



Debates

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Thursday, 16 November 2006

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

**Consolidated financial results
Statement by member**

MR MULCAHY (Molonglo): I seek leave to make a statement.

Leave granted

MR MULCAHY: Mr Speaker, I would like to make a clarification in relation to a media statement that I made on 15 November 2006 regarding the September quarter 2006 consolidated financial results. My statement indicating that the amount in excess of budget applying to ACT government departments represented the actual outcome instead of the amount in excess of the budgeted outcome for ACT Health, the Department of Education and Training and the Department of Territory and Municipal Services was inaccurate.

Tuesday was a particularly challenging day in my office and, as a result, the level of precision that is usually applied to analysing economic data was not applied, for reasons that are probably fairly obvious. I would like to assure the Assembly that I had no intention to mislead or to misrepresent the quarterly figures published in the report. I would say that it has always been my policy, if an error is made, to correct that as quickly as I possibly can.

Visitors

MR SPEAKER: At this stage I acknowledge the presence of in the gallery of commerce classes from Burgmann Anglican School. Welcome.

Members: Hear, hear!

**Long Service Leave (Contract Cleaning Industry) Amendment
Bill 2006**

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

Title read by Clerk.

MR BARR (Molonglo—Minister for Education and Training, Minister for Tourism, Sport and Recreation and Minister for Industrial Relations) (10.32): I move:

That this bill be agreed to in principle.

The Long Service Leave (Contract Cleaning Industry) Amendment Bill 2006 will ensure that the portable long service leave scheme for the contracting cleaning industry continues to operate effectively.

Contract cleaners are among the most vulnerable workers in the ACT and the Long Service Leave (Contract Cleaning Industry) Act 1999, the cleaning long service leave act, creates an a portable long service leave scheme for workers in the contract cleaning industry. The scheme allows these vulnerable workers to accrue and access long service leave where they might otherwise have been unable to do so.

Under the scheme, workers are entitled to take long service leave after 10 years of service. Payments for the leave are financed by contributions made by employers on behalf of each of their employees and some contractors who make contributions for themselves. Registered workers are then credited for their service in the industry. When workers accrue sufficient credits, they are entitled to access long service leave.

The cleaning long service leave act is not the only ACT legislation that provides workers in the cleaning industry with access to long service leave. The Long Service Leave Act 1976, the Long Service Leave Act, also provides workers with an entitlement to long service leave. Section 64 of the contract cleaning act ensures that workers can only access a long service leave entitlement under one of these acts.

Under section 64, workers who are entitled to long service leave under both the cleaning long service leave act and the Long Service Leave Act must choose the law that they wish to use to access their entitlement. Employees who use the general Long Service Leave Act to take long service leave are then not able to access entitlements under the cleaning long service leave act for that service. Section 64 also allows the Contract Cleaning Long Service Leave Board to refund payments made by employers where those employers are obliged to pay the employees' long service leave entitlements under the Long Service Leave Act.

Section 64 has a sunset clause and will expire on 31 December 2006. An assessment of the operation of section 64 by the Registrar of the Contract Cleaning Long Service Leave Board confirms that the current system is indeed working well and should be continued. This bill will remove that sunset clause in subsection 64 (6), allowing the current arrangements to continue. This will ensure that employers are obliged to pay for the long service leave entitlements of their employees once and will allow employees to choose the long service leave legislation that they wish to use to access their entitlements.

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

Planning and Environment—Standing Committee Report 20

Debate resumed from 6 June 2006, on motion by **Mr Gentleman**:

That the report be noted.

MR GENTLEMAN (Brindabella) (10.36): Debate on this report was adjourned to allow members to study the report in full. Events have now moved on. We have had the government response, which I am pleased to see addressed all of the recommendations and, in fact, agreed to all but one of the recommendations, which the government said falls outside that mechanism. I now would simply like to recommend that the report be noted.

Question resolved in the affirmative.

Planning and Environment—Standing Committee Report 17—government response

Debate resumed from 6 June 2006, on motion by **Mr Gentleman**:

That the report be noted.

DR FOSKEY (Molonglo) (10.37): Reports 20 and 17 of the planning and environment committee have been on the notice paper for some time. I moved a disallowance motion in relation to the government's decision on Kingston.

I have studied report 17 of the planning and environment committee. I believe it is a good report. I do not believe there is any reason for me to add anything in relation to the wildlife corridors in DV 231. It can now be removed from the notice paper.

MR GENTLEMAN (Brindabella) (10.38): I thank Dr Foskey for her comments. The committee studied this report long and hard. Members will see quite a few committee recommendations that I think contain a more environmental sway than is normal from the planning and environment committee. I look forward to the government response in order to finalise the report

Question resolved in the affirmative.

Education, Training and Young People—Standing Committee Statement by chair

MS PORTER (Ginninderra) (10.39): Pursuant to Standing Order 246A, I wish to make a statement on behalf of the Standing Committee on Education, Training and Young People. On 15 August 2006 the Select Committee on Estimates tabled its report on the Appropriation Bill 2006-2007 and recommended that the Standing Committee on Education, Training and Young People should review the adequacy of strategies and resources provided to deal with bullying in all school systems, both public and private.

When noting this recommendation in its response to the estimates committee report, the government observed that all ACT government and non-government schools are required to comply with the national safe schools framework. In the course of conducting our inquiry into the restorative principles in youth settings, the standing committee has also noted the significance of the national framework to the implementation of restorative practices in ACT schools.

As a consequence of this overlap, the committee has resolved to examine the issue of bullying and comparable behaviour, such as harassment and violence, as part of the restorative justice inquiry. In particular, the committee will consider how the allocation of national safe schools framework resources have impacted on the development of restorative practices and alternative student management practices in the ACT and the effectiveness of these practices in dealing with issues of bullying, harassment and violence.

To ensure that the views of the community on this matter can be heard, the committee will readvertise the inquiry and seek input from relevant agencies and organisations, as appropriate. I anticipate that the final report for the inquiry will be tabled in the first half of 2007.

Health and Disability—Standing Committee

Statement by chair

MS MacDONALD (Brindabella) (10.41): I seek leave to make a statement regarding a new inquiry.

Leave granted.

MS MacDONALD: I thank the Assembly. I wish to advise the Assembly that the Standing Committee on Health and Disability has resolved to undertake an inquiry into the implications of the use of the drug crystal methamphetamine, also known as “ice”, for the ACT community.

The committee will look at information on the availability of crystal methamphetamine; the demographic profile of users; the perception of the drug among users and within the community; the consequences of regular use for users, their families and the community; education and support and treatment for users, their families and the community; the resource and other implications for the health and law enforcement sectors and any other related matter which arises.

Executive business—precedence

Ordered that executive business be called on.

Leave of absence

Motion (by **Ms MacDonald**) agreed to:

That leave of absence be given to Mr Corbell (Attorney-General) for this sitting.

Fisheries Amendment Bill 2006

Debate resumed from 21 September 2006, on motion by **Mr Hargreaves**:

That this bill be agreed to in principle.

MR MULCAHY (Molonglo) (10.43): The opposition will support the amendments to the Fisheries Amendment Bill 2006. I must say at the outset that I welcome this, my first opportunity to speak on legislation in my role as shadow minister for the environment. Mrs Dunne kindly pointed out to me that I have responsibility for pests and animals. I profess considerable expertise in dealing with pests, and for that reason I believe I am eminently qualified to speak on this legislation.

When the legislation first came in, I must say I expressed a little surprise to see legislation dealing with rock lobsters in the ACT. My children come back and tell me about carp in the lake, but I have not seen a lot of lobsters. But after looking more closely at the legislation, I realised that this relates to cross-border activity. Therefore these are obviously a welcome series of amendments.

The amendments reflect our responsibilities as a member of the National Fisheries Compliance Committee, which was formed by a memorandum of understanding at the state, territory and federal level. I support this sort of nationwide cooperation and believe that a national framework is the best weapon to combat offences that cross state or territory borders. The passage of this legislation will ensure that the ACT is in line with other jurisdictions in Australia and give officials the power to prosecute those that seek to break the law.

The illegal trafficking of priority species is one such illegal offence. Given the nature of the ACT and the fact that there is no fishing industry to speak of, these amendments will most likely come into play to deter and prevent the illegal sale of priority species or the illegal trafficking of priority species throughout the ACT.

Mr Hargreaves: We have carp.

MR MULCAHY: Mr Speaker, that statement has brought dismay to Mr Hargreaves. To qualify that statement, I am referring to commercial fishing, as opposed to recreational fishing.

Members interjecting—

MR MULCAHY: The illegal trafficking of species—

MR SPEAKER: Order! Mr Mulcahy, would you resume your seat for a moment. Members, please remain silent whilst Mr Mulcahy is delivering his speech.

Ms MacDonald: We are just helping him.

MR SPEAKER: That means you too, Ms MacDonald.

MR MULCAHY: The illegal trafficking of species like abalone and rock lobster—often, it seems, by organised crime networks—is something that was not considered when the Fisheries Act 2000 was drafted and passed. This amendment bill will, as the minister pointed out when he introduced the legislation, expand the Fisheries Act to allow such offences to be dealt with efficiently. The opposition is pleased to support

this bill and agrees with its intention of ensuring that the ACT is in line with other jurisdictions.

DR FOSKEY (Molonglo) (10.46): This, of course, is a bill after the Greens' own heart. I have great pleasure in speaking to it. We have long expressed concerns about unsustainable fishing practices in the seas around Australia. While successive federal governments have trumpeted their achievements in fisheries conservation and industry sustainability, the dismal reality has been that the target populations of one fishery after another have declined, many of them to ecologically and economically unsustainable levels.

Before directly addressing this latest legislative initiative, which I wholeheartedly support, I would like to place it into a broader perspective and highlight some features of the Australian fisheries management regime that have contributed to the present sad state of the abalone and crayfish fisheries. From this wider perspective I would like to suggest ways in which this legislation, or legislation similar to it, can be adapted or adopted to safeguard other fisheries which are also in danger of becoming economically and ecologically unviable.

Taking first the global perspective, an international study reported in the media this month painted an extremely grim picture of the state of the world's fisheries. This study was the biggest and the most all-embracing effort yet to understand the productivity of the oceans and predict future developments. It combined historical data on fish catches, some of it going back a thousand years, with analyses of marine ecosystems and experiments to bring marine life back to protected areas.

New Scientist magazine reports that the study showed the same pattern emerging at every scale of observation. That pattern is that rich ecosystems with many species can survive overfishing and other threats reasonably well but, once the biodiversity is lost, the entire system, including fish stocks, goes into exponential decline. According to *New Scientist*, many fishery scientists have been sceptical of the idea that damage to a few non-fish species could be a threat to major fish stocks, but this study demonstrates for the first time that commercial and ecological health go together in the ocean.

One take-home message from the report is that every species matters, not just the ones humans like eating or the ones humans like to feed to the animals that they like eating. This measure is transferable to terrestrial environments and is a reason why ecologists usually talk about effects on ecosystems, food chains and habitats, rather than pretending that one species can be hermetically isolated from the myriad roles it occupies in the intricate web of life.

In Australia we have watched smaller fishing fleets and family operators go out of business as unsustainable catch and bycatch quotas have resulted in the decimation of targeted fish stocks. The government response to plummeting fish stocks has usually been a series of set percentage reductions in the applicable licence quotas. This has resulted in smaller operators getting driven out of business, as only the larger corporate operators are left with economically viable quotas. Sadly, this rewards the very interests which caused and benefited most from this unsustainable exploitation.

The demise of many family-run fishing operations has damaged the economies of many coastal communities as the profits and wages from the local fishing fleets disappear. I can see no evidence that this market-driven, hands-off approach to fishing quota allocation has worked for either the industry or the environment.

With Eric Abetz as the current fisheries minister, I do not hold out much hope for any social or ecologically driven changes. I would be only too happy to be proven wrong, of course. Perhaps the minister responsible for woodchipping native forests and disenfranchising non-Liberal voters before the next federal election will change his spots and amaze us all.

In 2005 the total allowable commercial abalone catch was reduced from 230 to 130 tonnes. In 2006 the total allowable commercial catch was reduced again, to 125 tonnes. At the same time New South Wales also reduced the recreational bag limit for abalone to two per person. Before that, it was 10. That is a massive reduction. It highlights the gravity of the problem which has reduced abalone numbers to such critical levels. Other states have experienced similar declines. The movement of illegally caught abalone meat across state boundaries means that interstate cooperation is essential, and no state is immune from the problem, including an inland one like ours.

Abalone numbers have declined drastically under the pressure of overfishing, much of it illegal, and the effects of the perkinsus parasite. Fortunately, this decline has finally generated a coordinated legislative response. This bill is overdue, but I appreciate that intergovernmental agreements take time to crystallise into legislation.

Couching the offence provisions in this bill in the language of drug trafficking is a novel approach, but I appreciate the reasoning laid out in the minister's presentation speech. I agree that there are many similarities between the market in illegal drugs and the illegal trade in animal products. Trafficking in animal species can have seriously detrimental effects on the wellbeing of that species, as well as flow-through detrimental effects throughout the food chain.

