales and Victoria in setting up separate legislation for the management of unit titles. Had the government taken a more consultative approach back in 2008, perhaps the ACT might have led the charge on such an approach, but in this the ACT has been something of a follower.

I am pleased to have met with representatives of the Owners Corporation Network and the ACT Strata Managers Institute, who, on the whole, are very supportive of the bill. They do raise some issues, which I mention here as a point of reference for further consideration. Perhaps they point to some matters of refinement for the legislation once it is bedded down and gains the experience of operation.

The views that have been put to me by the Owners Corporation Network are as follows: the 10-year period for the sinking fund budget projections should be set up as a rolling 10-year period rather than a static 10-year period; the developer should prepare the initial 10-year sinking fund plan and present it for approval at the first AGM of the owners corporation; a quorum for general meetings should be lower than 50 per cent plus one—it was put to me that there are quorums as low as 20 per cent in other jurisdictions; there should be a restriction on the gathering of proxies such that one individual should not be allowed to carry more than 10 per cent of the proxies; owners corporation schemes should terminate either by a fixed sunset clause date or by a so-termed “super” resolution of around 80 per cent of owners; unopposed resolutions should be replaced with resolutions voted unanimously by those present at the meeting, including by proxy.

The Strata Managers Institute raised the following matters, and I thank the attorney for providing me with a copy of his response to the issues raised by them. The institute wants a provision that allows the owners corporation, in reality the developer, to amend the corporation rules during the developer control period so long as any such amendments are disclosed in sales contracts concluded in that period. It also wants the legislation to clarify whether a corporation manager appointed under the Agents Act will also be required to maintain a trust account, with all the associated reporting requirements, when the owners corporation itself is required to maintain a bank account but not a trust account. It believes the requirements relating to animals could be easier and suggested that the owners corporation could approve guidelines for the executive committee to administer.

The institute also has concerns about privacy issues and who should have access to the register of unit owners and occupiers managed by the owners corporation. The institute, like the owners corporation, has raised the question of the sinking fund and the associated 10-year plan, calling for a clearer provision that requires the sinking fund contributions to be based on the approved 10-year plan.

It has also called for more flexibility for the executive committee members to be able to vote on matters out of session. The institute is concerned about the requirement for

an unopposed resolution for setting general funds contributions and it has proposed more streamlined processes and more comprehensive information requirements for the unit title certificates, colloquially known under the present legislation as section 75 certificates.

I note that the attorney's response to the institute addresses many of these issues. It outlines how current law, or the framing of the bill, allows some of them to be satisfied, but declines to amend the provisions of the bill.

As I said earlier, I have set out issues raised by the Strata Managers Institute and the Owners Corporation Network as markers for future consideration. I think the issues that have been raised are worthy of further consideration and that we should keep these in mind as this piece of legislation is bedded down. As we know, legislation is never perfect and there are suggestions which I believe could be worthy of further consideration.

A private individual unit owner also wrote to the Attorney-General and sent me a copy of his correspondence, and I thank the attorney for providing me with a copy of his response to that person. The individual raised a series of concerns about proxies, and I note matters concerning proxies were also raised by the Owners Corporation Network. At this stage I just note these concerns for future reference as something that we in the Canberra Liberals will be looking at and keeping an eye on.

Another individual, the chair of a small units plan owners corporation, has also written. His concern is about who should pay the insurance excess for insurance claims; should it be the owners corporation or the individual unit owner making the claim? There are valid reasons advanced for making this a matter for the unit owners in general meeting. This is another matter that warrants further consideration.

This bill is a big step forward for this government. It shows what can be achieved through a genuine consultative process that engages stakeholders. It should have been done in the first place in 2008 instead of rushing through confusing legislation that drew the ire of the community, professionals operating in the industry and members of this place.

We will support this bill, but I ask the attorney to take on board and to fully review the matters that I have outlined above on behalf of the unit titles sector of our community.

MR RATTENBURY (Molonglo) (4.47): The Greens will be supporting this bill today. A review into the operation of the Unit Titles Act commenced in 2008, and the product of that review is the bill today. I am particularly pleased to see that. I recall when I was first elected that I picked up the issue that there was a Unit Titles Bill hanging around that needed to be passed in 2009. We had reservations at the time, and I remember having many long conversations with what was then the department about those and the nascent Owners Corporation Network at the time.

There were some real concerns at that point. One of the things I asked the attorney was that we actually set in place a review process to review the operation of the new

provisions that were coming through. I thank the attorney for following through on that, because the consequence of that process has been the bill we have come to today. It does a lot to improve the legislation and has dealt with a number of outstanding issues and clarified issues in many places. The discourse amongst the various stakeholder groups on unit titles is way better now than it was, say, in late 2008 and the early parts of 2009. I thank the attorney for following through on that process.

As the attorney has commented on previously, the bulk of submissions made to the review focused on the difficulty people had in interpreting the act. From the constituents and stakeholder groups the Greens have consulted with on this bill, I can certainly echo the comments of the attorney on that front. One of the major sources of frustration amongst stakeholders was the difficulty in reading the act. This is a problem for any type of legislation but especially this one that needs to be read and understood by a wide range of people.

As more and more people begin to buy and live in unit complexes, it becomes more and more important to get the legislation right and to make it readable. I am pleased to have heard comments from many of the same constituents that they think this bill is a significant improvement, as I said already. Many of them now feel more confident in understanding the law and what it requires of them.

Two of the important stakeholder groups are the Owners Corporation Network and the Strata Managers Institute. The OCN have raised no problems with the bill and have been very complimentary about it in meetings I have had with them. I think this reflects very well on the review process and the work of the directorate staff. It is, of course, appropriate at this time to recognise a job well done on that front. The Strata Managers Institute ACT have a number of very specific concerns with the bill and how it is intended to operate, and Mrs Dunne has spoken to that to some extent. I have sought a briefing from the directorate on the bill and we went through the concerns in some detail.

I am also advised that the same directorate staff have since met directly with the institute. What has emerged from weighing up the concerns of the institute and comparing that to the information provided by the directorate is that at the heart of the concerns is the need for clarification. In many instances the concerns of the institute have been addressed; it is just that the overarching intent of the changes could be stated more clearly in plain English.

I will not go through the precise concerns of the Strata Managers Institute as I am aware that all three parties in the Assembly have been provided with the submission made by the institute. We have also since been provided with the detailed response the institute have received from the attorney, and I know, as Mrs Dunne has touched on, that the Canberra Liberals have been provided with the response as well.

I believe the issues boil down to showing the need for some slight clarifications. Where the institute would prefer that done by further legislative amendment, the position of the government is that preparation of fact sheets would achieve the same purpose, and the Greens agree with that suggested approach. We believe it provides a constructive way forward. Because the clarifications needed are essentially restating

sections of the bill that appear in other parts of the bill, it seems counterproductive to restate those provisions inside the bill. It may confuse matters more to have too many cross-references back and forth throughout the act. A fresh document that clarifies in plain language the areas of particular confusion seems like the most practical and effective response.

I would like to give one brief example which relates to approving pets. The institute suggest that the executive committee should be empowered to approve the keeping of pets rather than requiring it go to a full meeting of hundreds of owners. The government agrees that this is appropriate but points out that the act already allows for this process to take place. So the clarification that is needed is a fact sheet that sets out the pets issue very clearly rather than more legislative wording which could be counterproductive and simply add to the confusion.

The fact that the directorate staff have been able to produce a bill on the complex area of unit titles and we have got the discussion down to the point where we are looking into the need for fact sheets demonstrates that good work has occurred. We are beyond the point where we are having large-scale policy discussions. We seem to have got to the point where we are having discussions about where the best place is to describe that policy—whether that is in the law or in a fact sheet.

I would like to briefly mention the issue of sustainability measures in unit titles. The Greens made a submission to the review that highlighted a number of barriers that exist in the current legislation which prevent or deter owners from implementing sustainability measures around their homes. I am pleased to see the bill largely takes up our suggestions in one form or another and has removed those barriers wherever possible.

There were five barriers which we brought to attention during the submission process. The first is that the law as it stood prevented owners from entering a contract for things like the solar feed-in tariff during the developer control period. The Greens understood the intent of the ban was to protect future owners from being unfairly bound, but we were sure there was a better way to allow measures like solar panels to go ahead. The government have clarified this and given greater certainty to the process that owners will have to go through to enter a contract during the developer control period.

Secondly, there was confusion about granting access to roof space for the very practical task of installing sustainability infrastructure like solar panels. Amendments have been made to specifically clear this up and clarify that the owners can grant access to common property for installation of equipment.

The third issue is that the old act placed a prohibition on an owners corporation running a business. This had caused confusion as to whether collecting the solar feed-in tariff constituted running a business. The Greens thought there were policy grounds for the ban but that it was unfortunate that collecting a feed-in tariff had been caught up in the ban because this was an unintended consequence of the law. Again, specific wording has been inserted to clarify that the earning of an income from sustainability infrastructure does not constitute carrying on a business, so long as funds are reinvested back into running costs of the infrastructure. This is a sensible outcome.

The fourth concern was that, at a very practical level, some bodies corporate were writing rules that banned the performance of very simple sustainability practices, like outdoor clothes drying. This seemed to us to be a very unfortunate situation to have arisen, and we asked the government to look into what could be done to address this. It has been addressed, and we are pleased to see the sensible outcome.

Finally, there was some confusion about voting requirements for the establishment of sinking funds and special purpose funds. The law placed an unattainably high voting requirement before sustainability infrastructure could be paid for. Again, this has been addressed and made more simple. These sustainability amendments have come in for praise from a specialist lawyer who works in this field of unit titles. When we had a discussion with him he was really quite impressed with the amendments and how they will support owners striving for sustainability. I think he went so far as to say that the ACT was now ahead of the rest of the country in removing the barriers and making it possible for these sorts of measures to be put in place in unit titles.

So much effort is made to encourage Canberrans to take action to become more sustainable, and this is one example of the sort of joined-up thinking we need to ensure that, when someone goes out and does act, they do not have unnecessary hurdles placed in their way.

All of that said, the Greens will support this bill today. We look forward to these new laws coming into effect and beginning to have an effect on the various and increasing number of unit title developments around Canberra.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment and Sustainable Development, Minister for Territory and Municipal Services and Minister for Police and Emergency Services) (4.57), in reply: I thank members for their support of this bill. This bill completes a package of reforms designed to further improve the governing of the management of unit plans in the territory, making it more accessible to frequent users of the legislation. I believe the bill also strikes a fair balance between the need for consumer protection for unit owners and buyers on the one hand and adequate flexibility for property developers on the other.

As Mr Rattenbury has noted in his comments, the government introduced a raft of reforms in 2008 that were intended to improve consumer protections for unit owners and purchasers. What is very clear from those reforms is that they have worked. In addition, the measures that have now been put in place in this bill better and further clarify the operations of those provisions and deal with a number of other issues that were identified in the review.

I will not seek at this point in the debate to revisit all the issues addressed in the bill. I simply thank members for their support of the bill and commend it to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Adjournment

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

That the Assembly do now adjourn.

Mrs Dunne: Gosh, it's 5 o'clock and we can all bundy off.

National Zoo and Aquarium

MR SMYTH (Brindabella) (4.59): Mrs Dunne makes an interesting point—it is 5 o'clock and we are about to adjourn. We could have easily had an MPI and still finished within the normal sitting times the Assembly places upon itself. There are those of us here who are interested in housing affordability, but, of course, the Greens and the Labor Party are not.