As the greediest predator and through our self-enhancing activities, humans bear responsibility for the good stewardship of the planet's life support systems. Basically, if humans do not do it, no-one and nothing else will. The meek may inherit the earth, but what sort of dysfunctional and barren wasteland will it be if the aggressive, rich and selfish continue to have control, leaving behind the planet as they head off and look for another life-supporting planet after this one is ruined? We should be taking measures to protect the integrity of the planet's life support systems, regardless of whether or not they are a tradable commodity. Trading in illegally harvested and depleted species is not a victimless crime. It is a serious offence which carries with it a high degree of moral turpitude, and it should be treated as such.

I hope this bill is one of many initiatives to protect dwindling marine stocks. The ACT can play its part in exploring new legislative and cultural initiatives to protect and raise public awareness of the beauty and intrinsic value of marine environments.

Australia has a disgraceful record of mismanagement when it comes to marine fisheries. There has been a threefold increase in the number of commonwealth fisheries classified as “overfished” in the past 10 years. Figures published by the Australian Bureau of Agricultural and Resource Economics, or ABARE, have consistently shown close to zero net returns in most commonwealth fisheries over the past several years.

Many fisheries are currently on the verge of economic collapse. A good article on the ABC’s science home page reports:

Collectively, humans have managed to remove 90 per cent of predatory fish from the oceans ...

Imagine walking into a butcher shop in Australia and seeing steaks made from tiger, mince made from rhino or cutlets prepared from tender bilby haunches. If ever such rare or endangered species were so blatantly displayed for sale it would cause a public outrage.

But fish species of similar rarity and of a similar risk of extinction are being sold at fish markets and cafes around Australia.

It is deplorable that organised, and probably unorganised, criminals are targeting abalone. In 2004 alone Department of Primary Industries fisheries officers on the south coast seized more than 11,800 abalone destined for the black market. We must not lose sight of the fact that a large proportion of those illegally traded abalone ended up satisfying demand from either unsuspecting or undiscerning consumers. As with the drug trade, demand is what drives this problem.

I encourage the government to investigate other measures that can be taken to educate consumers about other marine species at risk. One measure would be to assist in distributing the material put out by the Australian Marine Conservation Society. This sustainable seafood pamphlet is a handy wallet-sized reference guide to choosing more sustainably harvested seafood. If members would like a copy, drop into my office next week and pick one up—or pick up two or more and give one to your friends, especially those who are fond of eating seafood. Or, better still, make sure that your fish shop has them available on the counter. I seek leave to table this document.

Leave granted.

DR FOSKEY: I present the following paper:

Sustainable seafood—3 step pocket guide, produced by the Australian Marine Conservation Society.

I would also like to see the ACT government investigate ways to restrict the sale of endangered and threatened marine organisms in ACT shops, either by itself or through intergovernmental agreements. But as with renewable energy and biodiversity conservation measures, do not wait for, or rely on, the federal government to act responsibly. They will only ever be dragged down that path when focus groups and

opinion polling indicate that the electoral fallout will be worse than the backlash from industry lobby groups.

I note Mrs Dunne's comments yesterday about the sudden explosion of green rhetoric coming from the government benches. I have noticed that too, at both federal and territory levels. But politically driven or not—I do not believe that this particular initiative is politically driven—this bill is a step in the right direction. I congratulate the government and the minister on their carriage of this issue.

Large sea urchins, known as *centrostephanus rogersi*, have been moving steadily southwards since the late 1980s. They are voracious feeders and responsible for denuding and seriously damaging large areas of marine habitat. It is believed the problem is caused by a combination of global warming effects on ocean temperatures and currents, as well as by previous officially sanctioned overfishing of their natural predators such as rock lobsters. These sea urchins are a major threat to southern Australian and Tasmanian fisheries. It is sad that it takes such a catastrophic decline in population to generate environmentally responsible action.

In this case, the commercial value of rock lobster and abalone is presumably what has driven their identification as a priority species under this bill. I would like to see any endangered marine species and many threatened species being listed as priority species, with appropriate trafficking deeming provisions and similarly punitive measures implemented to protect them from further decline and possible extinction.

Just as with drugs, consumer demand lies at the heart of this problem. All the policing in the world is not going to stop unscrupulous people from risking their liberty if a quick buck is to be made. In fact, just as with drugs, increasing the penalties increases the price and increases the monetary attraction for illegal traffickers. Unlike drugs, this is not a health or self-esteem issue. Unlike drugs, there is a ceiling price above which illegal seafood cannot rise. That is set by the cost of legally available abalone and rock lobster.

The federal government body charged with regulating the bulk of Australia's fishing effort is the Australian Fisheries Management Authority, or AFMA. AFMA has for a long time been focused on building and maintaining good relations with the fishing industry and, coincidentally, in keeping coalition members in their coastal electorates. This has resulted in fishing industry lobbies having a disproportionate and often self-defeating influence on fisheries management. Unfortunately, the coalition is now running out of fish species to sacrifice for short-term political advantage.

Having said that, I must put on the record my belief that AFMA has a large number of dedicated, professional and highly skilled staff. Sadly, they are constantly let down by political interference from coalition fisheries ministers who lack ecological expertise or concern. Eric Abetz joins a long and undistinguished line of duds in the position of fisheries minister.

Of course, here in the ACT we do not have a fisheries minister. In fact, I believe we did not even have an environment minister for a short time. I wonder if Labor's newfound environmental enthusiasm will mean we get a change in administrative arrangements before long, to bring the environment portfolio to the forefront where it

belongs—the portfolio which the ACT Labor Party thought was so insignificant and unimportant that they could abolish it.

MR SPEAKER: Relevance, Dr Foskey.

DR FOSKEY: Nonetheless, I will be supporting this bill.

MR HARGREAVES (Brindabella—Minister for the territory and Municipal Services, Minister for Housing and Minister for Multicultural Affairs) (11.01), in reply: For Dr Foskey's information, I carry the title of minister for the environment and sustainability as an administrative order. Contained within that and within the Department of Territory and Municipal Services is responsibility for fisheries. If you have a good look at the AAOs you will find responsibility for the Fisheries Act sitting in there.

Firstly, I would like to thank members for their support of this bill. I would like to table a revised explanatory statement. It is mainly a format change. The content is the same as the previous one. The main thrust of this bill, in fact, is all about trafficking. I was told recently that there is more money made out of illegal abalone fishing than out of drug trafficking. That is a significantly serious issue.

The reason why this bill was put forward is that the ACT, being a sort of island in the middle of New South Wales, was finding itself a safe haven for those people who would traffic in abalone and rock lobster. The accent on this particular amendment is about the offence of trafficking and, of course, receipt of trafficked goods. Folks now can be taken to task not only for the trafficking of it but also for possession of trafficable amounts and receipt of it. It is now a criminal offence. I do not think I will continue much further. I thank members very sincerely for their support. I look forward to our joining with New South Wales to stamp out this crime.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Canberra Institute of Technology (Validation of Fees) Bill 2006

Debate resumed from 21 September 2006, on motion by **Mr Barr**:

That this bill be agreed to in principle.

MRS DUNNE (Ginninderra) (11.04): The Liberal opposition will be supporting this bill. It seems to be a fix-up. The apparent problem is of considerable longstanding and probably a reflection upon successive governments and successive administrations. There is no doubt that students at the CIT have received high-quality education. This is one of those things. We often do fix-ups; we did some earlier this week. Some are

less controversial than others. This is an entirely uncontroversial one. It is a shame that we get these things wrong. We will not be doing anything to stop the fix-up.

DR FOSKEY (Molonglo) (11.05): The Greens will be supporting this bill, which ensures that increases in CIT fees between 1993 and 2005, which it has been discovered were not correctly notified, are retrospectively legitimised. I was wondering if, after the Liberal Party's attempt on Tuesday to ensure legislation did not retrospectively correct a mistake on the definition of proper places to perform abortions, they would also oppose this bill, but apparently not.

I cannot say that increasing CIT fees is something the Greens have ever welcomed over the past few years. Since the Howard government came to power, at the very least we have certainly seen a reduction in resources to the TAFE system. That has been reflected in ACT budget decisions.

Year after year we have seen the CIT called upon to deliver more with less. Part of this process has included some fee increases. While CIT is structured to provide affordable education, fees are charged and they are payable upfront. Consequently, there can be barriers to access for potential students who have the most to gain from post-secondary and vocational education, especially in an environment where the government has seen fit recently to set up a special skills task force. One would think that the CIT would be a major part of this.

It is the Australian Greens' policy to work towards free TAFE education, but obviously such a move is further down the track. Perhaps of greatest concern is the recent 10 per cent increase in TAFE fees in New South Wales. I register here my concern that a similar fee rise might be imposed here. In the meantime, it makes sense to validate the increases in fees that have already been charged to students between 1993 and 2005, to limit future fee increases to students to CPI, and to look for ways to increase the availability of scholarships or concessions in the future for those students for whom the fees would be a real difficulty or a disincentive.

MR BARR (Molonglo—Minister for Education and Training, Minister for Tourism, Sport and Recreation and Minister for Industrial Relations) (11.08), in reply: I thank members for their consideration and support of the bill and for the helpful contribution they have made to the debate. I note Dr Foskey's comments in relation to another piece of legislation where retrospectivity was sought. I concur with her view on that matter. In relation to the bill before us, in closing, I would like to assure members that, over the years, students have received excellent value for money for the small contribution they have made towards the cost of their tuition at the Canberra Institute of Technology. I thank members for their support.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Sitting suspended from 11.09 am to 2.30 pm.

Ministerial arrangements

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs and Minister for the Arts): For the information of members, the Minister for Planning and Attorney-General is on official duties elsewhere today and is unable to take questions. The Deputy Chief Minister, Ms Gallagher, is happy to seek to assist members if they have questions that they would otherwise have directed to Mr Corbell.

Questions without notice

Arboretum

MR STEFANIAK: My question is directed to the Chief Minister. Chief Minister, I refer to your plans to plant trees for the controversial arboretum project. You intend to plant a thousand Wollemi pines. Dr Chris McElhinny considers that this is not a wise choice for a number of reasons, including that these pines are not fire resistant. Why are you planting a thousand trees that are not fire resistant on the outskirts of Canberra, given that it is supposed to be a buffer zone?

MR STANHOPE: The species of trees identified for the arboretum were identified through a subcommittee of the arboretum in a board chaired, I believe, by Professor Peter Kanowski. Professor Peter Kanowski, as members would be aware, is a nationally recognised and highly esteemed professor of forestry at the Australian National University. He chaired a subcommittee, which was composed of a number of other significant Canberrans and experts, including a number of others with particular expertise in issues of forestry and trees, and matters of that nature, including Dr Robert Boden and Ms Sherry McArdle-English—people with significant expertise in and understanding of plantations and trees.

As Ms Sherry McArdle-English has indicated in a recent letter to the editor, she is the owner and operator of the single largest private planting of an exotic species of tree within the Australian Capital Territory—mainly English oaks—at her property in the Majura Valley. She was a member of a subcommittee chaired by Professor Kanowski.

As I indicated in response to a question on Tuesday, I am not an arborist or a forester. The interim board was chaired by Sandy Hollway and included a number of very significant Canberrans—Lloyd Whish-Wilson, Jim Murphy and significant others. I am not quite sure whether Jim Murphy is in favour with all members of the opposition these days. Mr Jim Murphy—

Mr Hargreaves: Only 250 of them, perhaps.

MR STANHOPE: I think he might be in your camp, Mr Stefaniak. Mr Jim Murphy, as a member of that board, was one of those that advised the government on the species of trees that might be planted. It was a subcommittee chaired, as I say, by Professor Peter Kanowski.

Mr Mulcahy: So you have him cutting grapes.

MR STANHOPE: We know Mr Mulcahy's views on and attitudes to anything that Mr Murphy might say. I am aware of the disinclination of some of you not to take any advice from Mr Murphy or to take seriously anything that Mr Murphy says. But that was not the position that the ACT government adopted in relation to advice on tree plantings in the arboretum.

To answer to your question, the government received detailed advice from a board comprising a number of very significant Canberrans. That board was chaired by Mr Sandy Hollway and included Jim Murphy, Lloyd Wish-Wilson, Eric Koundouris, Sherri McArdle-English, Peter Kanowski, and informed by experts such as Robert Boden. They, in their deliberations, were mindful of the capacity, through the arboretum, to provide significant plantings of endangered trees, most particularly with a view to the arboretum being not just a wonderful recreational resource and a place that would build on the ACT's community suite of future potential major tourist attractions but also a place that would serve as a true scientific laboratory.

It is interesting that even today—as a result of trees planted in arboreta established by Weston, Pryor and others—there are trees that are so endangered in their native habitat that scientists and representatives come from the US forest service to Canberra to collect seeds from trees planted in arboreta in the ACT by Weston. It is the only source of a pure genetic strain for a whole range of trees now on the verge of extinction in other places around the world. The Wollemi pine is the most endangered tree in the world. I find it passing strange that anybody would suggest that nobody would seek to ensure that this tree is protected. (*Time expired.*)

MR STEFANIAK: I have a supplementary question, Mr Speaker. Grapes might not be a bad idea, Chief Minister. But how can you justify spending money on this arboretum when you are raising taxes and closing schools?