On a different issue—the National Zoo and Aquarium. There was a fabulous article in the *Canberra Times* on 15 October which looked at Richard Tindale's plans to develop the zoo into an urban savannah. It follows on from an article in the *Canberra Times* of 30 August where the NCA had finally approved the master plan for the area. This is an issue that goes back some time. In fact, Mr Tindale discussed with me when I was the planning minister back in 2001 his desire to get in place the urban savannah so that those of us who live in a city could experience some of the joys of the savannah and, more particularly, of Africa. An article in the *Canberra Times* of 1 December 2005 announced that the National Zoo and Aquarium would become the first open range zoo in Australia in an urban environment. That announcement was made nearly six years ago. How the years pass.

Fortunately, despite a number of trials and tribulations along the way, particularly for the zoo owner, Richard Tindale, and his family—his wife Maureen and the kids—his dream of an urban open range zoo is now quite a bit closer. Last week Richard Tindale was able to announce his plans for major redevelopments of the zoo. The principal activity will be a substantial expansion of an area encompassed by the zoo from its current boundaries. As part of these plans, an interactive hotel experience will be incorporated into the redevelopment. As I have noted, these plans have been a long time in gestation.

Many people have been encouraging Richard to pursue his dream, and I am delighted to see these plans finally getting to the stage where they will now be able to come to fruition. An expanded zoo will provide an incredible experience for visitors, particularly for those who choose to stay overnight at the zoo. The zoo will become an even more significant activity on the itinerary of locals and, indeed, tourists, both national and international. There are very few countries in the world where you can go to the nation's capital and see the flagpole of the parliament building in the distance and actually hear the roaring of the lions and the playfulness of the cheetahs and the monkeys and the other animals.

In the area of concern about the role of zoos, I need to add that our National Zoo and Aquarium under Richard's fabulous leadership is a key player in worldwide efforts to undertake important conservation activities for threatened species. This includes breeding programs for such species as the Sumatran tiger, the Malaysian sun bear and certain otters and cheetahs. As Richard Tindale said last week, the redevelopment plans for this zoo are intended to support these conservation activities. The way in which people will be able to stay within the zoo and interact with different animals will be an important education activity.

It raises interesting questions about just how interactive some arrangements might be, especially in terms of meal times of tigers, cheetahs, lions and the like. Indeed, I am reminded of Stanley Holloway's famous monologue, *Albert and the Lion*, where Mr and Mrs Ramsbottom took their son, Albert, to the zoo and how Albert was, indeed, eaten by Wallace the lion. Hopefully that will not be happening here.

I commend Richard and his family and the staff for their vision and persistence in taking the zoo and aquarium from what it was some years ago to what is envisaged by these plans. I really look forward to the tree houses which will be built as part of stage 2 of the redevelopment. It will be great to go and stay and to be able to interact with the animals.

I think these are exciting plans, and they should be endorsed by all Canberrans. I look forward to the NCA giving the designated land and the local planning authorities and government assisting Richard to ensure that we can get this up and running as quickly as we can. It will be another unique asset for the tourism market in the ACT, and it will be fabulous that they will be able to continue the conservation work to protect those animals that are endangered in other countries.

Health—vision loss

DR BOURKE (Ginninderra) (5.03): Sight loss has a huge impact on people's lives. Saturday, 15 October was International White Cane Day. This year marked the 90th anniversary of the adoption of the white cane by sight impaired people. It happened after an Englishman, a photographer, who had lost his sight in an accident painted his black cane white to make it more visible to others.

Most people associate guide dogs with blindness but, as I learnt last week, it is the long white cane that is the most widely used mobility aid amongst those with impaired vision. Used properly, the long cane allows people to detect objects and changing surfaces and so it plays a critical role in providing safe foot travel. I congratulate Guide Dogs NSW/ACT on the training they provide in the use of a white cane. This training helps visually impaired people to live full and interesting lives.

For people like my friend Liz Dawson, who has been actively involved in her community, the use of a white cane has made it possible for her to continue her valuable work. Earlier this year Liz suddenly lost her sight in only two days due to disease. Her daughters did some research and found Guide Dogs NSW/ACT would provide services to help Liz, and she has remained independently mobile because of that help. She uses a cane, which she fondly calls Emily.

Liz and I have shared similar interests for many years and I have often met her at community events around Canberra. Thanks to Emily, Liz is still attending these events. Liz has told me that once her family contacted Guide Dogs NSW/ACT, they came to visit her very quickly. This was important, because she still had a tiny amount of sight left that she could use when learning how to be mobile. Amongst her many other activities, Liz still works with the Salvation Army and is on the board of Common Gound, a social housing proposal for Canberra. Liz was particularly impressed that her cane and her lessons on mobility, including crossing roads, negotiating traffic and going shopping, were all given free of charge.

In this age of advanced technology, Guide Dogs NSW/ACT is leading the trend towards using electronic aids to complement a cane in providing independent mobility. They offer talking GPS phone software and hand-held mini guides that act a bit like the reverse warning in a car, and of course they provide guide dogs. All these services are free of charge.

Guide Dogs NSW/ACT have a vision—that is, vision loss will not limit independence. They believe early help enhances safety, and they are working to dispel the myth that people are only able to access their services once they are completely blind. So the message from my friend Liz that I am happy to repeat today is that people facing vision loss should ask for help early and access the training programs that are available. Then, like Liz, they will be able to lead the lives they want to lead.

Oceania Panhellenic Games

MR DOSZPOT (Brindabella) (5.06): I have just got some very interesting information from the Greek Orthodox Community and the Church of Canberra and District. They are delighted at an announcement that they have been awarded the 5th Oceania Panhellenic Games for Canberra in 2013. The Oceania Panhellenic Games is an initiative of the World Council of Hellenes Abroad, SAE Oceania. It brings together youth with Hellenic background and promotes the Greek civilisation and its cultural legacies to local society.

The announcement was made in Darwin at the conclusion of the recent 4th Oceania Panhellenic Games, which concluded on 2 October 2011. I spoke to Mr Jon Efkarpidis, who has just come back from the games, at the Woden soccer club's presentation night; he was full of enthusiasm for the commitment of I think about 40 young people of Greek descent who played in various sports at the Oceania Panhellenic Games in Darwin just recently.

This is a biannual event which was previously held with great success in Sydney in 2005, Adelaide in 2007 and Melbourne in 2009, with participant youth of Greek background competing in a culturally rich environment and forging relations that promote Hellenism in Oceania. All the previous games have attracted strong support from government at local, state and federal levels. At the recent 2011 games held in Darwin, the Northern Territory government contributed substantially to assist in the running of the event, along with other corporate and private sponsors. As I understand it, the Greek Orthodox community will be seeking similar support from the Canberra community and possibly the ACT government.

Businessman John Halikos, the head of the Kalymnian Brotherhood in Darwin and prime sponsor of the 2011 games, has indicated that he will make a generous contribution to support the organisation of the Panhellenic Games in Canberra. It is estimated that up to 1,000 athletes from all over Australia and New Zealand will travel to Canberra to participate in a variety of different sports, including football, basketball, swimming, and track and field events.

The chair of the Canberra Panhellenic Games committee, John Efkarpidis, who was in Darwin for the announcement and accepted the games on behalf of the Greek Orthodox Community and the Church of Canberra and District, has spoken very highly of these games and has sought my support as shadow minister for sport and multicultural affairs for them. I will be speaking to the community in more detail about their expectations.

I understand that the president, Mr Paul Levantis, thanked John for accepting the role of chair of the organising committee for the games and for representing the Greek community of Canberra on the national stage. Mr Efkarpidis has been reported as saying that hosting the games will provide an excellent opportunity to showcase our capital city, and in particular our world-class sporting facilities, in what will be a significant year for our nation's capital, which will be celebrating its centenary year in 2013.

I would like to thank and congratulate Mr John Efkarpidis for being appointed as the organising president and being the one who has obviously put a lot of effort into the activity that went on in Darwin. I wish people all the best in promoting the Greek Australian Canberra community here in our capital city and I wish them all the best for the 2013 Oceania Panhellenic Games that was recently awarded to Canberra.

National Library of Australia

MR COE (Ginninderra) (5.11): I rise this evening to say a few words about the National Library of Australia, which is one of the great national institutions found here in Canberra.

Recently I was pleased to attend the opening of the new Treasures Gallery, which is an exciting exhibition that hosts a number of items associated with Australia's most interesting stories. The exhibition has been curated by Nat Williams, who has done a remarkable job in gathering so many fascinating items so central to our heritage and history. Drawn from the library's vast collection, many of the treasures in this exhibition have never been displayed before. The library will continue to regularly change the items on display, ensuring that visitors will always discover something new.

I would like to note a few exhibits so visually presented at the gallery as part of the exhibition. These exhibits include items such as the torch from the XVI Olympiad in Melbourne; Elizabeth Macquarie's earrings, made from gold found in Prospect in the Blue Mountains; the *Endeavour* journal from Captain James Cook; a list and description of HMS *Bounty* mutineers put together by William Bligh in 1789; and a

very special piece of literature from 1796 being a playbill for a performance of *Jane Shore*, *The Wapping Landlady* and *The Miraculous Cure* at the Theatre in Sydney in 1796.

There are a number of Treasures Gallery supporters who have made this exhibition possible and I would like to acknowledge those people and those organisations: the principal Treasures Gallery partner, the Ian Potter Foundation; the platinum Treasures Gallery partners, the John T Reid Charitable Trust and the Sidney Myer Fund; the gold Treasures Gallery partners, ActewAGL, Dr James Bettison and Ms Helen James, Professor Henry Ergas, Harold Mitchell Foundation, Macquarie Group Foundation, Mr Kevin McCann AM, and the Thyne Reid Foundation; the silver Treasures Gallery partner, Friends of the National Library of Australia; bronze Treasures Gallery partners, Mr James Bain AM and Mrs Janette Bain, Mr Victor Crittenden OAM, and Mr James Fairfax AC; opal Treasures Gallery partners, F and J Ryan Foundation, Mr Philip Flood AO and Mrs Carole Flood, GHD Pty Ltd, and Dr Kenneth Moss AM and Mrs Glenn Moss; jade Treasures Gallery partners, Ms Cynthia Anderson, Dr Desmond Bright and Dr Ruth Bright AM, Mr Michael Heard and Mrs Mary Heard, Mr Robert Hill-Ling AO and Mrs Rosemary Hill-Ling OAM, Mrs Claudia Hyles, Mr Baillieu Myer AC and Mrs Sarah Myer, Miss Kay Rodda, Mrs Mary Louise Simpson, Mr John Uhrig AC and Mrs Shirley Uhrig, and another donor who has given anonymously at that level; and over 100 amber Treasures Gallery partners. Many of the individual library supporters have also contributed very generously through the donation boxes at the library.

The director-general of the Library is Ms Anne-Marie Schwirtlich, who was appointed on 9 February 2011. She does a great job and is supported by the following assistant directors: Pam Gatenby Margy Burn, Marie-Louise Ayres, Mark Corbould, Jasmine Cameron, and Gerry Linehan. The current Library Council is chaired by the Hon James Spigelman, the deputy chair and executive member is Anne-Marie Schwirtlich, and other members are Jane Hemstrich, Brian Long, Kevin McCann, Deborah Thomas, Mary Kostakidis, Dr Nonja Peters, Senator Gary Humphries and the Hon Dick Adams MP.

The Friends of the National Library are an integral part of the library and the friends are advised by a committee of 16 members. Committee members range in background and experience and are all members of the friends. The committee is elected at the annual general meeting held by 30 November each year. Nominations are called for a month in advance and people who are interested can visit the National Library's website.

The 2011 committee elected at the AGM held in December last year comprises Lynette Adams, Greg Cornwell AM, Anne Davis, Phillip Dean, Margo Geering, Alan Ives, Joan Kennedy, Gary Kent, Sylvia Marchant, Robyn Oates, Margaret Pender and Tim Walshaw. The committee is chaired by Joan Kennedy, the deputy chair is Gary Kent, the treasurer is Lynette Adams and the newsletter editor is Margaret Pender. I commend all those who volunteer their time to serve on the friends committee.

I also commend the staff and all the volunteers that make the National Library a truly great institution. I urge all Canberrans to consider joining the friends and to visit nla.gov.au for more information about the great work done at the National Library.

Retired Army officers, wives and widows 34th annual dinner

MR HANSON (Molonglo) (5.16): I rise tonight to talk about a function that I attended on 13 October which was the retired Army officers, wives and widows 34th annual dinner. The dinner was held at the Royal Canberra Golf Club and was organised by Alan Hutchinson.

It was a tremendous evening, with great comradeship enjoyed by all of those that were present. It is an event that has been going, as it says in the title, for 34 years, which is quite an achievement. I would like to note many of the very well renowned military officers that were there on the evening. I particularly make mention of Major General Bill Crews (retired), the former president of the RSL, who was sitting at my table. I enjoyed a pleasant evening with him and his wife and others.

I would like to also particularly thank Alan and his wife Beth for the tremendous effort that they made in organising the evening. A special treat at the end of the evening was a gift that had been put there for all of the wives and widows by Beth. Every year apparently the gift is different and is a treat that the wives and the widows look forward to, and Alan was generous enough to give me one of the spare ones to take home for Fleur, who had been unable to attend the evening. It was a beautiful crystal perfume bottle; I think that would be the best way to describe it.

It was a great night, with great comradeship, and I hope I am available to attend the 35th retired Army officers, wives and widows dinner next year.

Question resolved in the affirmative.

The Assembly adjourned at 5.19 pm until Tuesday, 25 October 2011, at 10 am.

Answers to questions

Alexander Maconochie Centre—hepatitis C treatment program (Question No 1738)

Mr Hanson asked the Minister for Health, upon notice, on 24 August 2011:

- (1) What was the total number of (a) prisoners at the Alexander Maconochie Centre (AMC) who were confirmed as having the Hepatitis C virus, and (b) of treatment places available in the AMC Health Centre for prisoners with Hepatitis C, as at 22 August 2011.
- (2) What are the criteria for prisoners to gain admission to the Hepatitis C treatment program at the AMC.
- (3) What is the total number of prisoners that (a) were awaiting assessment for the treatment program, and (b) had been assessed as suitable for the treatment program, and were awaiting admission, as at 22 August 2011.

Ms Gallagher: I am advised that the answer to the member's question is as follows:

- (1) (a) As at 22 August 2011, the total number of prisoners who have provided consent to be tested and confirmed as being Hepatitis C positive is 93.

(b) There are 10 Hepatitis C treatment places available within the AMC at any one time. Clients are initiated into care jointly by Justice Health and the Gastroenterology Clinic at the Canberra Hospital in accordance with the Shared Care model developed by the Australian Society of HIV Medicine.
- (2) Each client is assessed on their clinical presentation so may meet some or all of the below criteria.
 - Hepatitis C infection for 15-20 years (or the client does not know when they first got Hepatitis C);
 - Liver function test (Alanine Transaminase (ALT) levels are high);
 - Genotypes 2 and 3 have better treatment outcomes with current treatment, and are therefore prioritized;
 - Non-obese patients have better outcomes, and are therefore prioritised; obese candidates are encouraged to lose weight.
- (3) (a) There are 33 prisoners awaiting assessment for the treatment program.

(b) There are eight prisoners who have been assessed as suitable for treatment and are awaiting admission to the treatment program.

The patients "awaiting assessment for the treatment programs" and those "awaiting admission to the treatment program" are monitored with liver function testing at periods between 6 and 12 months. If there is a change in severity of the secondary liver effects, then re-prioritisation occurs in consultation with the Gastroenterology clinic at the Canberra Hospital. This is consistent with community standards.

**Finance—credit card merchant fees
(Question No 1740)**

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 25 August 2011 (*redirected to the Treasurer*):

In relation to credit card merchant fees for government payments how much has the government paid in merchant fees to credit card providers (a) Visa, (b) Mastercard, (c) American Express, (d) Diners Club and (e) JCB and at what rate of charge for (a) 2006, (b) 2007, (c) 2008, (d) 2009, (e) 2010 and (f) 2011 to date.

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

The ACT Government only accepts credit card payments using Visa and Mastercards. The requested information for merchant fees for 2009-10 and 2010-11 is below.

Given the limited agency resources available to compile this information, fees and rates have not been provided for the earlier years.

Merchant Service Fees Paid	2009-10		2010-11	
	\$000	Fee %	\$000	Fee %
Direct Visa Card Payments	582	0.57	660	0.65
Direct Mastercard Payments	305	0.43	320	0.43

**Belconnen waste recycling facility—fire
(Question No 1747)**

Mr Coe asked the Minister for the Environment and Sustainable Development, upon notice, on 25 August 2011:

- (1) In relation to the fire at the former Building Waste Recycling facility in Belconnen, did the Environment Protection Authority (EPA) attend the fire that started on the 20th of August 2011
- (2) Were emissions detected and if so (a) what were these emissions identified as, (b) at what levels were they measured at and, (c) what volume of carbon was emitted.
- (3) What follow up activity has occurred by the EPA as a result of the fire.
- (4) What enforcement of the *Environment Protection Act 1997* has been required as a result of the fire.

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

- (1) The Environment protection Authority (EPA) attended the site of the fire on Monday 22 August 2011.

- (2) Information obtained from the ACT Fire Brigade indicated that the fire was in an outdoor storage area containing timber, logs, pallets and mulch and behaved as expected and did not pose any threat to the residents of Belconnen.
 - (3) An Officer from the EPA inspected the site on 22 August 2011. The ACTFB were still in attendance and no action was required.
 - (4) Nil. The incident was appropriately handled by the ACTFB as first responders with no adverse impacts from the incident identified which would warrant enforcement action under the Environment Protection Act.
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**Planning—supermarket sites
(Question No 1750)**

Ms Le Couteur asked the Minister for Economic Development, upon notice, on 25 August 2011:

- (1) In relation to supermarket competition policy in January this year the previous Chief Minister announced the possibility of the Government introducing a floorspace dominance test for supermarkets, what progress has there been in this area.
- (2) Has the government looked at any legal issues with respect to a floorspace dominance test at existing supermarket sites.
- (3) What work has the Government done to compile gross floor area (GFA) per capita for the ACT for retail generally, and for supermarkets, and is this information updated regularly.
- (4) Has the government investigated (a) the growth in retail GFA and in supermarket GFA relative to the growth in the ACT's population and if so (b) what impacts it has had on small businesses in the ACT.
- (5) Throughout the formation of our supermarket competition policies, do we take into account supermarkets at the airport, and national GFA per capita averages.
- (6) Has the government any current strategy to address the duopoly of Woolworths and Coles.

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

- (1) The floor space dominance test is one of several tests being considered by the Government.
- (2) No.
- (3) The Government, through the Environment and Sustainable Development Directorate (ESDD), regularly commissions commercial and industrial floor space inventories. These inventories are generally conducted every two years. Summaries of the 2009 and 2007 studies are available on ESDD's website and a 2011 study is currently in progress.

- (4) (a) and (b) The Government has not investigated the growth in retail GFA and in supermarket GFA relative to the growth of the ACT's population. The Government believes that the level of provision of space for retailing goods and services is generally the domain of the private sector.
 - (5) The Government's supermarket competition policies have been developed with an awareness of events and trends within the supermarket sector both locally and nationally.
 - (6) The ACT Government believes in supporting diversity in the supermarket sector and has developed the supermarket competition policy in response.
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Couranga and Tralee homesteads (Question No 1755)

Ms Le Couteur asked the Minister for the Environment and Sustainable Development, upon notice, on 25 August 2011:

- (1) In relation to the advice noted by the Government about the Home and Building Inspection Report for the Couranga and Tralee Homesteads undertaken by the LDA in 2008, can you detail what non 'non-urgent' actions were undertaken.
- (2) For the 2010-11 budget allocation figure of \$165,000 for the conservation and interpretation of Tralee Homestead what action has been taken to date.
- (3) When will the Government decide on options for Couranga Homestead.
- (4) Why was the security company engaged by the LDA, together with the security fencing with appropriate signage erected around the Tralee Hut, not engaged or erected earlier that would have prevented the recent vandalism that occurred.
- (5) Given that the Estate Development Plan/development application approval sets aside area to protect the heritage assets, but only provides a distance of 6 metres between the Tralee Slab hut and the planned development what are the reasons for how this distance of 6 metres was determined and why it is considered satisfactory.
- (6) We also understand that the planned development is likely to significantly impose on the views from the Slab Hut, thereby comprising the integrity of this heritage asset. Could the Government provide details on how the planned development will ameliorate the present planned comprised views from the Slab Hut.

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

- (1) As detailed in the response to QoN 1683, the advice was noted by the LDA. Following detailed consideration of the Building Report, a decision was taken that no 'non urgent' work was required.
- (2) Conservation and interpretation action to date include removal of hazardous material at the Tralee Slab Hut, removal of non-significant site waste, and tree surgery for reasons of public safety.

- (3) The Government will consider options for Couranga Homestead during the development of the 2012/2013 ACT budget.
 - (4) The LDA is not custodian of the parcel of land in which Couranga and Tralee homesteads are contained. Possession of the entire development site has been handed over to BMD Constructions to allow infrastructure works to commence. However, following the theft of historic timber slabs earlier this year, the LDA, acting as a good corporate citizen, acted to engage a security company and erected additional fencing around Tralee homestead to secure the site from further damage.
 - (5) The Development Application (DA) allowed for a 5 metres landscape buffer for all blocks which back onto the heritage curtilage area. The figure of 5 metres was seen as appropriate by ACT Heritage and the ACT Planning and Land Authority to allow a density of landscaping adequate to provide screening to and from the area.
 - (6) The ACT Heritage Council required of the LDA that a landscape buffer be put in place to mitigate the negative impacts of the surrounding industrial development. Additionally, the Heritage Council required appropriate set-backs and stepping of building heights adjacent the Slab Hut.
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Housing—first home owner grants (Question No 1759)

Mr Seselja asked the Treasurer, upon notice, on 25 August 2011:

- (1) What is the budget allocation for the First Home Owner Grant scheme for the years 2011-12 to 2014-15.
- (2) How many grants does the budget provide for in each year.
- (3) What growth in the number of grants provided each year has been factored in.
- (4) What year was the scheme introduced.
- (5) What has been the total cost of grants paid each year since its inception, for example, the take up rate.
- (6) How many grants were provided in each year since its inception.

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

- (1) The Budget for the First Home Owners Grant is incorporated in Grants and Purchased Services in the 2011-2012 Budget Paper No.4 Page 161. The amounts for the First Home Owners Grant are as follows:
 - a) 2011-12: \$18.2 million
 - b) 2012-13: \$17.3 million
 - c) 2013-14: \$17.3 million
 - d) 2014-15: \$17.3 million
- (2) Please refer to response to Question on Notice No.1702.

- (3) Please refer to response to Question on Notice No. 1702.
- (4) The First Home Owners Grant was introduced on 1 July 2000.
- (5) Please refer to response to Estimates QoN number E11-062 Question 2.
- (6) The number of grants provided since its inception:

Year	Total Number of the First Home Owners Grant
2000-01	3,118
2001-02	3,632
2002-03	2,406
2003-04	1,565
2004-05	2,077
2005-06	2,524
2006-07	2,954
2007-08	2,502
2008-09	2,958
2009-10	3,568

Finance—pensioner rebates (Question No 1760)

Mr Seselja asked the Treasurer, upon notice, on 25 August 2011:

- (1) What is the budget allocation for the General Rates (Pensioner Rebate of General Rates and Fire and Emergency Services Levy) rebate scheme for the years 2011-12 to 2014-15.
- (2) How many rebates does the budget provide for in each year.
- (3) What growth in the number of rebates provided each year has been factored in.
- (4) What year was the scheme introduced.
- (5) What has been the total cost of rebates paid each year since its inception, for example, the take up rate.
- (6) How many rebates were provided in each year since its inception.