MR STANHOPE: I repeat the point that I made on Tuesday. The question essentially asked me, similarly, to justify the expenditure on what might be regarded as the Weston Creek arboretum. As a landscape buffer between Weston Creek and the Cotter Road—the proposed new urban area of Molonglo—the government last season, just 12 months ago, planted about 15,000 trees of 11 different species. What is an arboretum? An arboretum is a planting of different species of trees—I believe they are almost all exotics—between Weston Creek and the new suburbs at Molonglo. There are 11,000 trees planted in the Weston Creek arboretum.

Will Mr Stefaniak publicly advocate for the non-planting of trees in arboretum form in areas such as Weston Creek? We can call it the Weston Creek arboretum. There are between 12,000 and 15,000 trees of 11 different species. There are 11 different species of tree and up to 15,000 trees, I believe, watered, let me now confess, over the last summer with potable water. Now, who among you will stand and criticise me or the ACT government for the establishment of the Weston Creek arboretum last summer to provide a landscape buffer for the people of Weston Creek? Are you going to do it? No, because, whilst all trees may have been germinated equally, not all trees are equal. There are non-Jon Stanhope arboretum trees, and there are the rest. The sin, of course, of the poor old arboretum trees is that they have to suffer the odium of having been associated with me. What was the name of the pig? Bonaparte, was it?

Yes, there is a big Bonaparte tree—a wollemi pine, probably—in the arboretum on the Tuggeranong Expressway.

There is an arboretum at Weston Creek that we completed last year with 11 different species, all of them exotic and all of them watered last summer—and, I believe, all of them watered with potable water last summer. But, of course, there are the 4½ million trees that the government has planted in the last three years, including 150,000 that were watered. We have watered 150,000 trees over the last few years to keep them alive. Are you seriously suggesting that, as we face the most serious issue facing the world, namely climate change and greenhouse gas emissions, and as we know the role of trees in relation to that, you recommend that not only the government not plant trees but that nobody plant trees—or just that nobody plant trees in relation to a project that I support, that I advance and that will be a great tourism attractor in years to come?

It takes time; it takes a bit of vision; it will not be for 20 years or so; but the arboretum will, if achieved—and who knows whether it will be; it is a long-term project but it may be that there are others who do not have the vision or the will to proceed with projects—really build this town. I'm sure you would acknowledge that you are within that visionless mob. The reason that we know that you do not have a policy on this, the future or tourism is that it does not fit within the agenda of the 250 club, the faceless club of millionaires that Norman Abjorensen advises us has yet to decide what the Liberal Party's policies are for the next election; the faceless millionaire developers who are in the process of determining who shall lead the Liberal Party; the faceless millionaire developers who were in the process of determining and have just decided that Richard Mulcahy is not an appropriate representative of the millionaire developers within the Liberal Party.

MR SPEAKER: Come to the subject matter, please.

MR STANHOPE: Well, this is relevant to the subject matter.

MR SPEAKER: No, it's not. Come to the subject matter.

MR STANHOPE: This is about policy and about vision and the fact that the Liberal Party have none because the 250 club have not yet delivered it to them.

MR SPEAKER: Chief Minister, resume your seat!

Jindalee Aged Care Residence

MS MacDONALD: Mr Speaker, my question through you is to Ms Gallagher in her capacity as Minister for Health. Minister, there have been recent media reports about a number of cases of respiratory disease at Jindalee nursing home. Could you update the Assembly on this issue?

MS GALLAGHER: I thank Ms MacDonald for her question. Mr Speaker, there have been a number of cases of respiratory disease at Jindalee nursing home in Narrabundah. On 1 November this year the Jindalee aged care facility requested advice from the ACT Health Protection Service in managing a respiratory disease

outbreak at the facility. The outbreak appeared to commence around 10 October 2006. I am advised that the outbreak is probably due to an influenza virus. On 1 November immunisation against influenza was promoted to residents and staff at Jindalee. Other infection control measures have also been implemented. These include attention to hygiene—for example, washing hands regularly—and limiting social interaction between residents, between residents and their families, and keeping the sick away from the well.

Currently, I am advised that as of 16 November there have been 56 cases of flu at the institution, including seven members of staff. Tragically, we have also had six deaths, the most recent occurring overnight when sadly a 90-year-old man passed away. Given the continuing nature of the outbreak and the importance of preventing spread to other institutions, from today patients and staff at the Jindalee nursing home will be offered antiviral therapy. This is in addition to immunisation, which has been promoted and offered from the outset. Health authorities are taking this action to stop the further spread of the illness. The antiviral, Tamiflu, is being used in this instance because it is known to be effective in the treatment and prevention of some strains of influenza. Administration of this began this morning at 7.30 am. It is important that patients and staff, and indeed people in the general community, maintain their immunisation against influenza to minimise their chances of contracting such an illness.

The outbreak has been notified through the Communicable Diseases Network Australia, a national network of communicable disease experts, eight days ago to ensure inter-jurisdictional cooperation. We are also seeking the ongoing commonwealth expert input and liaison through this network to ensure that all possible steps are being taken to control this outbreak.

I am advised that an outbreak of influenza in an institution has not been documented in the ACT for many years. ACT Health infectious disease and respiratory disease physicians have therefore been consulted on the management strategy. General practitioners in the ACT region and other doctors are being kept informed of developments, as high vigilance is required to avoid other influenza outbreaks from occurring. This will require a fuller diagnostic workup of patients with respiratory illness in other nursing homes than is usual at this time of year, in addition to activities at Jindalee.

The management and staff of Jindalee have been responsible, cooperative and highly professional in their management of the outbreak so far. I will continue to update the Assembly and the wider community if there are any further developments.

Hospitals—patient administration system

MR SMYTH: My question is to the Minister for Health. Minister, in April 2005, your government entered into a contract for the supply of a new patient administration system. The contract is valued at nearly \$7 million and will run until April 2010. The new system has now been operational for a number of months. Minister, is all the functionality that was specified for the new patient administration system performing as required by the contract? Is the new system meeting the needs of patients and staff?

MS GALLAGHER: The question relates to a new patient administration system that is known affectionately in the hospital as PAS. It was launched or switched on or it came into being in the hospital around 18 September; so it has not been operational for months.

Mr Smyth: That is two.

MS GALLAGHER: Two months, yes; eight weeks or so. It is probably fair to say that there have been some implementation issues with PAS. I was briefed on it a number of times before it was implemented on the 18th and have been since and there have been areas where there have been concerns, mainly by staff. My understanding is that the system itself is working pretty well, that there are no bugs in the system, but that there are problems with how it has been rolled out and how it is actually managed day-by-day in the hospital.

PAS will control everything that happens at the hospital from patient administration to bookings, admissions, scheduling and billing functions. The main areas of difficulty have been in adapting workplace practice to the new system and slowness in the system's performance and I am aware that there have been a number of difficulties with outpatients and booking processes. Extra staff have been located in areas where there have been significant issues. My understanding is that they are being worked through bit by bit.

I am also advised that in implementing a system change this large there were always expected to be some issues with implementation. The problems have been different in the sense that they are not problems with the program. I am not an IT person, but the problems are not with the new IT system. The problems are with how it is actually working day by day in the hospital. The chief information officer at ACT Health and his team have been working extremely long hours to make sure that any problems that are identified are fixed as quickly as possible so that they do not put any further workload on staff at the hospital.

I am advised that priority has gone to the areas where it needed to go first, where there were major disruptions or major difficulties with staff and that, as they are resolving those issues, they are dealing with a backlog of other issues and concerns of staff. I was briefed on this subject a week ago or so and there were several weeks to go to finalise all the implementation issues. I am happy to offer a briefing on the whole system, if Mr Smyth wants one.

MR SMYTH: Minister, I might take you up on that offer. Can you explain to the Assembly why hospital staff have now been forced to maintain a manual system for management of patients due to deficiencies in performance of the new patient administration system?

MS GALLAGHER: That question goes to what I was saying. I am aware of a situation, I think in the Capital Region Cancer Service, where that has been required for some time. I think that has finished now. I think there were issues between staff and the interface and how it actually fitted what was going on.

An example given to me was that doctors quite often squeeze in patients. They may see a patient at 10 o'clock and the next booking is at 10.30, but a doctor may wish to see someone at 10.15. There were configuration issues with how the system actually resolved that. The doctors wanted to see the people. The system was a little inflexible about how that fitted in.

Those day-by-day issues have been resolved. I understand it has put an extra burden on staff, certainly in the cancer service and also in the outpatient booking systems, where they did need extra support to come in and resolve some of the realities of what happens in those places day by day that may not have fitted with the new system.

Everyone has worked really hard, in particular the staff at the hospital and the IT staff. The chief information officer's team has been working tirelessly over a number of months to make sure that, where problems arise, they move very quickly to respond to them and fix them, where they can, or offer a longer-term solution, if that is the only solution to the issue that has been raised.

Overall, there have been teething issues with the system. But if the old system had fallen over, there was no way of fixing it. So the decision was taken to move ahead with the rollout of the new PAS system and work through some of the issues after 18 September, rather than wait longer and potentially be at risk with a system that could not be fixed if it broke down.

Environment—greenhouse gas emissions

DR FOSKEY: Mr Speaker, my question is to the minister for the environment and sustainability. It concerns the ACT's reduction of greenhouse gas emissions. The minister would be aware that many US cities have responded to their national government's refusal to ratify the Kyoto protocol by setting up programs to meet its targets themselves, and that the Labor Party nationally has promised to ratify the protocol if elected. Could the minister please advise the Assembly of the quantity of greenhouse gas emissions the ACT currently produces, the amount by which that has been reduced since the Kyoto protocol came into force, and if the ACT is meeting targets consistent with Kyoto.

MR SPEAKER: Before I go to Mr Hargreaves, the proper title for the minister is, of course, the Minister for the Territory and Municipal Services.

Mr Seselja: There is no minister for the environment.

DR FOSKEY: We were told that there is a minister for the environment.

MR SPEAKER: Not according to the administrative orders. It is one of the responsibilities of the Minister for the Territory and Municipal Services. I remind you of that because it may confuse those people who are listening and referring to the administrative orders.

DR FOSKEY: It is indeed confusing, Mr Speaker.

Mr Smyth: John Hargreaves is always confused.

MR HARGREAVES: Thank you, Mr Speaker. I thank Mr Smyth for his encouragement. It seems that the strategy in respect of Mr Smyth is working. I have never seen a man so confused in all my born days. I thank Dr Foskey for the question.

You are asking for a level of detail that goes back quite a bit. You are asking for details in respect of when Kyoto was signed. I do not carry that information around with me at all. I do not think you would expect me to. I am quite happy to take that part of the question on notice and get that information for you as soon as I can.

DR FOSKEY: Mr Speaker, I have a supplementary question. Can the minister give some commitment that the ACT government has a commitment to meeting the Kyoto targets and how it is planning to do that?

MR HARGREAVES: In respect of Dr Foskey's supplementary question, the discussion paper on climate change, as everybody would know, has a very significant chapter in it regarding greenhouse gas emissions. The discussion paper talks about the government considering a target of 60 per cent reduction in CO₂ emissions by 2050. We need to get a little bit more detail around this for you.

I think it is really interesting. We have a discussion paper out on climate change. I am not very far away at all from being able to finalise that climate change strategy. The chamber would appreciate that such a significant document will require cabinet approval. I have yet to take it to cabinet, which I intend to do in the very near future.

I find it rather remarkable that those opposite are sniping away when indeed one of their own, talking about Kyoto, or the new Kyoto, is sitting up in Nairobi to put down what is called the new Kyoto agreement and a learned expert in environmental science said on radio that she thinks, in fact, that the only place where this new Kyoto sits is merely in Senator Campbell's mind. In fact—and this is interesting—this proposal on the new Kyoto agreement was not even given to Senator Campbell's own delegation. They have not seen it and we have not seen it either.

Mr Smyth: Point of order, Mr Speaker. Under standing order 118 (b) the minister is not entitled to debate the issue. He was not asked about what Senator Campbell was given. He was asked about greenhouse gases in the ACT. If he cannot answer it, he should sit down.

MR SPEAKER: Come to the subject matter of the question.

MR HARGREAVES: I am. I am actually responding to the point and the relevance in this chamber that I am under some sort of attack from those opposite regarding the so-called lack of information regarding climate change here.

Mrs Dunne: Point of order, Mr Speaker. Mr Hargreaves says that he is responding to those opposite, but we did not ask the question. Dr Foskey did.

MR HARGREAVES: Mr Speaker, I was responding to the point of order and indicating to you that I have been under attack from these people.

MR SPEAKER: That is not the appropriate course of action for you at this point. I think you should stick to the subject matter.

MR HARGREAVES: I will try another tack, then. I observe, for Dr Foskey's information, that the ACT government does not, like those opposite, apply a hypocritical stance. We do not do that at all. We have moved, under Jon Stanhope's leadership, to do some leadership work around climate change. What we are not trying to do is put some bluff and bluster around the ineptitude and double backflip and pike by the Prime Minister, who is running along after the train of Kyoto trying to recover some sense of credibility. We are not doing that.

MR SPEAKER: Come to the subject matter.

Opposition members interjecting—

MR SPEAKER: Order! Members of the opposition will remain quiet. Minister, come to the subject matter, please.

MR HARGREAVES: We have a climate change discussion paper out there. We have received the information on that, and a climate change strategy is forthcoming in the very near future. This government is doing things about climate change. We have done things about a reduction in green energy. We have significant greenhouse gas emission reductions, which we will detail at a later date. We have the runs on the board. What we are not doing is following blindly behind that absolute diving champion from the 1956 Olympics, John Howard.

Hospitals—waiting lists

MR MULCAHY: My question is to the Minister for Health. Minister, on 19 September 2006 you answered a question without notice dealing with the management of the waiting lists at the ACT's two public hospitals. In commenting on this issue, you said:

They are discussions I need to have with the surgical specialists. I am arranging that meeting very soon. In fact, in the next couple of weeks, I will be meeting them to talk through ideas they have for improvements and exploring options for contracting out some services.

Later in that same question time, you said:

I am setting up a number of meetings with doctors at the hospital in the next few weeks to talk with them about further areas where they believe improvements can be made.

Minister, have you met with the surgical specialists? If so, how many meetings have you held and what has been the outcome of these meetings?

MS GALLAGHER: Luckily for me, I have done what I said I was going to do on 19 September. In fact, I have had a number of meetings over the past six weeks with the new surgical task force that has been set up. I had a meeting with them a week and a half ago, maybe two weeks ago. I also met with the Sustainable Access Task Force at the hospital two days later. I have had a number of individual meetings and discussions with staff specialists at the hospital around how the hospital works and areas where it can be improved.

I will continue those discussions when I have the opportunity to meet with the doctors. They are obviously very busy people. It is difficult to arrange times to speak with people because they are often at work, certainly surgeons performing surgery. But they have taken the time to talk with me, and I will continue to discuss options with them about how to improve their workplace and improve the access to elective surgery for the people of the ACT.

I will have general discussions with both the hospitals, that is, both TCH and Calvary public, about how they operate to meet the needs of ACT residents. That includes not just medical patients but emergency department patients and the experience of the emergency department and, importantly, elective surgery to make sure that we are working with surgeons and listening to what they say about how to improve access to elective surgery.

MR MULCAHY: I ask a supplementary question. Minister, when will the nearly 5,000 people on the waiting list gain benefits from the meetings that you have held?

MS GALLAGHER: We have had record access to elective surgery, with over 9,000 operations performed last year. It is true that additions to the elective surgery list keep our numbers fairly high, higher than I think any of us in this place would like to see. I do not think the number is at 5,000. The last big rise I saw was 4,700.

Some of the frustration of the surgeons, particularly at Canberra Hospital, is around having their lists cancelled and not being able to perform surgery. I can understand that it is frustrating when you come to work to perform surgery and you cannot because your list has been cancelled. A lot of that is to do with the fact that, on any given day, 50 per cent of the surgery being performed at the hospital is emergency or urgent surgery.

I am not entirely clear on how to resolve that issue at the moment. We cannot just ignore the emergency surgery or the trauma that comes to Canberra Hospital. We can look at better ways to use Calvary and access their theatres. They are doing a fantastic job in all of their performance reporting. We can look at how we can work better with our private providers. We used them a little bit in the last financial year. Certainly, for high volume, low acuity work, they are probably an option for us this year.

It is difficult, particularly at TCH, to keep an area of the hospital free for elective surgery when you are simply dealing with that much emergency and trauma surgery every day. It is not an easy thing to come in and fix the waiting list. Look at the work that has been done in New South Wales. They are probably 18 months further down

the path of the access improvement program than we are at the hospital. They are having fantastic results. In some hospitals they have got the waiting list down to zero.

In fact, the New South Wales surgical task force participates in the ACT task force as well so that we can learn from their experience. Many of the ideas that they have used in New South Wales have been around isolating particular hospitals for elective surgery. That is not something that we can do here in the ACT, so we have to look at a slightly different way of modelling our improved access for elective surgery. We cannot isolate our hospitals to the extent that is available in other jurisdictions.

Believe me, we are working hard on this. I want to see improvements in the list. I know that everyone on the list wants to see improvements on the list. We are improving our time frames for elective surgery in a number of categories. I have spoken about how we want to ensure that, for those long waits in categories 2 and 3, we are improving access for those people particularly and making sure that they do get their surgery on time. But the reality of being in a jurisdiction where you have a major trauma centre for the region, with two hospitals only that operate on any day that cannot be isolated for elective surgery, will present particular challenges not just for this government but for any government in the future in terms of increasing people's access to elective surgery and making sure that the list keeps coming down.

Hospitals—bypasses

MR SESELJA: My question is to the Minister for Health. One of the important indicators of the performance of the public hospital system is the incidence of occasions on which emergency departments of the hospitals divert ambulances to another hospital, a practice known as bypass. Indeed, minister, in question time in this place on 19 September 2006 you told the Assembly that the amount of bypass during September, to that point, was only six hours. September, however, appears to have been an aberration. Minister, why did the Canberra Hospital have to go onto bypass for 49 hours during October this year, the highest level of bypass for at least two years?

MS GALLAGHER: Mr Seselja has stolen Mr Smyth's question. I have been waiting for it all week. You have been trying to keep me on my toes. Mr Seselja's question is wrong from the beginning when it says that one of the most important indicators of how any hospital is performing is the measure of bypass, because it simply is not. No report done nationally or internationally uses bypass as a performance indicator of how well a hospital is travelling.

For the information of Mr Seselja, bypass comes into effect when the emergency department has got to the point where it is so busy that non-urgent patients coming to the hospital in an ambulance could be seen in a more clinically appropriate time frame at the other hospital and they are diverted there. For all urgent patients coming along in an ambulance and for all patients walking in off the streets or being brought in by family members, it makes no difference to them; the emergency department is there, but for one category of patients it means that they move to the other hospital. In this case it is a 15-minute trip across town to the Calvary Public Hospital.

For September the bypass figures were, I think, eight hours. For October, there was considerably more bypass. I think there was more bypass than we had seen in the previous months and that was largely due to one day when there was bypass for a significant amount of time—I think it was for around 17 hours—as there was a significant workload at the emergency department, which required that response. It is a way of managing the presentations that occur on a daily basis and we have to allow the clinicians responsible for making those decisions to determine the point at which the emergency department needs to have discussions with Calvary Public Hospital, or vice versa, about how to manage non-urgent patients coming in by ambulance.

There have been issues at TCH. Anyone who has spoken to someone who has worked at TCH over the last three weeks will know that it has been a very busy time for the hospital. There has been a significant reduction in the number of discharges, around 15 per cent, which has meant that the availability of beds has not been what it normally is. That means that the emergency department is not able to move people out of the emergency department and into beds as quickly as it would wish, which creates workload pressure at the emergency department.

I am aware of that. I have spoken to people about it. I have asked for advice on what further measures could be taken to support the emergency department and make sure that we are discharging patients on time and that where we have long stay patients and nursing home patients who are staying in beds and who might be more appropriately accommodated elsewhere—for example, in a nursing home—we look at measures to ensure that that is under way, because if the hospital is busy at one end it impacts on every department in the hospital. In October there was less discharging than normal and that created significant pressure for the emergency department in dealing with patients that are needing to be admitted to the hospital via the emergency department.

In terms of whether bypass is a measure of how a hospital is performing, in actual fact bypass is a measure of the fact that the hospital is working very hard, very well and in cooperation with the other public hospital. Find me a document or a report where bypass is used as a performance indicator of any hospital in Australia.

MR SPEAKER: Do you have a supplementary question, Mr Seselja?

MR SESELJA: Yes, thank you, Mr Speaker. Minister, in addition to what you have just told us, what other actions are you now taking to reduce both the occasions of bypass and the amount of time emergency departments spend on bypass?

MS GALLAGHER: I think I covered off that question in my earlier answer. The opposition love the word “bypass” because it frightens everyone; it frightens people in the community. Primarily, it frightens elderly people who think that bypass means the hospital is shut and for them they may make a decision about whether or not to attend the emergency department. Nobody else—no-one I speak to in the hospital system—has the level of concern you guys have around bypass—

Mrs Dunne: Because we should.

MS GALLAGHER: other than, I would say, the staff in the emergency department, who are flat out when they are having to go on bypass because it means the emergency department is very busy. I have been to see the emergency department. I have spoken with staff in the emergency department and have attended a meeting there to talk with them.

Mrs Dunne: Not good enough.

MS GALLAGHER: What is not good enough about that, Vicki? You sit there and snipe through all the answers that anyone gives. I'm giving this for the benefit of the Assembly. I was asked a question and I am replying to that question about what is being done—and constantly interjecting is Mrs Dunne, going, “Who cares,” “What’s going on” et cetera. It is just ridiculous. You either do care about the answer or you do not. A number of measures have been taken by this government. We have invested millions of dollars into the access improvement program, which is already showing results. But there are still areas of pressure. It is addressing areas of pressure throughout the hospital.

The emergency department remains an area that we need to keep the focus on. It is a busy place. It is a place where people know that they will get very high quality health services, so lots of Canberrans like to use the emergency department. It is a major trauma centre. On any day it is dealing with a number of trauma and complex category 1 cases. It is a busy place. If the rest of the hospital is busy, there are going to be times when TCH particularly needs to go on bypass.

Nobody wants to see what happened in October. It was an extremely busy time. As I said, the number of discharges was down. We need some more exact data, which we are waiting for because of Mr Smyth’s question about PAS. That data should be available soon. Once we can sit down and look at all that and see what exactly is going on, we can respond more comprehensively. What more can I say? I am aware of the issue and I am talking with people about what can be done. We are injecting funds into making sure that through the access improvement program we are continuing to address areas of pressure within the emergency department, and we will keep working on it until we see the results.

I am more interested in how long it takes to get patients off an ambulance and into the emergency department and I am more interested in how we meet our national targets against our categories than I am in worrying about bypass, because they are the real measures of whether a hospital is working well, and they are the measures that I am focusing on.

Environment—climate change

MR GENTLEMAN: Mr Speaker, my question is to the Chief Minister. Could the Chief Minister please outline for the Assembly how the ACT government is working with Australia’s state and territory governments in addressing key energy issues, including their impact on climate change, and what initiatives the ACT government has implemented?

MR STANHOPE: I thank Mr Gentleman for the question. Mr Speaker, it is certainly the case, as all members know, that in Australia it is the states and the territories that have taken the lead in addressing energy and climate change issues. To date the Australian government, as we know, has been very reluctant to participate in formulating a policy direction on climate change—until, of course, the last week or so. State and territory governments have recognised the importance of addressing climate change and, indeed, have been calling for the Kyoto protocol to be ratified for the last nine years. But in the absence of commonwealth leadership on the issue they have been together considering a range of effective policy responses to ensure a flexible way of achieving greenhouse gas abatement in the transition to what we hope is a carbon contained or constrained future.

It is within that vein of a lack of commonwealth leadership or participation that the states and the territories developed a discussion paper, *A possible design for a national greenhouse gas emissions trading scheme*, which was released in August of this year after a specific invitation to the Prime Minister to be associated with the report had been rejected by him. The discussion paper followed an exhaustive and comprehensive 18-month investigation and national consultation process and led to the development and subsequent release of that proposal. It is a proposal which continues to be consulted on, and a standing offer remains for the Prime Minister and the commonwealth to join the states and territories in further developing a national greenhouse gas emissions trading scheme for Australia with the possibility, of course, of international trading.

The ACT government, however, has not relied just on that. We have implemented a range of initiatives, including some Australia-first initiatives. The greenhouse gas abatement scheme, which in its own right is a form of emissions trading that operates in the ACT and New South Wales, commenced in January 2005. It requires all electricity retailers to procure over time an increasing component of electricity from accredited clean or green sources. The greenhouse gas abatement scheme is in fact, and is widely acknowledged as, the single most effective mechanism in Australia for reducing greenhouse gas emissions. In 2005—in other words, just last year—the scheme reduced emissions by the equivalent of the emissions from 73,500 cars. That was the level of emissions that have essentially been reduced in the ACT in just one year—73,500 carloads of emissions have been reduced through the ACT and New South Wales combined greenhouse gas abatement scheme, and this is the single most effective move yet taken by any governments in Australia in relation to reduction of emissions.

The ACT government's electricity contract, which was renewed in July 2005, requires that 23 per cent of energy supplied to the ACT government for its purposes be provided from renewable energy sources. This is an increase from 17 per cent. Of all governments in Australia—except, of course, Tasmania, which is the hydro state—the ACT now leads in relation to the use of renewable sources of energy for its own energy needs. For residential building in the ACT, a mandatory energy efficiency rating declaration is required at point of sale. Also there are investigations into a residential rating tool for sustainability and investigations into the use of the Green Building Council's green star energy rating. As I indicated earlier, in September 2005

we moved to 23 per cent and from 1 July it is estimated that we saved an equivalent of 30,000 tonnes of CO₂.

In November 2005 we committed the ACT government to purchase only appliances with low standby power usage, the only government in Australia to do so. The government building energy audit program was completed in November 2005, with audits of 17 government buildings. Government agencies report their energy use and measures for reducing energy to the government. This is reported in annual reports. The government fleet has purchased 27 low-emission hybrid vehicles and will progressively over the next year convert to four-cylinder cars. ACTION has purchased 42 compressed natural gas buses at a cost of \$17 million, and another 11 new CNG buses will be procured in 2006, for which we have allocated just under \$5 million. A further \$1.7 million has been spent on the construction of ACTION's CNG refuelling station in Tuggeranong. We have committed \$1 million to energy efficiency in public housing.