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

- (1) Funding for Pensioner Rebates for General Rates is provided to the Community Services Directorate as part of the concession budget. The estimate for 2011-12 is around \$6.5 million indexed across the forward years.
- (2) The budget forecasts are not developed on the predictions of the number of pensioners. The number of eligible pensioners can vary during the year. The amount of benefit for an individual pensioner can also vary.

- (3) Please refer to 1 and 2 above.
 - (4) 1970.
 - (5) The total cost of rebates is reported by CSD in its Annual Report.
 - (6) Data at the level requested would divert significant resources from Treasury's ongoing business therefore I am not prepared to authorise this request.
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**Finance—home buyer concession scheme
(Question No 1762)**

Mr Seselja asked the Treasurer, upon notice, on 25 August 2011:

- (1) What is the budget allocation for the Home Buyer Concession Scheme for the years 2011-12 to 2014-15.
- (2) How many concessions does the budget provide for in each year.
- (3) What growth in the number of concessions provided each year has been factored in.
- (4) What year was the scheme introduced.
- (5) What has been the total cost of concessions paid each year since its inception, for example, the take up rate.
- (6) How many concessions were provided in each year since its inception.

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

- (1) There is no separate budget allocation for the Home Buyer Concession Scheme. The Home Buyer Concession Scheme is taken into consideration as part of the overall conveyance revenue estimates.
 - (2) The budget is not based on the number of concessions. See answer to question 1.
 - (3) See answers to question 1 and 2.
 - (4) The scheme has existed in varied forms since 1989.
 - (5) I am not prepared to provide the requested information going back to the inception of the scheme as it would substantially and unreasonably divert the resources of Treasury from its other operations.
 - (6) See answer to question 5.
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**Finance—student transport program
(Question No 1766)**

Mr Seselja asked the Minister for Education and Training, upon notice, on 25 August 2011 (*redirected to the Minister for Community Services*):

- (1) What is the budget allocation for the Student Transport program for the years 2011-12 to 2014-15.
- (2) How many concessions does the budget provide for in each year.
- (3) What growth in the number of concessions provided each year has been factored in.
- (4) What year was the scheme introduced.
- (5) What has been the total cost of concessions provided each year since its inception, for example, the take up rate.
- (6) How many concessions were provided in each year since its inception.

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

- (1) What is the budget allocation for the Student Transport program for the years 2011-12 to 2014-15?

2011-12	\$323,000
2012-13	\$331,000
2013-14	\$340,000
2014-15	\$348,000

- (2) How many concessions does the budget provide for in each year?
This information is not available.
- (3) What growth in the number of concessions provided each year has been factored in?

It is difficult to predict the growth in the number of student transport concessions. Growth is factored through previous year results. Please see Question 6.
- (4) What year was the scheme introduced?
Early 2002.
- (5) What has been the total cost of concessions provided each year since its inception, for example, the take up rate?
The available data is provided in annual reports. Link:
http://www.dhcs.act.gov.au/home/publications/annual_reports
- (6) How many concessions were provided in each year since its inception?

For 2002 and 2003 the number of concessions is not readily available.

2004 – 508
2005 – 667
2006 – 945

2007 – 1,119
2008 – 1,279
2009 – 1,464
2010 – 1,549

**Finance—Toilet Smart program
(Question No 1770)**

Mr Seselja asked the Minister for the Environment and Sustainable Development, upon notice, on 25 August 2011:

- (1) What is the budget allocation for the Toilet Smart program for the years 2011-12 to 2014-15.
- (2) How many installations does the budget provide for in each year.
- (3) What growth in the number of installations provided each year has been factored in.
- (4) What year was the scheme introduced.
- (5) What has been the total cost of installations paid each year since its inception, for example, the take up rate.
- (6) How many installations were provided in each year since its inception.

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

- (1) 2011-12: \$683,000
2012-13: \$700,000
2013-15: No funding has been allocated for these years.
- (2) The number of installations provided through the ToiletSmart budget is dependent on the uptake of the various components of the program each year. An example of what the 2011-12 budget could provide is up to 171 free showerheads for pensioners, 450 free toilet upgrades for pensioners, 880 free audits, available to all participants and 561 rebates for toilet upgrades for non-pensioners.
- (3) Uptake of the rebate for toilet upgrades for both pensioners and non-pensioners has been consistent for the past two years. The expected uptake of the program for 2011-12 is based on the 2009-10 and 2010-11 program uptake.
- (4) ToiletSmart was launched in May 2008. ToiletSmart Plus was launched in August 2010.
- (5) 2007-08: 119 toilets installed for pensioners, rebate amount \$465
247 toilets installed for non-pensioners, rebate amount \$100
2008-09: 410 toilets installed for pensioners, rebate amount \$465
367 toilets installed for pensioners, rebate amount \$490
2576 toilets installed for non-pensioners, rebate amount \$100
2009-10: 446 toilets installed for pensioners, rebate amount \$490
793 toilets installed for non-pensioners, rebate amount \$100

- 2010-11: 543 toilets installed for pensioners, rebate amount \$488
 783 toilets installed for non-pensioners, rebate amount \$100
 718 audits provided, cost per audit \$25
 288 showerheads installed, cost per showerhead \$32
- (6) 2007-08: 366 toilets installed
 2008-09: 3353 toilets installed
 2009-10: 1239 toilets installed
 2010-11: 1326 toilets installed, 718 audits and 288 showerheads

Electricity—feed-in tariff (Question No 1772)

Mr Seselja asked the Minister for the Environment and Sustainable Development, upon notice, on 25 August 2011:

- (1) In relation to the Feed-in Tariff Scheme, of the total 15 megawatt capacity originally allocated to the micro generation category of the scheme, (a) what is the total installed capacity, (b) how much of the cap is allocated to applications that are yet to be installed and/or connected and (c) of the outstanding applications, how many have been outstanding for three months or over.
- (2) Of the megawatt capacity allocated to the micro generation category due to the breach of the original 15 megawatt cap, (a) what is the total installed capacity, (b) what capacity is allocated to applications that are yet to be installed and/or connected and (c) of the outstanding applications, how many have been outstanding for three months or over.
- (3) Did connections under the medium generation capacity follow the same rules of connection as the micro generators; if not, what was the process for connections.
- (4) Of the total megawatt capacity allocated to medium scale generation, what allocation is receiving the premium rate of (a) 34.275 cents (75%) and (b) 30.162 cents (66%).
- (5) What premium rate does the 1 megawatt of installed capacity for the solar schools program, under the medium scale generation cap, receive.
- (6) What is the Government doing to provide certainty to customers regarding ActewAGL's 1:1 parity payment program.

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

- (1)
 - a) As at 31 July 2011, there was 16.1MW of installed capacity
 - b) 100% of the remaining cap (13.9 MW)
 - c) 497
- (2) (a), (b), (c) As for question above.
- (3) The application process was the same. However ActewAGL Distribution has more rigorous technical standards to be met for medium category grid connections.

- (4) There were 55 applications received for medium generation capacity installations.

The old Medium generator rate continued in effect until the amended legislation took effect on 12 July 2011. No installations have yet been connected. At the present time ActewAGL Distribution is not able to provide further details as to the premium rate applicable for these installations.

- (5) All solar school program applications received were in the micro category. They will attract a feed-in tariff of 45.7c/kWh.
- (6) The Council of Australian Governments has convened a national working group to consider the implications of a one-for-one feed-in tariff. In addition, separate consultations between State and Territory jurisdictions are taking place and any decision taken by the ACT Government will be informed by these consultations.

Canberra Hospital—pastoral services (Question No 1779)

Mr Hanson asked the Minister for Health, upon notice, on 20 September 2011
(*redirected to the Acting Minister for Health*):

- (1) What is the total number of full-time equivalent people employed at The Canberra Hospital as Patient Liaison workers for pastoral services.
- (2) What is the total number of shifts that the workers referred to in part (1) are employed in and what is the duration of these shifts.
- (3) What is the total number of people employed during each of the shifts referred to in part (2).

Mr Corbell: I am advised that the answer to the member's question is as follows:

- (1) The Chaplaincy and Pastoral Care Unit at the Canberra Hospital employs 1.22 FTE people. Additionally, the Health Directorate funds Canberra and Region Centre for Spiritual Care Clinical Pastoral Education Inc. to support 0.6 FTE administrator for pastoral education. This position supports training for patient liaison services. The Chaplaincy and Pastoral Care Unit is supported by members who represent 42 different faith groups and there are approximately 63 volunteers who fill a roster across 7 days of the week. An on-call service is available for those who require chaplaincy/pastoral care 24 hours a day, seven days a week.
 - (2) The total number of shifts that the workers referred to in part (1) is eight shifts, the full time worker works five shifts of eight hours and the part time worker works two shifts of three hours and one shift of four hours (total ten hours/week). The administrator for the pastoral education service works three shifts of 7.5 hours.
 - (3) The total number of people employed for patient liaison during each shift is 1.4 FTE.
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**Health—inpatient services
(Question No 1780)**

Mr Hanson asked the Minister for Health, upon notice, on 20 September 2011:

In relation to the 2011-12 Budget, Health Directorate Output Class 1.1, what is the (a) total amount budgeted for inpatient services, (b) forecasted growth in patient demand for inpatient services, (c) total amount budgeted for outpatient services, (d) forecasted growth in patient demand for outpatient services, (e) total amount budgeted for emergency department services and (f) forecasted growth in patient demand for emergency department services, for the financial years (i) 2011-12, (ii) 2012-13, (iii) 2013-14 and (iv) 2014-15.

Ms Gallagher: I am advised that the answer to the member's question is as follows:

(a, c & e) The Health Directorate budgets by function rather than for services in the way listed in questions (a), (c) and (e) and I am therefore unable to advise the 2011-12 through to 2014-15 Budgets for these items. The Health Directorate does retrospectively report National Health Cost Data Collection (NHCDC) information in this format. The last NHCDC return was for 2008-09 when it was reported for ACT Public Hospital that 62% of expenditure was for admitted services, 13% for outpatient services and 11% for emergency department. The other 14% relates to teaching, research and other services.

(b, d & f) The forecasted growth for 2011-12 to 2014-15 in inpatient, outpatient and emergency services is 3 per cent per annum.

**Health—mental health services
(Question No 1781)**

Mr Hanson asked the Minister for Health, upon notice, on 20 September 2011
(*redirected to the Acting Minister for Health*):

In relation to the 2011-12 Budget, Health Directorate Output Class 1.2, what is the (a) total amount budgeted for mental health services, (b) forecasted growth in patient demand for mental health services, (c) total amount budgeted for mental health services that will be spent through community organisations, (d) total amount budgeted for inpatient mental health services, (e) forecasted growth in patient demand for inpatient mental health services, (f) total amount budgeted for community based mental health services, (g) forecasted growth in patient demand for community based mental health services, (h) total amount budgeted for mental health support accommodation services, (i) forecasted growth in patient demand for mental health supported accommodation services, (j) total amount budgeted for alcohol and drug services, (k) forecasted growth in patient demand for alcohol and drug services, (l) total amount budgeted for inpatient alcohol and drug services, (m) forecasted growth in patient demand for inpatient alcohol and drug services, (n) total amount budgeted for outpatient alcohol and drug services, (o) forecasted growth in demand for outpatient alcohol and drug services, (p) total amount budgeted for justice health and (q) forecasted growth in patient demand for justice health, for the financial years (a) 2011-12, (b) 2012-13, (c) 2013-14 and (d) 2014-15.