MR GENTLEMAN: Mr Speaker, I have a supplementary question. While I note the lead the states and territory governments have taken on energy related issues, what role should there be for national leadership in this area?

MR STANHOPE: There is a stark need for national leadership in relation to climate change.

Mrs Dunne: Mr Speaker, I rise on a point of order. Is Mr Gentleman's question asking the Chief Minister to express an opinion about national leadership? Therefore, would it be out of order?

MR SPEAKER: I will listen to the question again.

MR GENTLEMAN: It was: while I note the lead the states and territory governments have taken on energy related issues, what role should there be for national leadership in this area?

MR SPEAKER: I think it is a reasonable question.

Mrs Dunne: It is asking for an expression of opinion. "What role should there be?" is asking him for an expression of opinion.

MR SPEAKER: I think it is a reasonable question. That is looking for a—

Mrs Dunne: The supplementary question still has to meet the rules.

MR SPEAKER: Yes, the supplementary question does have to meet the rules. But it is a question asking the Chief Minister what the government's position is in relation to national leadership. A question about the national leadership on climate control or any other matter is a reasonable question, don't you think? I have ruled on it. It is over.

Ms MacDonald: Mr Speaker, can I ask that the clock be started again, seeing as Mrs Dunne, for a second day in a row—

MR SPEAKER: You can, but it won't be.

Mr Smyth: Stop wasting his time Karin—discipline!

Ms MacDonald: He has not started the answer.

MR STANHOPE: There is a need for national leadership in relation to climate change. Unfortunately, that national leadership has not been shown by the commonwealth; that national leadership has been shown by the states and territories. That is at the heart of the current debate. That question was about a need for national leadership. It did not say “a need for commonwealth leadership”; it said “a need for national leadership”—leadership that this government is showing, but which the commonwealth government is not showing.

There is a crying need for national leadership on the issue of climate change. The people of Australia recognise that. I think the most recent and comprehensive survey undertaken of Australian attitudes to the need for national leadership on this issue was the Lowy institute poll or survey. It revealed that more than 70 per cent of Australians regard climate as the issue of most significance to them and an issue on which the current federal government has failed consistently, obdurately, deliberately and negligently to provide leadership.

It is there for all the world to see. It has hit the Prime Minister, John Howard, like a runaway bus. He has completely and totally miscalculated in his response or reaction to the need for him to show leadership on the issue of climate change—leadership that he now realises, nine years too late, is his greatest failing as Prime Minister, a failing matched only by the invasion of Iraq.

It is a failing of leadership that is now being repeatedly pointed to by other commentators, most particularly I think Al Gore, who recently described George Bush and John Howard—in relation to their attitude to climate change and Kyoto—as the “Bonny and Clyde” of international climate change thuggery. It was and has been mischievously and cruelly suggested to me that they are not so much “Bonny and Clyde” as “George and Mildred”, with no prize for working out who is George and who is Mildred in that relationship.

We see those same comments in a very significant and powerful speech made just last night by the United Nations Secretary-General Kofi Annan, who opened a high-level segment of the UN climate change conference in Nairobi yesterday, when he pointedly—referring to the President of the United States, George Bush, and the Prime Minister of Australia, John Howard—said that those who continue to label themselves as climate change sceptics or who were opposed to the Kyoto protocol were “out of step, out of arguments and out of time”.

Is there a better epithet in a whole range of areas for John Howard and this commonwealth government than that delivered so cuttingly by Kofi Annan—cuttingly by politely. George Bush and John Howard, in relation to Kyoto and climate change, are out of step, out of arguments and out of time. We see it. We Australians would pay a very significant price for the fact that there has been no leadership.

Even now the backflips continue. We see Ian Campbell in the most uncomfortable of backflips. Those of us that have attended environment ministers' meetings over the last couple of years have been assailed time and again by Senator Campbell about the absurdity of emissions trading or of signing Kyoto. He is now sitting in the bleachers, muffled in Nairobi—the most important conference the world will have this year—unable to speak because we refused, in our sycophancy to the United States, to agree to Kyoto. (*Time expired.*)

Hospitals—pay parking

MRS BURKE: My question is to the Minister for Health. Minister, you have now been forced to add further exemptions to those people who do not have to pay parking fees at the ACT public hospitals. What is the revised estimate of revenue that will be raised from pay parking at the public hospitals?

MS GALLAGHER: I am not aware of any further exemptions that have been offered under the pay parking regime.

Hospitals—bed occupancy rate

MRS DUNNE: My question is to the Minister for Health. Minister, in September 2006 you released the performance report for ACT public health services for the June quarter 2006. In that report there is an analysis of a number of critical performance indicators for the ACT's public hospitals, including the proportion of beds available for immediate use by admitted patients.

Minister, how will you achieve a bed occupancy rate of 93 per cent in 2006-07 and a long-term rate of 90 per cent when the average occupancy rate during 2005-06 was 96 per cent and the occupancy rate during the latest June quarter was 97 per cent?

MS GALLAGHER: It is clear that, in order to assist a hospital to work well on a day-by-day basis, you need the capacity to admit people to the hospital, and that is the reason behind the target of lower occupancy rates than we have had. This is part of the huge business redesign that is under way at the hospital, and has been for some time under the access improvement program. These targets have been set in order to ensure that access block and bed block do not occur to the level that has been occurring in recent times.

There are a number of measures. There is the access improvement program. If anyone is interested to hear me talk about the program, I can go into it at length. If people would like a briefing on it, I am happy to provide that. A massive amount of work has been occurring in the emergency department and in aged care. It is now being moved into the surgical area. It is looking at the way the hospital operates at the grassroots level and making changes, where possible. It is looking at discharge practices, making sure that people who do not need to be in the hospital are not in the hospital and that they are able to leave the hospital in a timely fashion, thereby freeing up beds.

The target of lower occupancy rates is to make sure that we do have beds, when the emergency department is busy, so that we can admit people to hospital in a timely

fashion and meet other national targets. We have a number of measures in place to assist us to get there. I understand that at different times we have been moving downwards. Ninety-six per cent is getting better. Calvary has some success in recent months with their occupancy rates. But both our hospitals are very busy and those numbers will bounce around until we get all the redesign work under way.

We have new beds coming in. We have funded 20 additional beds in this budget. Those beds will be on line very soon. It is about more beds.

Mr Smyth: So it is about beds?

MS GALLAGHER: Yes, it is about more beds. I have never said it is not about more beds, Mr Smyth. You have said 100 beds for some time, and I know you say 100 acute beds. But once the subacute facility is up and running in late December-early next year, we will have 126 new beds operating between TCH, Calvary and the subacute facility. So it is about new beds and creating capacity. There was money for critical care beds in this year's budget.

I imagine that in every budget from now until the future there will be more beds for the hospital system. Our demand for beds is growing. It is more beds, but it is also about the way we work at the hospital and making sure that the day-to-day running of the hospital is as efficient as possible to ensure that our occupancy rates can be kept low to create capacity for admissions when we need them.

MRS DUNNE: I ask a supplementary question. Minister, has there been any improvement in the bed occupancy rate at the ACT's public hospitals over the past four years?

MS GALLAGHER: I will take that question on notice. My understanding is there has been at different times. I cannot say that it happens in every quarter for which we report. My understanding is that it is going in the right direction, certainly at Calvary and TCH, but I am happy to provide that information to Mrs Dunne as soon as I get it.

Hospitals—patient administration system

MR PRATT: My question is to the Minister for Health. In April 2005, your government entered into a contract for the supply of a new patient administration system, PAS, which you talked about earlier. One feature of this new system is intended to ensure that the ACT receives appropriate reimbursement from Medicare. I have heard reports that the ACT is missing out on these funds because of deficiencies in the new patient administration system. Minister, why is the ACT not receiving reimbursements to which it is entitled from Medicare?

MS GALLAGHER: I believe that the question relates to the billing capacity of PAS. As I said to Mr Smyth in answer to his question, that is an area that has been affected by the implementation of this system. I am of the understanding that that either has been fixed or is very close to being fixed and there should not be any issue with it. I certainly have not been advised that the ACT is missing out on any money. I understand that it has affected billing and the capacity to do that in a quick way. I will come back to the Assembly with more information if I am wrong on that one, but I am

of the understanding that that part of PAS has been fixed and there is no reason that we should be missing out on any money.

MR PRATT: Could you take it on notice and confirm whether any has been? You say that we have not missed out on any money. Could you come back on whether any amount at all has been missed out on?

MS GALLAGHER: Yes, I will take that on notice.

Educational institutions—ecological sustainability

MS PORTER: My question is to the Minister for Education and Training, Mr Barr. Minister, yesterday you informed the Assembly of some great things happening in ACT schools regarding ecological sustainability. Can you please inform the Assembly of any other projects you are aware of in your portfolio that are ecologically sustainable?

MR BARR: I thank Ms Porter for the question and I am pleased to report to the Assembly that it is not just our schools that are becoming more ecologically sustainable; the Canberra Institute of Technology has also embraced the need to contribute to the sustainability of our environment.

Over the past decade the CIT has progressively implemented strategies to reduce energy and water consumption and to recycle waste. The strategies used to decrease energy usage have included the installation of building management systems; the installation of process timers and movement detectors for lighting control; the installation of window reflective film; load shedding, reducing peak demand by utilising gas generation; the installation of power factor correction equipment; the replacement of inefficient hot-water boilers; the modification and reconfiguration of steam boilers; the installation of eco light transformers on fluorescent light circuits; the installation of timers on all instantaneous boiling-hot water units in kitchens; the installation of timers on hot-water units; the installation of gas-operated cogeneration plant for load shedding; and solar hot water for areas of the Reid campus and student accommodation buildings at Bruce.

Recycling schemes have also been introduced for paper, cardboard, glass, aluminium and plastic containers. Concrete and brick recycling from the construction workshops has been implemented, as has steel recycling from the metalwork areas. In the cafeterias glass, aluminium and plastic recycling is available for consumers to choose to recycle.

To reduce water consumption the CIT has drilled bores at the Bruce and Weston campuses for irrigation, and a dam has been constructed at Weston to recycle the run-off from this irrigation. Solar panels have been installed at the Bruce campus to supply green energy, and heating systems have been made more efficient, with the aim of consuming less energy.

These measures have combined to reduce energy consumption by over 35 per cent. At the same time water consumption has been reduced by 40 per cent and waste disposal has been reduced by 45 per cent. I am informed by CIT that electricity, gas and water

consumption audits have been carried out to identify areas of further energy savings, maintenance cost savings, higher efficiencies and reduction in carbon dioxide emissions.

The CIT also offers courses that teach students about emerging sustainable technologies in areas such as engineering, automotive, construction and plumbing. Plumbers at the CIT learn about rainwater tanks and grey water systems. Electricians undertake study in solar energy, and particularly gain skills in setting up the systems that allow solar power to be returned to the grid.

The CIT are educating the workers of the future and they will be readily able to install those systems that will lead to our society overall being more ecologically sustainable. The CIT's approach to environmental and ecological sustainability is a responsible one and they should be congratulated.

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

Gaming Machine Act 2004 Paper and statement by minister

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs and Minister for the Arts) (3.35): For the information of members, I present the following paper:

Gaming Machine Act, pursuant to section 168—community contributions made by gaming machine licensees—ninth report by the ACT Gambling and Racing Commission—1 July 2005 to 30 June 2006, dated 13 October 2006.

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

Leave granted.

MR STANHOPE: I present the report on the community contributions made by gaming machine licensees in the period 1 July 2005 to 30 June 2006. The report is a requirement of the Gaming Machine Act 2004 and is made by the ACT Gambling and Racing Commission. The act requires club licensees to make a minimum contribution level of seven per cent of their net gaming machine revenue in respect of a financial year and to report to the commission on those contributions by 31 July.

While there is no similar minimum level requirement for hotel and tavern gaming machine licensees, they also must report to the commission by 31 July on any contributions made, or to submit a nil report. In addition, it is a requirement of the act that licensees that contributed to registered parties and associated entities must report details of those contributions.

The legislation outlines broad purposes that a contribution must meet to be approved by the commission as a community contribution. It also identifies some types of contributions that are excluded from being a community contribution—for example, expenditure intended to promote the licensee's activities or the cost of borrowing funds to acquire an asset.

Guidelines in the Gaming Machine Regulation 2004 provide assistance to the commission and to licensees as to what types of expenditure would be approved as a community contribution. The areas of the community to which contributions can be made include charitable and social welfare, sport and recreation, non-profit activities, and community infrastructure.

In the area of sport and recreation the legislation provides an incentive for licensees to consider contributions to women's sport. For every \$3 contributed, the licensee's contribution will be calculated at \$4. The commission's report shows that the contributions to women's sport further declined when compared to previous years. It is disappointing that this incentive scheme does not attract the level of contributions women's sport deserves.

The commission's report provides information on three main aspects of the contributions: legislative compliance by gaming machine licensees, the extent to which licensees use their revenue to make community contributions, and the level of contributions in each reporting category. The report includes data on contributions by both club and hotel gaming machine licensees.

In 2005-06 the club industry had net gaming machine revenue of \$113.1 million, an increase of 4.23 per cent on the previous year. It is on the net gaming machine revenue figure that clubs are required to pay their mandatory seven per cent community contributions. Net gaming machine revenue is calculated as follows: gross gaming machine revenue derived by the licensee less any amount of gaming machine tax payable on the gross gaming machine revenue, and 24 per cent of gross gaming machine revenue. The 24 per cent deduction is in recognition of the expenses a licensee incurs in its gaming machine operations in order that the required level of community contributions can be made. This percentage was revised from 15 per cent to coincide with the removal of the gaming machine tax GST credit scheme that came into effect on 1 July 2005.