Mr Corbell: I am advised that the answer to the member's question is as follows:

Only 2011-12 Budgets are available at this time. The Health Directorate does not allocate funding to these levels until the beginning of each financial year. The budgets identified below relate to direct service delivery costs and may include expenses reported through Output 1.6 Early Intervention and Prevention.

- (a) \$74.876m
- (b) 3% for each year
- (c) \$12.916m
- (d) \$16.945m
- (e) 4% in 2011-12, reducing to 3% for the outyears
- (f) \$54,485m (includes non-government organisations identified in c)
- (g) 3% for each year
- (h) \$5.481m
- (i) 3% for each year
- (j) \$16.504m
- (k) 3% for each year
- (l) \$2.362m
- (m) 3% for each year
- (n) \$4.914m
- (o) 3% for each year
- (p) \$2.741m
- (q) 3% for each year

Health—cancer screening (Question No 1783)

Mr Hanson asked the Minister for Health, upon notice, on 20 September 2011:

In relation to the 2011-12 Budget, Health Directorate Output Class 1.4, what is the (a) total amount budgeted for cancer screening, assessment and diagnosis, (b) forecasted growth in patient demand for cancer screening, assessment and diagnosis, (c) total amount budgeted for palliative care services and (d) forecasted growth in patient demand for palliative care services. for the financial years (i) 2011-12, (ii) 2012-13, (iii) 2013-14 and (iv) 2014-15.

Ms Gallagher: I am advised that the answer to the member's question is as follows:

- (a) \$3.813m.
- (b) I am advised that there is no data currently available that is able to forecast the growth in patient demand for cancer screening, assessment and diagnosis. To extrapolate this information would be too resource intensive to undertake in order to answer the Members question.
- (c) The Health Directorate does not budget to this level, therefore this information would be too resource intensive to undertake in order to answer the Members question.
- (d) I am advised that there is no data currently available that is able to forecast the growth in patient demand for palliative care services. To extrapolate this information would be too resource intensive to undertake in order to answer the Members question.

Health—rehabilitation services (Question No 1784)

Mr Hanson asked the Minister for Health, upon notice, on 20 September 2011
(*redirected to the Acting Minister for Health*):

In relation to the 2011-12 Budget, Health Directorate Output Class 1.5, what is the (a) total amount budgeted for rehabilitation services, (b) forecasted growth in patient demand for rehabilitation services, (c) total amount budgeted for inpatient rehabilitation services, (d) forecasted growth in patient demand for inpatient rehabilitation services, (e) total amount budgeted for outpatient rehabilitation services, (f) forecasted growth in patient demand for outpatient rehabilitation services, (g) total amount budgeted for aged and community care and (h) forecasted growth in patient demand for aged and community care, for the financial years (i) 2011-12, (ii) 2012-13, (iii) 2013-14 and (iv) 2014-15.

Mr Corbell: I am advised that the answer to the member's question is as follows:

The Health Directorate does not budget at the levels specified in questions (a), (c), (e) and (g). The total budget for Rehabilitation, Aged and Community Care for 2011-12 is \$122.490m. This can be broken down to functional services as follows:

	\$000's
Hospital Based Rehabilitation & Aged Care	16,899
Community Based Rehabilitation & Aged Care	19,833
Community Care Programs	18,082
Calvary Sub-Acute Services	5,103
Non-Government Organisations - Aged Care	41,283
Non-Government Organisations - Other Community Services	21,290

Note: above expenses include corporate overheads for financial services, human resources, information technology and business and infrastructure costs.

The forecast growth in patient demand for (b), (d), (f) and (h) is 3% per annum.

Health—chronic health care services (Question No 1785)

Mr Hanson asked the Minister for Health, upon notice, on 20 September 2011:

- (1) In relation to the 2011-12 Budget, Health Directorate Output Class 1.6, what is the (a) total amount budgeted for chronic healthcare services and (b) forecasted growth in patient demand for chronic healthcare services, for the financial years (i) 2011-12, (ii) 2012-13, (iii) 2013-14 and (iv) 2014-15.
- (2) Can the Minister list the programs that are provided under the budget for chronic healthcare services.
- (3) What is the (a) total amount budgeted for preventative health services and (b) forecasted growth in patient demand for preventative health services, for the financial years (i) 2011-12, (ii) 2012-13, (iii) 2013-14 and (iv) 2014-15.

- (4) Can the Minister list the programs that are provided under the budget for chronic healthcare services.

Ms Gallagher: I am advised that the answer to the member's question is as follows:

- (1) (a) Given the manner in which the budget is configured, coupled with the fact that chronic diseases by nature are complex and cut across multiple programs, this information would be too resource intensive to undertake in order to answer the Members question.
- (b) I am advised that there is no data currently available that is able to forecast the growth in patient demand for chronic healthcare services for the financial years (i) 2011-12, (ii) 2012-13, (iii) 2013-14 and (iv) 2014-15 in the ACT. To extrapolate information from various Australian Institute of Health and Welfare (AIHW) and other data sources would be too resource intensive to undertake in order to answer the Members question.
- (2) Given the manner in which the budget is configured, coupled with the fact that chronic diseases by nature are complex and cut across multiple programs, this information would be too resource intensive to undertake in order to answer the Members question.

However some new programs that are provided for under Output Class 1.6 for chronic healthcare services include:

- Get Healthy Information and Coaching Service;
- Better outcomes for people with high cardiovascular disease risk in ACT General Practice; and
- Diabetes Service Enhancement at the Canberra Hospital.

- (3) (a) The total budget for Output 1.6 Early Intervention and Prevention for 2011-12 is \$70.996m. It should be noted that this includes more than just chronic disease services referred to above.
- (b) I am advised that there is no data currently available that is able to forecast the growth in patient demand for preventative health services for the financial years (i) 2011 12, (ii) 2012-13, (iii) 2013-14 and (iv) 2014-15.

- (4) See answer to question 2.

Hospitals—elective surgery (Question No 1792)

Mr Hanson asked the Minister for Health, upon notice, on 21 September 2011:

- (1) What is the total amount budgeted for elective surgery for the financial years (a) 2011-12; (b) 2012-13; (c) 2013-14 and (d) 2014-15.
- (2) What is the forecast growth in patient demand for elective surgery for the financial years (a) 2011-12; (b) 2012-13; (c) 2013-14 and (d) 2014-15.
- (3) What is the total amount budgeted for emergency elective surgery for the financial years (a) 2011-12; (b) 2012-13; (c) 2013-14 and (d) 2014-15.

- (4) What is the forecast growth in patient demand for elective surgery for the financial years (a) 2011-12; (b) 2012-13; (c) 2013-14 and (d) 2014-15.

Ms Gallagher: I am advised that the answer to the member's question is as follows:

- (1) The Health Directorate does not differentiate budgets between elective surgery and emergency surgery. Funding has been allocated to ensure over 11,000 elective surgery procedures will be completed in 2011-12. Based on the average cost weight, it is estimated to cost approximately \$94 million for 11,000 elective surgery procedures.
- (2) 3.5% for each year.
- (3) There is no category of surgery for emergency elective surgery.
- (4) Please see response to question 2.

Roads—parking revenue (Question No 1794)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 21 September 2011 (*redirected to the Attorney-General*):

- (1) In relation to parking at (a) the Australian National University (ANU) and (b) University of Canberra (UC), who enforces parking regulations.
- (2) Is there a parking strategy aimed specifically at parking at (a) UC and (b) ANU.
- (3) Has there been any request from (a) UC or (b) ANU relating to increasing parking availability at either campus this year, if so what was the request.
- (4) How much revenue has the ACT government received from parking infringements incurred at (a) UC and (b) ANU between June 2010 and June 2011, by location and month.

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

1. (a) The Australian National University (ANU) enforces parking regulations on campus with their own officers and equipment.

(b) The University of Canberra (UC) has, by way of prior formal request, invited ACT Parking Operations to enforce time restricted areas within the campus.
2. (a) and (b) No. The provision and management of parking within the two university sites are the responsibility of each university. The universities are not ACT government agencies.
3. (a) and (b) No. The provision and management of parking within the two university sites are the responsibility of each university. The universities are not ACT government agencies.

4. (a) The UC campus is a part of the broader Bruce patrol area and the statistics from the campus alone are not able to be separated. Revenue from infringement notices for the whole of the Bruce patrol is;

June 2010 \$9,780
 July 2010 \$14,192
 Aug 2010 \$17,139
 Sep 2010 \$32,743
 Oct 2010 \$19,811
 Nov 2010 \$25,592
 Dec 2010 \$2,298
 Jan 2011 \$2,923
 Feb 2011 \$35,012
 Mar 2011 \$16,437
 Apr 2011 \$12,980
 May 2011 \$7,817
 June 2011 \$3,112

- (b) This area is controlled and enforced by the ANU therefore statistics are not able to be provided.

**ACTION bus service—buses
 (Question No 1795)**

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 21 September 2011:

- (1) In relation to the ACTION bus fleet how many new buses, by make and model have been acquired in the 2010-11 financial year, by month.
- (2) How many buses, by make and model have been decommissioned during the 2010-11 financial year by month and how were the decommissioned buses disposed of, and what was the total cost of disposal.

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

- (1) The table below shows the new ACTION fleet arrivals for 2010-2011 by make, model and month.

Month	MAN Euro 5 Rigid	Scania Euro 5 Steer Tag
July 2010	2	1
August 2010	4	1
September 2010	3	2
October 2010	1	1
November 2010	4	
December 2010	3	
January 2011	1	1
February 2011		1
March 2011	4	2
April 2011	5	

May 2011	5	
June 2011	4	
Total	36	9

- (2) The table below shows the ACTION fleet retirement for 2010-2011 and subsequent destination for each bus.

Month	Renault PR100.2 Rigid	Recycle	Sold	Donate
July 2010	2	2		
August 2010	3	2		1
September 2010				
October 2010	3	2		1
November 2010	2	1		1
December 2010	1	1		
January 2011	1	1		
February 2011				
March 2011	1	1		
April 2011	1			1
May 2011				
June 2011	4	1	3	
Total	18	11	3	4

To date there has not been a cost to ACTION to dispose of retired buses. Buses suitable for sale to the public are sold un-registered ex-ACTION depot.

Buses not suitable for sale to the public are first stripped of parts of value to ACTION by ACTION staff, the buses are then transported to the SIMS Sydney recycling centre, the only facility close to Canberra capable of taking delivery of a vehicle this size. There is a transportation cost of \$1,500 per bus, however after the value of the recyclable materials are taken into account, ACTION currently nets around \$350 per bus.

A small number of buses not suitable for sale to the public have been donated to the Fire Brigade, Australian Federal Police and the Australian Defence Forces for specialist emergency training purposes. These entities either retrieve the vehicle at their expense, or if interstate and for local destinations, the entities utilise ACTION Towing Services, at the current commercial towing rate.

Roads—street sweeping program (Question No 1799)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 21 September 2011:

- (1) In relation to the street sweeping program what is the street sweeping schedule for the ACT.
- (2) What was the total cost for street sweeping services per year for (a) 2009, (b) 2010, and (c) 2011 to date.

- (3) Regarding the vehicles used for street sweeping (a) how many are there, by make and model, (b) when were they procured and at what cost and (c) has the procurement of more vehicles been budgeted for and if so, for how many vehicles.
- (4) How many staff are assigned to the program and at what cost.

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

- (1) All streets are swept at least twice per year. Suburbs with deciduous street trees where there is heavy leaf fall receive additional services during autumn.

Major arterial roads are swept on a monthly basis and minor arterials three monthly.

- (2) (a) 2009-\$968,510; (b) 2010-\$1,034,411; (c) 2011-\$737,306 (January to August).
- (3) (a) Five; Hino Ranger PRO 9VT; (b) leases began in September and October 2008 on a five year lease. Lease cost per month - \$5,505.04 (excl. GST, fuel and maintenance); (c) Yes, replacing five street sweepers.
- (4) Five staff; \$309,302 per annum.