The commission's report outlines that the total value of community contributions from clubs in 2005-06 was \$12.5 million, representing 11.06 per cent of net gaming machine revenue, which is a 4.55 per cent decrease in dollar terms on that of 2004-05.

In 2005-06 the sport and recreation area received the bulk of contributions of approximately \$9.1 million, or over 70 per cent of all contributions. Contributions to women's sport amounted to \$130,000, or just over one per cent of total contributions. The other categories received were charitable and social welfare, \$1.5 million or 12.32 per cent of total contributions; non-profit activities, \$1.6 million or 12.9 per cent of total contributions; and community infrastructure, \$100,000 or 1.12 per cent of total contributions.

As in previous years, the level of contributions to the sport and recreation category consistently and significantly outweighs the level of contributions to the individual and combined totals of the other categories. Primarily this outcome is because the support and/or development of sporting activities are among the principal objects of many clubs. Expenditure consumed in pursuit of those objectives can be claimed as a community contribution.

The hotel-taverns group had gross gaming machine revenue of \$661,453 in 2005-06, an increase of \$68,332 on the previous year. The 13 licensees of the group contributed a total of \$49,363—about 7.46 per cent of their gross gaming machine revenue. Contributions in 2004-05 amounted to \$34,504 or 5.82 per cent of the gross gaming machine revenue. The commission's report contains comprehensive data on gaming machine activity in the ACT. This information is useful in any debate on future gaming machine operations. I move:

That the Assembly takes note of the paper.

Question resolved in the affirmative.

Paper

Ms Gallagher presented the following paper:

Petition—out of order

Reid preschool—proposed closure—Ms Porter (440 citizens).

Emergency Services—equipping and training

Discussion of matter of public importance

MR SPEAKER: I have received letters from Mr Gentleman, Ms MacDonald, Ms Porter, Mr Pratt and Mr Smyth proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, I have determined that the matter proposed by Mr Pratt be submitted to the Assembly, namely:

The equipping and training of our emergency services.

MR PRATT (Brindabella) (3.42): Today I rise to talk about the equipping and training of our emergency services. There are a number of issues, particularly in relation to the ambulance services and the bushfire volunteers. I want to touch on some aspects of the SES as well. I will be talking essentially around equipment and training as it affects capability and as it may affect morale. The issues I will be focusing on are issues which affect significantly the operational capability of our emergency services, issues which affect significantly the morale of volunteer and professional servicemen and servicewomen in the emergency services, and issues which also affect the retention or otherwise of our volunteers. I now want to address the ambulance service.

The minister has said both in this place and in the media that he will be introducing nine new ambulance officers—paramedics—to the services in the next couple of months, leading up to Christmas. But the rank and file are telling us that, of those nine new ambulance officers, only three have paramedical training.

There are two points. Not only is this a misrepresentation of the true capability of the ambulance services but the ambulance services are also overstretched. We have seen and heard concerns publicly expressed through the Transport Workers Union in recent times, but the TWU aside—and in fact, I put a lot more store on this—the rank and

file of the services have indicated their concerns that they are overstretched, for a number of reasons. The reasons are essentially personnel. Sometimes training impacts on that and too often equipment impacts on that as well. It is a bit sad that these nine officers are being counted to supposedly show us that the capability is there when, in fact, six of those nine officers require, under the ACTAS operational standard, full paramedical training, which will take quite a long time.

The issues of training go to, again, the length of training. For example, I am advised that, earlier this year, of the four new recruits that were brought in as a particular batch of recruits—and these were recruits who had nursing and basic ambulance officer qualifications—two were lost. The rank and file felt that these people were being mucked around. The training was not ready to go. The resources were not there. These people had to wait for some time. They could not be employed—at least against the standard laid down by the ACTAS.

To go on and talk about the crews, we have heard from the minister that he believes we have about seven fully crewed vehicles available on a 24-hour cycle—around the clock. The minister has confused us in this place as to whether he believes there is an operational standard of seven crews required 24 hours a day, seven days a week. On one occasion he said, “Yes, that seems to be the standard,” but in response to another question without notice yesterday he indicated, “Well, sometimes we can operate with five crews; that seems to be acceptable.”

The feedback I get from the rank and file is that they understand ACTAS are required to provide seven fully staffed crews per block across three blocks around the clock. That is seven per 24 hours. There is some confusion here as to whether the minister was correct yesterday or whether the rank and file have got the wrong impression from management as to how many crews are required to be provided. In fact, the rank and file are telling me that they believe we need 10 crews per block; that is, 20 personnel, 20 fully qualified paramedics, per block around the 24-hour cycle to meet the needs of the ACT.

They are saying that, because we do not have those 10 crews available around the clock, the crews currently doing the job are run off their feet. They are working overtime shifts to plug the gaps which are left behind. I am advised also that too often single response unit vehicles are counted as part of the operational response. As we know, single response units are vehicles crewed by one fully qualified paramedic who can be called out to an incident. But they only have the ability to respond and provide life-saving first aid on the spot. They must wait for a fully crewed vehicle to appear on site to carry out the evacuation; that is, a single response unit vehicle cannot evacuate a patient to hospital. Of course, if it is a complicated medical problem on site, the one paramedic may have overstretched himself trying to apply this. ACTAS management are counting these SRUs amongst the seven available crews per block. This is a concern. There is a misrepresentation on just how capable the services are when we start counting SRUs as twin-crewed vehicles.

When it comes to the serviceability of ambulance vehicles, we asked a question here yesterday about how many Victorian ambulances were required to plug the gap. The minister told us he thought about three, at one stage, for a couple of months. It begs the question: how many times has that had to occur? I am advised that the old GMC

ambulances have had significant brake problems for quite some time. I am advised that, in December 2005, the problem with the GMC fleet—that is, brake problems—came to a head. It is interesting, too, to note that the rank and file were quite browned off that the TWU, when they had the opportunity to take ACTAS management to task over this particular issue—the GMC brake failure issue—did not do so.

Mr Gentleman: It is because the brakes did not fail, Steve. They did not fail.

MR PRATT: Sorry, Mick. The TWU seems to have let the side down on that occasion. They have let them down. The rank and file are saying that they are not particularly impressed with management because they feel they have to be pushed to the last minute to get things sorted out. On the other hand, the TWU, who seemed to be in bed with management, are not fighting the good fight for the rank and file. That is a bit of a worry, isn't it, Mick? You had better have a talk to them.

On the overtime issue, I am advised that too often daytime ambulance crews are held back on overtime to plug gaps for the evening shift. To reach the seven crews around the clock, a lot of overtime needs to be expended. I am also advised by the members that, when they have a day off—and they tend to work 10 on, 10 off—it is not unusual to get two calls per day of every day they are off to ask them whether they are willing or able to come in on overtime. That is quite disappointing.

Let me illustrate the failure of the ambulance service because of the issue of overtime. On the evening of Saturday, 4 November, day crews were required to be held back into the Saturday evening to make up the seven crews. Then, beyond midnight, that number dwindled away to the point that the ambulance service could only provide five fully crewed vehicles in the hours beyond midnight. I would have thought that Saturday after midnight was a peak period. Wouldn't you, Mr Stefaniak? Would you consider after midnight on a Saturday as a peak block period, not a period in which you could allow the fleet to stand down? But that was the case on the night of 4 November. I am advised that, even when one crew is down, this has a severe impact on the other six crews who have to man the block for that period of time. Madam Temporary Deputy Speaker, or madam acting temporary—

MADAM TEMPORARY DEPUTY SPEAKER (Mrs Dunne): No; temporary deputy. You got it right the first time.

Mr Hargreaves: It is the first day out of three. You blew it on Monday; you blew it on Tuesday, but you got it right today.

MR PRATT: I know it is a bit rough here in the house, isn't it, Mr Hargreaves? Even when one crew is down, Madam Temporary Deputy Speaker, this has a severe impact on the other six crews who have to man the block for that period of time. What we see here is an ambulance service which is overstretched. The question has to be asked: are they able to provide the efficient and reliable service that they have been famous for in the past? Crews are indeed rejecting overtime when they are called. I think we see here dissatisfaction on the part of the members. We have talked in this place before about the serviceability of the rural fire service vehicles. In fact, it was the basis, Mr Hargreaves, of a censure motion that was launched against the minister, as you will recall.

Mr Hargreaves: It did not get up, did it?

MR PRATT: We can count, Mr Hargreaves, even if you cannot.

Mr Hargreaves: No you cannot, because you would have done it in the first place.

MR PRATT: The basis of that censure motion was the failure by this government to prepare the rural fire service front-line vehicle capability to get it anywhere near what might be an acceptable 90 per cent serviceability rate. In fact, as we now know, 25 per cent of the front-line vehicle fleet for the RFS and the SES on 13 October—13 days into the fire season—was not able to be deployed to the fire ground should a fire have erupted on that day—a day of high fire risk, I might add.

We also now know that two of the fire tenders which were unserviceable had been unserviceable for the last two months of winter. That is just unacceptable. Those two fire tenders and the others which were deemed to be unserviceable made up a sizeable chunk of the fire tender front-line capability. They were simply unavailable. That reflects a cumbersome, slow, administrative system that did not exercise the checks and balances in the last couple of months of winter approaching the fire season to ensure that the fleet was ready to go.

On top of that, we have other front-line vehicles which are being deemed as not first response vehicles for silly little OH&S bureaucratic reasons. Again we see bureaucracy choking the lifeblood out of our front-line services and choking the enthusiasm out of our volunteers. A little bit of latitude or a little bit of leadership by the minister might be able to get around some of those issues.

Mr Hargreaves: We are the pride.

MR PRATT: I am sure, Mr Hargreaves, that if you were still there everything would have been hunky-dory. Don't you have to wear a fair amount of responsibility for the failure of this fleet?

Mr Hargreaves: No. We are the pride.

MR PRATT: I think so. Turning to the training of volunteers, we now know that there is a great deal of dissatisfaction about the failure to get new volunteers onto the fire ground as soon as possible. In fact, Captain Jeffery lamented the fact that, of a cohort of 24 volunteers brought into the service some 12 months ago, only one had been trained. Some had drifted away. The point we are making here today, is this: bureaucracy on the part of this government and the emergency services is choking the life out of our emergency services volunteer attitude and the enthusiasm of our volunteers to be trained, ready to go, and for our vehicles to be serviceable. It is not good enough.

MADAM TEMPORARY DEPUTY SPEAKER: I call Mr Hargreaves.

MR HARGREAVES (Brindabella—Minister for the Territory and Municipal Services, Minister for Housing and Minister for Multicultural Affairs) (3.56): Thank

you very much, Madam Temporary Deputy Speaker. I would like *Hansard* to record in bold flashing lights that I did say, “Madam Temporary Deputy Speaker.” I was tempted to say, “Madam Butterfly,” but I resisted.

MADAM TEMPORARY DEPUTY SPEAKER: Well done, Mr Hargreaves. You may, in time, receive an elephant stamp.

MR HARGREAVES: Thank you very much, Madam Temporary Deputy Speaker.

MADAM TEMPORARY DEPUTY SPEAKER: Would you like to proceed on the matter of public importance?

MR HARGREAVES: I would also like *Hansard* to record in flashing lights and underscored what Mr Pratt said about the RFS and silly little OH&S reasons.

Mr Smyth: Silly!

MR HARGREAVES: That is what he said. He said, “Silly little OH&S reasons.” I have to say: let that go down in the public arena. I thank Mr Pratt for raising this matter of public importance today. I know that I, along with Mr Corbell, share an enormous amount of pride in the professionalism of our emergency services and the dedicated officers that make it up. This government has invested heavily in equipping and training our emergency services in recent years. As far as equipping our emergency services is concerned, this government is committed to providing the best possible equipment.

I will start with the upgraded emergency services communications system. This initiative provided for the upgrading of the communications infrastructure that supports operational service delivery. We have seen the implementation of a world-class computer aided dispatch system, incorporating direct turnout arrangements, resulting in quicker dispatch and response, along with mobile data information to support responding agencies to plan and understand the potential incident while en route to a scene. The digital trunk radio network, TRN, has also been implemented, another piece of world-class technology allowing for better communications for the emergency services.

Mr Smyth: It doesn't work.

MR HARGREAVES: A little voice from across the chamber has indicated that it does not work. I might suggest to you, Madam Temporary Deputy Speaker, that that little voice belongs to something that did not work and I will not respond to things that do not work.

The TRN has been so successful that we are now seeing it being expanded to include other key ACT government agencies using the network. The FireLink system has been supplied and installed to expand the emergency service requirements for a capability to plan, support and monitor complex emergency operations for RFS and SES operations, particularly in rural and remote areas.

The system provides mobile units installed in ESA assets, predominantly vehicles, to provide a vehicle locating and general purpose messaging service back to the headquarters at Curtin, which can interface directly with the ESA CAD system. The FireLink system is now fully operational and was successfully used during the recent fire in the Namadgi national park.