Community Services Directorate—travel (Question No 1806)

Mr Seselja asked the Minister for Community Services, upon notice, on 21 September 2011:

- (1) What was the Directorate's total spend on travel for the years (a) 2008-09, (b) 2009-10 and (c) 2010-11.
- (2) What was the total spend on business class travel for the years (a) 2008-09, (b) 2009-10 and (c) 2010-11.
- (3) What is the total funding allocated to travel for the years (a) 2011-12, (b) 2012-13, (c) 2013-14 and (d) 2014-15 and what proportion of this funding is allocated for business class travel.

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

- (1) Total expenditure by the Directorate on travel is as follows:
 - a) 2008-09: \$511,204
 - b) 2009-10: \$344,431
 - c) 2010-11: \$404,299.
- (2) In 2010-11 total expenditure by the Directorate on business class travel was approximately \$8,434. Data for the previous financial years is not available in the form and at the level of disaggregation requested. Due to the relatively small dollar value of the request I am not prepared to authorise the diversion of significant resources from the Community Services Directorate's ongoing business.

- (3) Travel is only undertaken as required to meet operational needs and as such, expenditure will vary from year to year. The Directorate's travel budget is one area where the Directorate is actively looking at making savings over the next few years. There is no specific budget allocation for business class travel.

Community Services Directorate—consultants (Question No 1807)

Mr Seselja asked the Minister for Community Services, upon notice, on 21 September 2011:

- (1) What was the Directorate's total expenditure on consultants' fees for (a) 2008-09, (b) 2009-10 and (c) 2010-11.
- (2) What is the budgeted expenditure for consultants' fees for the years (a) 2011-12, (b) 2012-13, (c) 2013-14 and (d) 2014-15.

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

- 1) Total expenditure by the Directorate on consultants is as follows:

a) 2008-09:	\$1,302,677
b) 2009-10:	\$2,396,956
c) 2010-11:	\$2,275,602

- (2) Consultants are only engaged as required to deliver specific projects. Expenditure will vary from year to year depending on the strategic and operational needs. Over the past two years, expenditure on consultants was approximately \$2.4 million each year. The Directorate expects a similar level of expenditure in 2011-12 and the following three years.

Community Services Directorate—advertising (Question No 1808)

Mr Seselja asked the Minister for Community Services, upon notice, on 21 September 2011:

- (1) What was the total expenditure by the Directorate on advertising in (a) 2008-09, (b) 2009-10 and (c) 2010-11.
- (2) What is the funding allocation for advertising for the years (a) 2011-12, (b) 2012-13, (c) 2013-14 and (d) 2014-15.

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

- 1) Total expenditure by the Directorate on advertising is as follows:

- a) 2008-09: \$118,000
 - b) 2009-10: \$128,000
 - c) 2010-11: \$261,000 (includes artsACT transferred to the Directorate as of May 2011)
- 2) Advertising is undertaken as required, consisting mainly of public notices advertising grants and service initiatives. Expenditure will vary from year to year depending on the operational needs. The directorate expects similar levels of expenditure in 2011-12 and the following 3 years, as in 2010-11.

Education and Training Directorate—travel (Question No 1812)

Mr Seselja asked the Minister for Education and Training, upon notice, on 21 September 2011:

- (1) What was the Directorate's total spend on travel for the years (a) 2008-09, (b) 2009-10 and (c) 2010-11.
- (2) What was the total spend on business class travel for the years (a) 2008-09, (b) 2009-10 and (c) 2010-11.
- (3) What is the total funding allocated to travel for the years (a) 2011-12, (b) 2012-13, (c) 2013-14 and (d) 2014-15 and what proportion of this funding is allocated for business class travel.

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

- (1) Information on travel expenditure is available in the Directorate's Annual Reports in the supplies and services line item that forms part of the Financial Statements. The table below provides the travel expenditure.

	2008-09	2009-10	2010-11
	\$'m	\$'m	\$'m
Travel Expenditure ¹	0.68	0.69	0.60

1. Includes expenditure primarily associated with travel fares, allowances, taxi hire and the use of private vehicles.

The expenditure in the above table excludes school based expenditure. Schools maintain their own data and details of expenditure is consolidated in the Directorate's accounts at summary level only.

- (2) The Directorate spent \$659 on business class travel in 2010-11. This data was provided by Procurement Solutions. Data from 2008-09 and 2009-10 is not available in the form and at the level requested without diversion of significant resources from Chief Minister and Cabinet Directorate's ongoing business.
- (3) The funding allocated to travel for 2011-12 through the Directorate's internal budget is \$0.63m. The detailed budget by line item is determined at the beginning of each

financial year as part of the internal budget development. Information at this level for future years forms part of the supplies and services line item in the 2011-12 Budget Paper 4 for future years. The Directorate does not allocate funding by class of travel.

Education and Training Directorate—advertising (Question No 1814)

Mr Seselja asked the Minister for Education and Training, upon notice, on 21 September 2011:

- (1) What was the total expenditure by the Directorate on advertising in (a) 2008-09, (b) 2009-10 and (c) 2010-11.
- (2) What is the funding allocation for advertising for the years (a) 2011-12, (b) 2012-13, (c) 2013-14 and (d) 2014-15.

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

- (1) Total expenditure on advertising forms part of the supplies and services line item in the Directorate's financial statements. The total expenditure for (a) 2008-09, (b) 2009-10 and (c) 2010-11 is provided in the table below.

	2008-09 \$'m	2009-10 \$'m	2010-11 \$'m
Advertising Expenditure ¹	0.39	0.26	0.27

1. Includes expenditure primarily associated with staff vacancies and media.

The expenditure in the above table excludes school based expenditure. Schools maintain their own data and details of expenditure is consolidated in the Directorate's accounts at summary level only.

- (2) The funding allocated for advertising for 2011-12 through the Directorate's internal budget is \$0.17m. The detailed budget by line item is determined at the beginning of each financial year as part of the internal budget development. Information at this level for future years forms part of the supplies and services line item in the 2011-12 Budget Paper 4.

Environment and Sustainable Development Directorate—travel (Question No 1815)

Mr Seselja asked the Minister for the Environment and Sustainable Development, upon notice, on 21 September 2011:

- (1) What was the Directorate's total spend on travel for the years (a) 2008-09, (b) 2009-10 and (c) 2010-11.
- (2) What was the total spend on business class travel for the years (a) 2008-09, (b) 2009-10 and (c) 2010-11.

- (3) What is the total funding allocated to travel for the years (a) 2011-12, (b) 2012-13, (c) 2013-14 and (d) 2014-15 and what proportion of this funding is allocated for business class travel.

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

- (1) Information on travel expenditure is available in the Directorate's Annual Reports in the Supplies and Services note. This note forms part of the Directorate's Financial Statements.
- (2) For 2010-11 expenditure on business class travel was \$0.027 million. Data for the previous financial years is not available in the form and at the level of disaggregation requested without diversion of significant resources from the Environment and Sustainable Development Directorate's ongoing business which I am not prepared to authorise.
- (3) a) Total funding allocated to the Directorate's travel for 2011-12 is \$0.449 million.
- b, c and d) This level of detail is determined at the beginning of each financial year for that year, therefore this information is not available for future years.

**Environment and Sustainable Development Directorate—consultants
(Question No 1816)**

Mr Seselja asked the Minister for the Environment and Sustainable Development, upon notice, on 21 September 2011:

- (1) What was the Directorate's total expenditure on consultants' fees for (a) 2008-09, (b) 2009-10 and (c) 2010-11.
- (2) What is the budgeted expenditure for consultants' fees for the years (a) 2011-12, (b) 2012-13, (c) 2013-14 and (d) 2014-15.

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

While the information sought in the questions exists, it is not collated in the format requested and the Government is not prepared to authorise the diversion of resources necessary to do so.

Annual Reports for 2010-11, which include agency financial statements, contain the total expenditure on consultant's fees and will be tabled shortly in accordance with established procedures.

**Environment and Sustainable Development Directorate—advertising
(Question No 1817)**

Mr Seselja asked the Minister for the Environment and Sustainable Development, upon notice, on 21 September 2011:

- (1) What was the total expenditure by the Directorate on advertising in (a) 2008-09, (b) 2009-10 and (c) 2010-11.
- (2) What is the funding allocation for advertising for the years (a) 2011-12, (b) 2012-13, (c) 2013-14 and (d) 2014-15.

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

While the information sought in the questions exists, it is not collated in the format requested and the Government is not prepared to authorise the diversion of resources necessary to do so.

Annual Reports for 2010-11, which include agency financial statements, contain the total expenditure on advertising and will be tabled shortly in accordance with established procedures.

**Health Directorate—travel
(Question No 1820)**

Mr Seselja asked the Minister for Health, upon notice, on 21 September 2011:

- (1) What was the Directorate's total spend on travel for the years (a) 2008-09, (b) 2009-10 and (c) 2010-11.
- (2) What was the total spend on business class travel for the years (a) 2008-09, (b) 2009-10 and (c) 2010-11.
- (3) What is the total funding allocated to travel for the years (a) 2011-12, (b) 2012-13, (c) 2013-14 and (d) 2014-15 and what proportion of this funding is allocated for business class travel.

Ms Gallagher: I am advised that the answer to the member's question is as follows:

- (1) Information on travel expenditure is available in the Directorate's Annual Reports in the Supplies and Services Note that forms part of the Financial Statements.
- (2) For 2010-11 expenditure on business class travel was \$773817. Data for the previous financial years is not available in the form and at the level of disaggregation requested without diversion of significant resources from Health Directorate's ongoing business that I am not prepared to authorize.

(3) a) \$1.450m.

(b), (c) and (d) This level of detail is determined at the beginning of each financial year for that year, therefore this information is not available for future years.

**Health Directorate—consultants
(Question No 1821)**

Mr Seselja asked the Minister for Health, upon notice, on 21 September 2011:

- (1) What was the Directorate's total expenditure on consultants' fees for (a) 2008-09, (b) 2009-10 and (c) 2010-11.
- (2) What is the budgeted expenditure for consultants' fees for the years (a) 2001 12, (b) 2012-13, (c) 2013-14 and (d) 2014-15.

Ms Gallagher: I am advised that the answer to the member's question is as follows:

- (1) Information on the number of consultants engaged for amounts over \$20,000 are recorded in the following annual reports:

2008-09	—	Page 227
2009-10	—	Page 267
2010-11	—	Page 305

In 2010-11, there was an increase in consultancy payments to E-Health-related contracts, specifically Orion Health and Third Horizon Consulting that commenced in the previous financial year.

- (2) Consultants by their very nature are one-off. The level of expenditure in 2011-12 and the outyears will be dependent on decisions of the Director-General at the time.

**Health Directorate—advertising
(Question No 1822)**

Mr Seselja asked the Minister for Health, upon notice, on 21 September 2011
(*redirected to the Acting Minister for Health*):

- (1) What was the total expenditure by the Directorate on advertising in (a) 2008 09, (b) 2009-10 and (c) 2010-11.
- (2) What is the funding allocation for advertising for the years (a) 2011-12, (b) 2012-13, (c) 2013-14 and (d) 2014-15.

Mr Corbell: I am advised that the answer to the member's question is as follows:

- (1) The total expenditure by the Health Directorate on advertising in:
 - (a) 2008-09 was \$1,302,665
 - (b) 2009-10 was \$973,878
 - (c) 2010-11 was \$1,096,803

The types of advertising included in the above are recruitment advertising, general advertising and promotional/marketing advertising.

The increase in 2010-11 was due to advertising for the A Healthy Future new initiative, Capital Asset Development Plan and a Smoke Free Campaign.