Both the SES and the RFS now rely on FireLink to provide automatic vehicle location, status and dispatch capability through the Vision CAD interface. Comcen operators now have total visibility of FireLink-equipped vehicles on the same screen as CAD. These initiatives have ensured that our emergency services are better able to manage their response and also communicate far better than they have been able to in the past.

Moving on to equipment supplied to each of the services, the ACT Ambulance Service has received eight new intensive care ambulances in recent years, as well as a new operational support vehicle. These new ambulances have new livery, enhancing their visibility in both wet and dry conditions at daytime or night-time, leading to a safer response.

Members may have seen that a member of the ACT Ambulance Service recently received an award for this project in the ACT's occupational health and safety awards, attesting to the importance of high-visibility emergency vehicles and the regard with which that is considered within the safety sector. That is not a silly little OH&S reason, as indicated by Mr Pratt.

As well as vehicles, the government has provided funding for the provision of new equipment. The ACT Ambulance Service has recently undertaken a replacement program for patient care stretchers in all of their ambulances as well as the replacement of cardiac monitors and defibrillators carried on all emergency ambulance vehicles. In fact, most of the points that Mr Pratt raised in his diatribe were answered in question time yesterday by Mr Corbell. He talked about overtime for ambulance officers and he talked about their vehicles. It appears that Mr Pratt either does not listen or chooses not to hear the facts when they are actually delivered to him. I think he concentrates a wee too much on page 3 of most publications and very rarely gets past the table of contents. If he went past the table of contents and into the substance of a report he might well make more sense, although I very seriously doubt it.

MADAM TEMPORARY DEPUTY SPEAKER: Relevance, Mr Hargreaves.

MR HARGREAVES: I take your point, Madam Temporary Deputy Speaker. Mr Pratt is not very relevant to it and I take your point very much so.

MADAM TEMPORARY DEPUTY SPEAKER: Stick to the matter of public importance.

MR HARGREAVES: In recent years the ACT Fire Brigade has seen an increase in its capability. Along with the provision of fire pumpers as part of a replacement program, we have seen additional vehicles, such as the four compressed air foam system, CAFS, tankers. I remember Mr Pratt coming out and congratulating us on the

provision of CAFS tankers. When I was fortunate enough to be the minister responsible, he actually congratulated us on that. He has had a total memory lapse here.

These vehicles were the first of their kind in Australia with the advantage of utilising less water and having a faster extinguishing time which, when translated, means four to five times greater effectiveness compared with plain water alone. The brigade will shortly be commissioning a replacement hazardous materials, hazmat, vehicle which is larger than the existing one. And, of course, the government has funded this financial year a replacement aerial firefighting appliance to maintain the capability of the ACT Fire Brigade to respond to emergencies within high-rise buildings and high-density environments, at a cost of \$1.45 million. For Mr Pratt's benefit and your benefit, Madam Temporary Deputy Speaker, the replacement aerial firefighting appliance is the Bronto.

The ACT Rural Fire Service has been able to purchase a wide range of new equipment to allow its volunteers to keep doing the great job that they do. That includes seven new CAFS tankers, which I referred to earlier, and 22 slip-on units distributed to rural lessees for use in fires on their properties, which was particularly well received by Captain Jeffreys. I remember presenting one of them and seeing the joy with which those things were received by the rural lessees. They have also received new personal and protective clothing items, such as boots, helmets, overalls, gloves and goggles.

Over the last two years the equipment levels in the ACT State Emergency Service have grown considerably as a result of continued investment in the emergency services by the government. This has provided the SES with far greater capabilities to undertake operations and has provided for new opportunities for volunteers. To highlight areas in which the government has invested in emergency services, the SES in particular, last year the SES received \$95,000 in capital funding to modernise its response equipment, in line with its legislative responsibilities.

The funding was used earlier this year to purchase, for \$25,000, a new flood rescue boat, doubling the flood rescue boat response capability of the SES. This flood rescue boat has already been put to good use in providing operational assistance to a range of public mass gathering activities on Lake Burley Griffin. It was used to purchase \$45,000 worth of new storm damage response equipment for use by the volunteers. The equipment purchased includes new roof safety equipment, pumps, wet vacuums, hand tools and a range of safety equipment to provide the volunteers with equipment that is far more capable and reliable in providing emergency assistance to Canberra residents. An additional wet vacuum was also provided to the SES through fundraising by local NRMA insurance staff.

There was the purchase of a \$7,000 storm damage trailer for the Tuggeranong unit to replace a 10-year-old trailer. The new trailer was custom designed and built in collaboration with volunteers and provides a far more functional and worker-safe platform to carry and from which to operate storm response equipment. There has also been the design and construction of a \$15,000 pod to carry storm response equipment that has been fitted to an SES vehicle. This prototype vehicle is currently being

trialled by all SES volunteer units and may set a new direction for fleet configuration in the SES.

This financial year, the government has made further investment in the emergency services that has allowed the SES to purchase a \$42,000 lighting tower. This tower is to replace an ageing lighting trailer used by the SES and will provide the emergency services with far greater capability to provide emergency lighting at a range of incidents or events, including road crashes, property fires, mass gathering events and staging areas. The tower will be delivered next week.

In addition to the lighting tower, the government has allocated \$80,000 towards volunteer recruitment and the purchase of safety clothing for each and every new recruit. This new clothing will be state of the art and will provide the volunteer members of the SES with the highest standards of personal protective clothing and equipment that is available. The standards of SES personal protective equipment were recently recognised by a nomination for an ACT WorkCover award in the category of best solution to an identified workplace health and safety issue—not a silly little OH&S reason, as indicated by Mr Pratt earlier.

Mr Gentleman: Maybe he does not care about their safety.

MR HARGREAVES: No. Further investment in the SES has also been made through funding made available through the working together to manage emergencies program administered by the commonwealth Attorney-General's Department. In addition to the other funding, the SES has received \$35,000 to design and construct a field welfare and catering trailer to ensure that the volunteers of the SES are well catered for in the field.

Overall, the investment made by this government in new equipment for the SES has exceeded \$200,000 and this has allowed the SES to increase its capabilities and modernise its response equipment. Volunteers have access to modern and reliable equipment that will allow them to continue to provide such a valuable and important service to the ACT community during emergencies. I will leave the training to one of my colleagues to address but, as far as equipping our emergency services is concerned, I do not think anyone can argue that this government has not taken huge steps to ensure that our emergency services are the best equipped they can be and are far better placed than they were previously.

Of the nine ambulance staff, in response to some of the stuff Mr Pratt was going on about, three are intensive care qualified paramedics, that is, at the highest level, and the other six staff are qualified paramedics. Let us not build up straw things and then tear them down again. Let us not perpetuate untruths out there in the public arena.

Mr Pratt: Are they operating now?

MR HARGREAVES: I will repeat it, because sometimes it needs repeating. Three of them are intensive care qualified, the highest level paramedics, and the other six are qualified paramedics. Those six will undergo a bridging course over the next 12 months to upgrade their qualifications to intensive care paramedics.

Mr Pratt: Are they fully operational now? No.

MR HARGREAVES: Mr Pratt's comments are actually causing an enormous amount of resentment amongst the members of the ACT Ambulance Service. Mr Pratt denigrates the qualifications and the dedication of these officers. He denigrates the attempts of the officers there to supplement their numbers. He denigrates the fact that these guys are going to have bridging training. They are already qualified paramedics. They are going to have their qualifications as paramedics augmented to be intensive care qualified paramedics, the highest you can possibly get, and Mr Pratt denigrates them. How sickening is that? It is sickening.

Mr Pratt: That is misleading.

MR HARGREAVES: Mr Pratt, if you think I have misled this Assembly, get up and put forward a substantive motion on that.

MR SPEAKER: Order, Mr Hargreaves! Direct your comments through the chair.

MR HARGREAVES: Mr Speaker, I challenge Mr Pratt to do that. If he is suggesting that I am misleading this Assembly, let him put forward a substantive motion. Otherwise he should stand up here and apologise to those members of the ACT Ambulance Service that he so effectively and so cowardly denigrates. He cowardly denigrates them, he denigrates the firefighters, he denigrates the SES volunteers and he denigrates the RFS.

Mr Speaker, this man here would not know the courage that these people put into play every day of their lives. He should be standing up here and congratulating these people on coming forward and joining such a fantastic bunch of people, instead of being the coward that he is in this place and hiding behind parliamentary privilege.

MR SMYTH (Brindabella) (4.12): Mr Speaker, you always know that Mr Hargreaves is on the ropes when he goes for the slag and the slur. He puts the boot in because he cannot actually come to the substantive nature of the matter of public importance. Mr Hargreaves started with the words that we all share pride in our volunteers. That is true; we all share the pride. But what the volunteers resent is that the support that they get from this government is lacking.

Mr Hargreaves was stripped of his emergency services portfolio because of that resentment, because of the fact that a volunteer could not get a new helmet, for instance, as the emergency services were not allowed to hand out new helmets to volunteers because they were trying to save bucks as they had blown their budget. Not once, but two years in a row, they blew the budget. It is the fault of the responsible minister that that was allowed to occur. The litany of failures of leadership in the ESA when Mr Hargreaves was in control was endless and the volunteers resented that.

Mr Hargreaves said that all the systems were working pretty good when the emergency services were down at Namadgi the other day putting out a fire. I can assure you, Mr Speaker, that the systems did not work well. They did not work well to the extent that volunteers were using their own mobile phones to communicate with

each other and with headquarters. Why? It was because the systems you put in place, minister, failed. They did not operate, they did not work, they did not do what you said they would do, and in many cases they still do not do so. So the answer for the minister is to go the slag.

Mr Pratt raised the issue of vehicles. Let's talk about the first total fire ban day of the fire season. Let's talk about Molonglo shed, up near your place, Mr Speaker. You would drive past that shed. I am sure you know where it is. It is next to Pegasus. Molonglo has a couple of light units, Molonglo 20 and Molonglo 21. It has got a couple of tankers, Molonglo 10 and Molonglo 11. Yes, they were really lucky, Mr Speaker: they were given a CAFS tanker. It was like a blessing from on high: "Here, my children, have this CAFS tanker."

The CAFS tanker was stationed there because one of their tankers was broken, had not been operational for some time and was being phased out, and the other one could not be used because it had cracks in the chassis. What was Mr Hargreaves's answer? What was the government's answer to this problem? It was to give them a CAFS tanker. There is a small problem in that none of the crew have been trained on how to use the CAFS tanker. Mr Hargreaves's answer, the government's answer, was to give them a shining new truck that nobody has actually run through operationally, nobody has been trained on, and send them off into the bush to fight fires. Mr Hargreaves ridicules Mr Pratt and makes a joke about occupational health and safety. What does it say about a government that it is willing to give a tanker to crews that have never been trained on it?

Molonglo has gone out and done some burns lately and has learned how to use the CAFS, but the jury is still out on whether they really are a first response or a defensive vehicle. The water capacity is smaller than normally would be taken into the field on a tanker. Yes, they can spread large amounts of foam in a short period, but they can only be used at certain times. The problem is that the troops were not given the training, the SOPs have not been written and the practice has not been put into place. The government's answer is to say, "We will just station it there. It will make us look good." God help the crews if they have to go out.

The first response to cover your bit of turf, Mr Speaker, part of your electorate, was to provide two light units with a capacity of 500 litres per light unit. You can squeeze three people into a cab, so six firefighters and 1,000 litres of water. Six firefighters can empty 1,000 litres of water out of two tanks very quickly. That is this government's idea of equipping and training volunteer firefighters. That encapsulates it to a tee: two unserviceable trucks and one new truck volunteers have not been trained on. The answer is that they can only take 1,000 litres with them. That is not preparing volunteers.

Mr Hargreaves—through you, Mr Speaker—add that to your statement, "We share the pride." When you resort to saying, "We are proud of you," you have serious problems. We are all proud of them. We are proud of the volunteers, the state emergency services and RFS guys. We are very proud of them all the time. The question is: if you are proud of them and if you trust them, why are you bugging things up with their bank accounts? Why aren't you resolving those sorts of issues quickly, as the

volunteers want? Yes, you are a proud of them, but you do not trust them and you want to control their money, have your fingers in the pot.

Let's go to equipment. Yes, you have bought another flood boat; that is fantastic. Asking how often the flood boats have actually been used for flooding in the ACT would be a very interesting question on notice, Mr Speaker. Yes, they are important when used for crowd control in events around the edge of the lake and providing support there, but the volunteers did not want a boat. They did not ask for an extra boat. They asked for an elevated work platform.

They will also get a light tower. The light tower will be here in a couple of weeks. Fantastic, a light tower! Did they want a light tower? No, they wanted an elevated work platform. It is like Christmas: "You will get what I give you, not want you want." That is how it is being run. Let's listen to the volunteers. Everyone will remember the incidents over December and January of last year, particularly during the Chief Minister's cricket match last year, when an enormous number of trees were brought down. Unfortunately, volunteers were put at risk because they did not have an elevated work platform.

There are a number of types. You have seen them on construction sites. There are little ones on four wheels or ones on three wheels that you can drag behind a truck. They are smaller than the Bronto, which is being replaced, as is appropriate, because it is at the end of its useful life, and that is a good thing. But for many of the things that the state emergency services workers do the Bronto is not appropriate. They need something on a smaller scale. Yes, they can put up the light platform and see whether a tree is hanging over a house, but they have no safe way to get there.