- (2) The funding allocation for advertising for (a) 2011-12 is \$929,000. This incorporates savings of \$200,000 set by the government in the 2011-12 budget. Health Directorate does not budget down to this level for the forward estimates, therefore, there are no figures available for (b) 2012-13, (c) 2013-14 and (d) 2014-15.

Housing—boarding houses (Question No 1823)

Mr Seselja asked the Minister for Health, upon notice, on 21 September 2011:

To list all accommodation providers that have a Boarding House Activity License.

Ms Gallagher: I am advised that the answer to the member's question is as follows:

ACT Boarding House Licence Holders		
Premises Name	Premises Address	Proprietor/Licensee
Country Comfort Greenway	Country Comfort Hotel - 46 Rowland Rees Crescent, Greenway	Mr Jon Flaherty - Touraust Services
Civic Pub	8 Lonsdale Street, Braddon	A. Dawn - Civicflow Pty Ltd
Canberra Carotel Motel	Federal Highway, Watson	Canberra Lakes Carotel Pty Ltd
Canberra Motor Village	Canberra Motor Village - Kunzea Street, O'Connor	Mr Rod Thomas - Tourapark Pty Ltd
Sundown Village Motel	Jerrabomberra Avenue, Symonston	Flagship Leisure Parks Pty Ltd
Parklands Apartments	Parklands Apartments Hotel Dickson - 6 Hawdon Place, Dickson	Mr Paul Turner
Hyatt Hotel Canberra	Hyatt Hotel - Commonwealth Avenue, Yarralumla	Mr Karl Werner Diefenbach - Tropical Almond Development (Ptc) Ltd
Bay of Plenty Lodges	Ellmoos Road, Jervis Bay	Mr Joe Atkinson
Tall Trees Lodge Motel	21 Stephen Street, Ainslie	Tall Trees Motel (Business) Pty Ltd
Garden City Motel	Jerrabomberra Avenue, Narrabundah	Mr Louis Skepev - Garden City Motel
Quality Hotel Dickson	Cape and Badham Street, Dickson	Ms Olenka Nota - Canberra Tradesmens Union Club
Waldorf Apartment Hotel	2 Akuna Street, Canberra City	Mr Mark Higgins - Waldorf Apartment Hotel
Premises Name	Premises Address	Proprietor/Licensee
Red Cedars Motel	Aspinal Street, Watson	Mr Mark Whithear - Red Cedars Motel
Medina Executive James Court	74 Northbourne Avenue, Braddon	Medina Executive James Court
Pinnacle Apartment Hotel	11 Ovens Street, Kingston	Mr Jure Domazet - Pinnacle Apartments
Quality Hotel Woden	Woden Tradesmans Club Hotel - Melrose Dr and Launceston Street, Phillip	Woden Tradesmans Club
Rail Tram and Bus Union	RTBU - New Generation Park - Elmoos Road, Jervis Bay	Mr Alexander Claassens - RTBU - New Generation Park
Canberra City YHA	7 Akuna Street, Canberra City	YHA NSW Ltd
Forrest Hotel and Apartments	30 National Circuit, Forrest	Waldren Holdings Pty Ltd

Canberra Rex Hotel	Canberra Rex - 150 Northbourne Avenue, Braddon	Rex Braddon Pty Ltd
Kullindi Homestead	Ellmoos Road, Jervis Bay	Mr Anthony Mould
BUPA Aranda	Bupa Aranda - Bindel Street, Aranda	Bupa Care Services Pty Ltd
Rydges Canberra	London Circuit, Canberra City	Mr Patrick McKenna - Rydges Hotels Ltd
Kambah Inn	Kambah Shopping Centre - 1 Primmer Court, Kambah	G. O'Donnell - Bresheld Pty Ltd
Kingston Hotel	73 Canberra Avenue, Griffith	Dawsal Pty Ltd
Fenner Hall	210 Northbourne Avenue, Braddon	The Australian National University
MACKILLOP HOUSE	Mackillop House - 50 Archibald Street, Lyneham	Ms Dominique Marsh - Trustees Of The Sisters Of St Joseph
Burgmann College Inc	Australian National University (ANU) - 52 Daley Road, Acton	Dr Philip Dutton - Burgmann College Inc
Lyneham Motor Inn	39 Mouat Street, Lyneham	Chapman and Morgan Pty Ltd
Miranda Lodge	534 Northbourne Avenue, Downer	Mr Tao Wu - Miranda Properties (A.C.T) Pty Ltd
Belconnen Premier Inn	110 Benjamin Way, Belconnen	Mr Murray Emerton - Belconnen Premier Inn
The Marque Canberra	The Marque Canberra - 102 Northbourne Avenue, Braddon	Marque International Pty Ltd
Upper Jindalee Nursing Home	Upper Jindalee Nursing Home - 277 Goyder Street, Narrabundah	Mr G. D. Johnson - Johnson Village Services Pty Ltd
Pavilion On Northbourne	Pavilion On Northbourne - 242 Northbourne Avenue, Dickson	Ms Rachel Krizaic - Pavilion (ACT) Pty Ltd
The Commonwealth Club	The Commonwealth Club- 25 Forster Crescent, Yarralumla	Mr Sean Moroney
Motel Formule 1 Canberra	Motel Formule 1 Canberra - Federal Highway and Antill Street, Watson	Ms Donna Hickson - Accor Asia Pacific
Parkview Bed and Breakfast	526 Northbourne Avenue, Downer	Mr Vernon Zhou - ACT International Enterprise Group Pty Ltd
Rydges Capital Hill Canberra	Canberra Avenue and National Circuit, Forrest	Ms Karin Cook - Rydges Hotels Ltd
Statesman Hotel-Motel	Strangway Street, Curtin	Mr Garry O'Donnell - Bel Boa Pty Ltd
Diplomat Hotel	Canberra Avenue and Hely Street, Griffith	Diplomat Hotel Pty Ltd
University of Canberra Field Station	University of Canberra - Jervis Bay	Mr Neville Checksfield - Uni of Canberra Prof Stephen Parker Vice Chancellor
Canberran Lodge	528 Northbourne Avenue, Downer	Michael Papas and Mary Constantine
The Brassey of Canberra	Belmore Gardens, Barton	Brassey House Pty Ltd
Capital Executive Apartments	108 Northbourne Avenue, Braddon	Mr Jim Stanwell - Stanbritt Pty Ltd
Canberra South Motor Park	Canberra Avenue, Symonston	Ms Lorna Greenhalgh - Truszone Pty Ltd
Belconnen Way Motel and Apartments	79 Belconnen Way, Hawker	Mr William Dale Russell
Anzac Park Homestay	108 ANZAC Park, Campbell	Messrs Phillip and Mercedes Slack-Smith
Bentley Suites Pty Ltd	Canberra Avenue and Dominion Circuit, Forrest	Mr Jure Domazet

Canberra Girls Grammar School	Melbourne Avenue, Deakin	Canberra Girls Grammar School
Breakfree Capital Tower	Capital Tower Units Plan 784 - 2 Marcus Clarke Street, Canberra City	Mr Thomas Lamond - Capital Tower Apartments Canberra Pty Ltd
Clifton on Northbourne	Quality Suites Clifton on Northbourne - 100 Northbourne Avenue, Braddon	Argus Apartments P/L Trustee for ARGUS
Medina Classic Canberra	Medina Classic Canberra - 11 Giles Street, Kingston	Mr Matthew Abrahams - Medina Property Services
Hotel Realm	18 National Circuit, Barton	Mrs Mary Brucic - Hotel Realm Pty Ltd
University of Canberra Village	University of Canberra Village - Cooida Street, Bruce	Mr James Martin - Campus Living Villages (Canberra) Pty Ltd
University of Canberra - Arscott House	Arcscott House - Aikman Drive, Belconnen	University of Canberra
Hanson Pty Ltd	Dickson Backpackers - 14 Woolley Street, Dickson	Mr Henry Lau - Hanson Pty Ltd
Oxley Court Serviced Apartments	Oxley Court Serviced Apartments - 9 Dawes Street, Griffith	Mr Robert Spry - Robros Pty Ltd
Burton and Garran Halls	Australian National University (ANU) - Daley Road, Acton	Burton and Garran Hall ANU
Ginninderra Gardens	Aged Care Hostel - 23 Burkitt Street, Page	Ms Lise Copland - Anglicare Canberra and Goulburn
Goodwin Farrer	George Sautelle House - 22 Marshall Street, Farrer	Mr Tony Keen - Goodwin Aged Care Services Limited
St Vincent De Paul Family Service	St Vincent De Paul Family Service, Mawson	Society of St Vincent De Paul
Samaritan House Mens Shelter	Samaritan House Mens Shelter - 19 Hackett Place, Hackett	Society of St Vincent De Paul Pty Ltd
Toad Hall	Barry Drive Acton	Australian National University
Caloola Farm	Caloola Farm - Top Naas Road, Tharwa	Mr Tony Loneragan - Caloola Farm Ltd
University House	Australian National University (ANU) - Balmain Crescent, Acton	Mr Walter Sauer - University House
Morling Lodge	Morling Lodge Centre for Aged Care - 51 Hicks Street, Red Hill	Baptist Community Services NSW and ACT
Villaggio Sant' Antonio Hostel	Villaggio Sant' Antonio Hostel - 35 Burkitt Street, Page	Mr Ian Rentsch - Villaggio Italiano Ltd
Ainslie Village	23 Quick Street, Ainslie	Mr Loc Luu - Havelock Housing Assoc Inc
Mirinjani Hostel	Mirinjani Hostel - 11 Namatjira Drive, Weston	Uniting Church In Australia
Morshead Home for Veterans and other Aged Persons Inc	Morshead Home - 26 Archibald Street, Lyneham	Ms Nikki Ann Van Diemen - Morshead Home for Veterans and other Aged Persons Inc
Carey Gardens Centre for Aged Care	Carey Gardens Centre for Aged Care - 111 Carnegie Crescent, Red Hill	Baptist Community Services NSW and ACT
John XXIII College	Australian National University (ANU) - 51 Daley Road, Acton	Sean Brito-Babapulle - John XX111 College

Bush Capital Lodge - YMCA Canberra	191 Dryandra Street, O'Connor	YMCA Canberra Inc
Brindabella Gardens	38 Theodore Street, Curtin	Anglicare Canberra and Goulburn
Adria Village Hostel Ltd	Adria Village Hostel Ltd - 89 Fremantle Drive, Stirling	Iva Vujica - Adria Village Hostel Ltd
Eabrai Lodge	12 Namatjira Drive, Weston	Carmel Gibbons - Uniting Church In Australia
Mirinjani Nursing Home	15 Conder Street, Weston	Ms Sharon Kickett - Unitingcare _ Uniting Church in Aust
Outward Bound	Outward Bound - Naas Road, Tharwa	Mr Stewart Smith - Outward Bound Australia
Kalparrin Aged Care Facility	Kalparrin Aged Care Facility - 138 Hardwick Crescent, Holt	Canberra Masonic Homes
Ted Noffs Foundation	350 Antill Street, Watson	Mrs Amanda Noffs - Ted Noffs Foundation Inc
Sakyamuni Buddhist Centre Rahula Community Lodge	32 Archibald Street, Lyneham	United Vietnamese Buddhist Congregation of Canberra
Brian Hennessy Rehabilitation Centre	Mary Potter Circuit, Bruce	Brian Hennessy Rehabilitation Centre
Southern Cross Care (NSW and ACT)	Southern Cross Care Ozanam Apartments - 7 Boake Place, Garran	Mr John Ireland - Southern Cross Care (NSW and ACT)
Canberra Grammar School	Canberra Grammar School - 40 Monaro Crescent, Red Hill	Mr David Evans - Canberra Grammar School
Greenhills Conference Centre	1437 Cotter Road, Weston	Mr Daryl Smeaton - UCA - Greenhills Camp and Conference Centre
Illawarra Retirement Trust	IRT Kangara Waters - 2 Joy Cummings Place, Belconnen	Mr Craig Hamer - Illawarra Retirement Trust
Southern Cross Apartments Campbell	2 White Crescent, Campbell	Southern Cross Care (NSW and ACT)

Drugs—corrections facility based urine test (Question No 1829)

Mr Hanson asked the Minister for Health, upon notice, on 21 September 2011:

What is the total cost per administration for a corrections facility based urine test for illegal or prohibited substances.

Ms Gallagher: I am advised that the answer to the member's question is as follows:

On some occasions Forensic Mental Health Services may conduct urine drug screens as part of a comprehensive and ongoing assessment or as part of a treatment plan. The cost varies depending on public or private Pathology services, but the service by the AMC quotes the cost at \$41.80 plus GST.

Corrections facility based urine tests for illegal or prohibited substances would rest with the ACT Correction Services and is not a Health matter.

**Education—preschools
(Question No 1832)**

Mr Doszpot asked the Minister for Education and Training, upon notice, on 21 September 2011:

What is the amount of funding allocated to preschools in Output 1.1: Public Primary School Education, for the budget years (a) 2011-12, (b) 2013-14 and (c) 2014-15.

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

- 1) The budget allocation for preschools forms part of Output 1.1 Public Primary School Education. The budget provides details of the current and one forward year only. The allocation for preschools is not specifically identified in the budget, however, the 2011 12 budget is provided in the table below. The budget details at this level for (b) and (c) are not available, however, forms part of Output Class 1 in the forward estimates.

	2011-12 Budget \$'m
Total Cost	24.6

**Environment—greenhouse gas emissions
(Question No 1835)**

Mr Rattenbury asked the Minister for the Environment and Sustainable Development, upon notice, on 21 September 2011:

- (1) When will the Minister determine a method for measuring greenhouse gas emissions as required under Section 11 of the Climate Change and Greenhouse Gas Reduction Act 2010.
- (2) What considerations are being undertaken in relation to determining the method for measurement.
- (3) Will there be a more detailed analysis of greenhouse emissions within the sectors currently identified, for example, breakdown of the stationary electricity and transport emissions, to allow measurement of the effectiveness of policies and programs in particular sectors.
- (4) Who will be responsible for calculating the ACT's greenhouse gas emissions for the purposes of meeting the obligations under the Climate Change and Greenhouse Gas Reduction Act 2010.
- (5) Will the same figures be used as a basis to calculate greenhouse gas emissions for the State of the Environment report, and if not, is the Government aware of where the Commissioner for the Environment will source figures for the ACT's greenhouse gas emissions.
- (6) Will the same figures be used to inform the Greenhouse Gas Abatement Scheme, and if not, what figures will be used.

- (7) When will the Minister determine targets for the per person use of electricity, other than electricity generated from renewable energy sources, in the ACT as required under the Climate Change and Greenhouse Gas Reduction Act 2010.
- (8) Will these targets be reflected in the anticipated Energy Efficiency (Retailer Obligation Scheme) Bill 2011.

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

- (1) I determined the method for measuring greenhouse gas emissions on 23 September 2011. The Instrument setting out the methodology is on the ACT Legislation Register.
- (2) In determining a methodology for measuring greenhouse gas emissions advice has been sought from an independent entity and as far as practical, consistency has been kept with the best national and international practices.
- (3) The ACT Greenhouse Gas Inventory will include an analysis of the amount of annual greenhouse gas emissions in the ACT for the year and the ACT's progress in meeting the greenhouse gas reduction targets, including; comparison of the annual amount of emissions, identification of the main sources of greenhouse gas emissions in the ACT and identification of possible reasons for changes in greenhouse gas emissions from previous years. Major sectors, such as stationary energy and transport will be broken down into sub-sectors (for example, residential and non-residential electricity).
- (4) As indicated in the *Climate Change and Greenhouse Gas Reduction Act 2010* the ACT Greenhouse Gas Inventory will be undertaken by an independent entity. The Independent Competition and Regulatory Commission (ICRC) will fill this role in the first instance.
- (5) The State of the Environment Report produced by the Commissioner for the Environment sources figures from the ACT Greenhouse Gas Inventory.
- (6) The Greenhouse Gas Abatement Scheme is administered in the ACT by the ICRC. As the ICRC will also be undertaking the role of independent entity for reporting the ACT greenhouse gas inventory it is anticipated that they will use the same figures.
- (7) Targets for per capita use of electricity, other than electricity generated from renewable energy sources, will be determined following the finalisation and release of both the *Sustainable Energy Policy and Weathering the Change Action Plan 2*.
- (8) While the targets on per capita use of electricity and the *Energy Efficiency Improvement Bill 2011* are influenced by each other, the targets are not required prior to the introduction of the Bill.

**Waste—recycling
(Question No 1841)**

Ms Le Couteur asked the Minister for Territory and Municipal Services, upon notice, on 21 September 2011:

- (1) In relation to Building Waste Recycling at the Parkwood Road Recycling Estate, does the Government currently ensure that contracted waste and recycling businesses have viable business plans that ensure the ongoing financial viability of the business model, so as to avoid the waste pile up that occurred at Building Waste Recycling, and if not, why.
- (2) Has the Government considered offering the services of a dedicated business advisor to provide assistance and support to businesses which are being contracted, receiving grants or other green economy related business incentives.

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

- (1) No. ACT Government procurement laws and policies aim to ensure that contracts are awarded in a fair and transparent manner and that they achieve set outcomes for the Territory. They are not primarily aimed at determining the viability of an industry business model.

Having said this, tender assessment does involve a value-for-money assessment based on factors such as experience, capacity to deliver the service, proposed method of operation and costs charged for the services. A satisfactory financial capacity report is sometimes requested. This process endeavours to ensure that preferred tenderers have the experience, capability and capacity necessary to deliver the contracted services.

It should be noted that Building Waste Recycling Pty Ltd (under external administration) was primarily running a private-sector business, not providing services under contract to the ACT Government.

- (2) In the 2010-11 Budget, the ACT Government funded a Resource Recovery Industry Development Officer for two years. The Officer is not a 'dedicated business advisor', but does work with the waste and recycling industry to overcome barriers to recycling, foster business networking amongst industry players and perform other tasks aimed at supporting and developing the waste and recycling industry.

The ACT Government has committed to developing and releasing a Clean Economy Strategy by April 2012. The Clean Economy Strategy will bring together a set of initiatives that support the growth of clean technology innovation and assist businesses to adopt sustainable practices and energy efficiency measures. In developing the Strategy, various mechanisms are being considered to support the clean economy including the possibility of providing assistance and support for businesses seeking to implement sustainable practices.

Environment—urban street trees (Question No 1842)

Ms Le Couteur asked the Minister for Territory and Municipal Services, upon notice, on 21 September 2011:

- (1) What are the Government's present urban tree management practices and what is the progress on the urban tree renewal project in the interim period prior to release of the Government's response to the Commissioner for Sustainability and Environment's

(final) 'Report on the investigation into the Government's tree management practices and the renewal of Canberra's urban forest', published February 2011, 3 volumes: Summary and recommendations; Part 1. Report; Part 2, Appendices (the Commissioner's report).

- (2) What recommendations of the Commissioner's report are currently being implemented as is indicated in Budget Paper 4 2011-12, p 67.
- (3) When will the Government be responding to the Commissioner's report.

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

I refer the Member to the answer I provided to Question on Notice No. 1752 on 22 September 2011. The Hansard reference is:
<http://www.hansard.act.gov.au/hansard/qons/answer10b.pdf#page=1>

**Waste—public waste bins
(Question No 1843)**

Ms Le Couteur asked the Minister for Territory and Municipal Services, upon notice, on 21 September 2011:

What is the breakdown of the different wastestream types, including recyclables, that are currently collected from public waste bins in (a) the ACT and (b) the Civic precinct (i) by tonnage and (ii) by proportion of the total.

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

In 2010-11 the Territory and Municipal Services (TAMS) Directorate collected a total of approximately 820 tonnes of waste from public bins in the ACT. TAMS estimates that 120 tonnes (15%) of waste was collected from the Civic precinct.

The only location in public areas from which recyclable material is currently being collected and recycled is Glebe Park. (Recycling bins were installed in Glebe Park following a trial undertaken in 2007 and have been retained at this location.) TAMS estimates that 2 tonnes or 0.25% of recyclable material is collected per year from these bins.

Questions without notice taken on notice

Transport—public

Mr Corbell (*in reply to a supplementary question by Ms Bresnan on Wednesday, 21 September 2011*): There are currently no plans to include Bike and Ride facilities at Calwell Park and Ride.

Bike and Ride facilities are mainly provided where frequent bus services (such as blue rapid or red rapid) are available.

The Calwell site will be considered in future assessments of Bike and Ride facilities.

Schools—Catholic

Mr Barr (*in reply to a question and a supplementary question by Ms Hunter on Thursday, 22 September 2011*):

- (1) The Chief Executive Officer (CEO) of the Catholic Education Office was advised by the Economic Development Directorate (EDD) verbally in late September 2010, and via email on 8 October 2010, that the site in the original structure plan for Throsby was no longer suitable.

The advice provided to the Catholic Education Office was based on information received from the Environment and Sustainable Development Directorate (ESDD then ACTPLA) which recommended that the original planned site posed too high a risk for bushfires coming from Mulligan's Flat.

- (2) The CEO was advised of the new site location at the same time as it was advised that the original site was not suitable. The CEO acknowledged the change at the time and indicated acceptance of it.

EDD has consistently acknowledged the CEO's preferred construction start date and committed to work towards it. However, the Commonwealth is the approving authority for matters of national environmental significance under the *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act). EDD has never, therefore, been in a position to make a specific commitment about when the site would be available for construction.

Territory and Municipal Services Directorate—fire management unit

Mr Corbell (*in reply to a supplementary question by Mrs Dunne on Thursday, 22 September 2011*): The role of the manager of the TAMS Fire Management Unit has not changed since June. He and his staff continue to deliver high quality fire management outcomes in accordance with the Bushfire Operational Plan.

Mitchell—chemical fire

Mr Corbell (*in reply to a supplementary question by Ms Le Couteur on Tuesday, 20 September 2011*): The following agencies were consulted and attended the scene of the Mitchell hazardous fire on the morning of 16 September 2011:

- ACT Policing;
- Territory and Municipal Services Directorate – ACT Roads;
- Environment Protection Authority;
- Fire and Rescue NSW– HAZMAT;
- Aviation Rescue and Firefighting Services;
- ESA Mapping Duty Officer;
- Worksafe ACT; and
- Energy Services Invironmental Management.

The following agencies participated in the Emergency Control Centre (ECC) which was activated at approximately 1:20am on Friday 16 September 2011. The ECC – located at the ESA Headquarters at Fairbairn facilitated a Whole of Government response to the fire:

- ACT ESA – including: ACT Fire Brigade, ACT Ambulance Service, ACT State Emergency Service, ESA Risk and Planning and ESA Media and Community Education;
- ACT Policing;
- JACS Directorate;
- Security and Emergency Management Branch;
- TAMS Directorate – including Roads, ACTION Buses and ACT Government Veterinarian;
- ACT Health;
- Environment and Sustainable Development Directorate — including
- Environment Protection Authority;
- Community Services (Recovery); and
- Education and Training Directorate.

The Security and Emergency Management Senior Officials Group was convened.

Transport—carbon tax

Mr Corbell (*in reply to a question by Mr Coe on Wednesday, 17 August 2011*): Initial Treasury estimates indicate increased diesel costs for ACTION from 1 July 2014 of around \$500,000 per annum or 0.5 per cent of current ACTION operating costs.