The safest way, Mr Hargreaves—through you, Mr Speaker—is to listen to your volunteers. Ask them what they want and what they need to do their job properly so that they are not putting themselves or others at risk—not wear the chaps that they do not have or put on the old chaps that are frayed, damaged and broken—while they try to use a chainsaw on a tree hanging over a house or on a roof. But they will not be doing it on an elevated work platform. They will be doing it at the top of a ladder, and that is not safe. Listen to your volunteers, because they give you their service for free and all they want is the tools of the trade to do it properly.

Let's go to the volunteers. Before you get to the training of volunteers, you actually have to have volunteers. We have had something like a 10 per cent reduction in the number of SES volunteers and we heard at estimates hearings this year that the RFS has approximately 450 volunteers, not all of them active. The Australian Institute of Management's best practice report said that to staff a category one fire, with two shifts a day going out over seven days, you need 700 volunteers. We do not have them. We do not have them because we cannot keep them.

Mr Hargreaves was very pleased to see the joy on Val Jeffrey's face when he was given a slip-on. I am sure the joy was there. It was probably the first thing he had been given by the government for a long time. They will not give him a pump or a bridge and they will not let him keep his school, but he did get a slip-on. You cannot drive to Tharwa and you cannot get an education in Tharwa, but it has a slip-on in case the village is threatened again.

Mr Hargreaves: You gave him absolutely nothing except a bollicking.

MR SMYTH: There you go again, Mr Hargreaves. Go the slag. For the SES you need 350 volunteers, according to the report, and there are less than 200. Let's go to the heart of this matter. You are asking fewer people to do more and more with less equipment, out-of-date equipment, broken equipment and inappropriate equipment, but we share the pride. Perhaps Jon Stanhope should come back in and we could all hold hands here and share the pride.

Pride is not going to help you in windy conditions at 2 o'clock in the morning when you do not have an elevated work platform and there is a broken gum hanging over a house and some poor volunteer has to climb up a ladder. They often do it in breach of the SOPs because they know that if they do not, more damage will be inflicted on people and property. They put themselves at risk and they should not have to. Revenue of \$900 million above expectation has flowed into the government's coffers but they cannot spend \$30,000 or \$40,000 on an elevated work platform, and that is all it would cost.

We do not have enough volunteers to start with, so the existing volunteers will be used even more should we need them. They will come; they always do. When the bell rings, the smoke rises and the phone call comes, the volunteers always respond, but when they get there they often cannot get a replacement helmet because we have got too much braid going on leather jackets in the upper echelons. They cannot get an elevated work platform because there is a bevy of four-wheel drive Prados at headquarters. Headquarters gets the gear, but not the volunteers. Yes, have the pride, Mr Hargreaves; share the pride. But what the volunteers resent is the lack of support from ministers like you who have allowed the ESA to run amok on projects that have not been delivered and on uniforms that have been purchased when volunteers cannot get helmets. (*Time expired.*)

MR GENTLEMAN (Brindabella) (4.22): I thank Mr Pratt for raising this matter of public importance today. During his speech Mr Pratt mentioned the function of training. However, I think he missed the point that the training that is currently being undertaken by emergency services is to national standards. It is not a decision, at the whim of the government or emergency services, to create a paper war over training.

All emergency services across Australia now focus on these training standards, and for good reason. There is strict adherence to occupational health and safety guidelines, Mr Pratt, because the safety of our personnel is always paramount. Training to national standards is useful in the context of the ever-increasing reliance on cross-border responses. We need to ensure that personnel in the ACT are trained to the same level as their interstate counterparts.

In the ACT Ambulance Service, the minimum educational standard for staff employed as intensive care paramedics is an advanced diploma of health science, which is a three-year course of theory and practical study. In addition to the minimum ICP qualifications, ACTAS also maintains certificate 4 qualifications for aeromedical retrieval and rescue and call-taker and dispatch staff working in specialist areas. Currently, eight student paramedics are undertaking the full three-year advanced

diploma program and three ambulance paramedic qualified members are completing a bridging course of study.

Mr Pratt commented on paramedic numbers. I understand ACTAS has also recently completed a recruitment exercise and has extended offers to a further eight ambulance paramedics to complete a bridging program. ACTAS also encourages and supports its staff, through studybank processes, to pursue further tertiary level qualifications. A number of serving members are currently undertaking bachelors or masters degrees in relevant fields of study. I am very proud of our ambulance paramedics, as I am sure we all are. They do a fantastic job, and I am confident that the TWU has done more for these paramedics than Mr Pratt will do his lifetime.

The ACT Fire Brigade has undertaken numerous training programs in 2006. This year has seen all staff undertake training in new car technology, which is directly relevant to their road rescue functions. Further, since the beginning of this year, a total of 87 places have been available on a range of courses undertaken. These include: vertical rescue in January 2006; trench rescue in January 2006; CAFS level 2 in March 2006; a communications course in April 2006; CBRN level 2, part 1 in June 2006, stage 3 rescue in July 2006; station officer induction in August 2006; New South Wales Fire Brigade high rise command and control course in August 2006; Queensland Fire and Rescue command and control course in August 2006; AFP command and control course in August 2006; breathing apparatus technical re-accreditation course in August 2006 and CBR forensics training in September 2006.

An officer has also just participated in the international multijurisdictional chemical, biological and radiological forensic investigation exercise known as CAPEX06 in London. The cost of the travel for this exercise was met by the EMA. Fourteen new recruits graduated on 1 November 2006, and this is the second recruit graduation for the ACT Fire Brigade in the last 12 months.

In 2002, the first of many nationally recognised units of competence were introduced to the ACT Rural Fire Service. Since then, learning and development opportunities for the ACT Rural Fire Service have aimed to ensure that members are able to perform their roles within the ACT community safely, proficiently and competently.

The framework for this training is nationally recognised competency-based training from the public safety training package that has been adopted by all Australian rural fire services. Training that is delivered in the ACTRFS is to the same units of competence delivered by all other Australian rural fire services. This gives interoperability, both when sending ACT teams interstate and when assistance is sought by the ACT for large-scale multijurisdictional incidents.

The responsibility for the delivery of training is shared between the brigades, the rural fire service and JESTA. Trainers must be competent in the unit of competence TAADEL301A, which provides training through instruction and demonstration of work skills, or BSZ404A, which is training in small groups. All trainers must be competent in the unit of competence in which they are training. Where the trainer is not competent in the unit of competence in which they are training, they must seek assistance from an experienced person who has knowledge of the subject matter and who holds the unit of competence.

Training will be delivered by a variety of methods matched to the characteristics of the subject matter and the needs of the candidates. Generally, the focus will be on practical skills-based training with a minimum of classroom training. The greatest opportunity possible will be given to participants being able to use their normal brigade activities for learning and assessment.

Assessments will be conducted using the assessment tools developed by JESTA. Candidates enter into an assessment agreement with their assessor when they feel they are ready to be assessed. This provides candidates with the opportunity to seek clarification of any issues that they are unsure about and to identify any special needs they might have.

As part of the development process, assessment tools are validated to ensure they are valid, reliable, flexible and fair. They must assess what they claim to assess, give consistent results, allow for mutual convenience and not disadvantage any person. Only those competent in a number of specific units may act as assessors. Where these assessors do not have the competency in a subject that they are assessing, they may call on someone with the necessary competence to assist with the assessment process.

There are six broad categories of firefighters in the ACT Rural Fire Service. They are: bushfire fighter, advanced bushfire fighter, senior firefighter, officer, advanced officer and specialist. The skills, knowledge and attitudes of firefighters can be gained through formal training and assessment, experience with the ACT Rural Fire Service and prior learning in another environment. How members gain this knowledge and skills is not important provided that the members have been assessed as meeting the required standards of the ACTRFS. If members wish to seek recognition of prior learning, they must speak with their brigade training officer, who will liaise with the RFS training officer to begin the recognition process.

In the last 24 months, the ACT Rural Fire Service has trained three remote area firefighting teams, or RAFT. These teams have provided the ACT with a new capability that is a highly effective resource. Without the national standards of training that was implemented for these teams, they would not be able to do their job effectively or maintain their skills at such a high standard.

Implementing nationally recognised units of competence has provided RFS firefighters with formal qualifications, such as Certificate II in Public Safety. In addition, RFS firefighters are given the opportunity to undertake training as occupational health and safety representatives, first aid officers or workplace trainers and assessors, all of which are transferable into their own workplace.

The volunteers of the ACT State Emergency Service have embraced the competency-based training assessment offered through the public safety training package. For the first time in the history of the SES, volunteers can have their knowledge and skills formally recognised through the awarding of nationally accredited statements of attainment and certificate level qualifications.

A total of 86 certificate II level qualifications have been awarded over the last two years to volunteers in both SES rescue and SES operations. It is without doubt that the

volunteers of the SES have received immense personal and professional benefit from the introduction of competency-based training and assessment, and this is something that we all should continue to embrace and encourage. It reinforces the current high standard of emergency services training, and allows us to feel confident that they are trained to the same level as their interstate counterparts.

MR STEFANIAK (Ginninderra—Leader of the Opposition) (4.31): Mr Corbell indicated there are another nine new officers joining the ambulance service. I want to touch on the ambulance service, because I think it is a terribly important service and there will be some real problems if it is not adequately resourced.

I understand that only three of those officers are ready and qualified, and they will not plug the urgent gaps in frontline staffing. I also understand that the claims that there are seven or eight ambulance crews online are incorrect, indeed that management is still too often sending out single response unit vehicles and counting them as fully crewed ambulance vehicles. This indicates effectively that there are no more than five or six full-time crews available.

The TWU has claimed that ambulance officers are working extensive overtime and that response times are suffering. That is something that we hear from both ambulance officers themselves and patients. It is not often that the union backing ambulance officers actually speaks out without just cause. This is a crucially important issue. Ambulance drivers, who are very hard working, are working excessive overtime. It leads to tragic circumstances, and this has happened in the past.

Had the ambulance officers who attended after my brother-in-law's heart attack not been right at the end of a very long shift, perhaps they would not have gone to the wrong place; they would have got there on time and my brother-in-law would be here today. That was a case of people working quite excessive time. I think that was right at the end of a long shift. There were other issues, too, that I am not going to go into.

It does scare me when I hear of people working excessive overtime, especially when it is in life or death situations. It worries me in a medical context, too, when you hear about doctors almost dead on their feet and nurses doing double shifts dead on their feet. How can you concentrate in a job like that when you are awake for 12 or 13 hours? Those are very real issues and Mr Pratt's motion is timely.

On the issue of bushfire preparedness, it scares me that an expert like Val Jeffrey, despite his decades of firefighting, says he does not quite know how to counter fires in the heath country. A few weeks ago I took my wife and youngest daughter out for a drive into the heath country, and it was very scary indeed. There are some very real issues there. We are in a drought and we are going to have a very long, hot, dry summer. It is essential that the government does focus on insurance. We must ensure that there is adequate equipment and training for our volunteer and fully paid firefighters. The season we are going to go into has the real potential for another disastrous fire, with the threat that that poses to life and property. So it is a timely motion by Mr Pratt, and I thank him for moving it.

MR SPEAKER: The discussion is concluded.

Personal explanation

MR PRATT (Brindabella): I seek leave to make a personal explanation under standing order 46.

MR SPEAKER: Do you claim to have been misrepresented?

MR PRATT: I have. In the discussion of a matter of public importance just concluded, Mr Hargreaves alleged that I had denigrated our ambulance officers, that I had denigrated their qualifications—

Mr Hargreaves interjecting—

MR PRATT: Can I just get through this Mr Hargreaves? Mr Hargreaves alleged that I had denigrated the qualification of our ambulance officers and, consequently, did not have respect for our ambulance officers. That was the nub of what he said. I was criticising the minister's—

MR SPEAKER: Stick to the personal matters.

MR PRATT: I made the point that six of the nine new officers that are coming to plug the immediate gaps in the ambulance service are not fully qualified to be properly immediately deployed, and that advice has been given to me by rank and file members of the service. I was commenting on the readiness of the nine officers. I was not commenting on their qualifications or the status of their training. I was not denigrating their training or their ability to be enthusiastic and fit officers. I was not disrespectful of those ambulance officers or their qualifications.

Gaming Machine Act 2004 Paper and statement by minister

DR FOSKEY (Molonglo) (4.37): I seek leave to move a motion concerning the noting of the paper presented by the Treasurer this afternoon.

Leave granted.

DR FOSKEY: I move:

That the resolution of the Assembly of today, relating to the agreement that the ninth report of the ACT Gambling and Racing Commission on community contributions made by gaming machine licensees for the period 1 July 2005 to 30 June 2006 be noted, be rescinded, and that the Assembly reconsider the motion—That the report be noted—forthwith.

Briefly, anyone who is listening will have noted that while I asked Mr Stanhope to note the report at the time, and he did, I failed to follow up with a request the debate be adjourned. Consequently, we have had to go through this very complex rigmarole.

Motion agreed to.

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

Adjournment

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

That the Assembly do now adjourn.

Electoral enrolment reforms

MS MacDONALD (Brindabella) (4.39): I wanted to rise this evening to discuss the federal government's electoral enrolment reforms, a matter which I think is of major concern for everyone in this place and should be for anyone who wishes to express their political right to vote. For the past 150 years Australia has been an innovator in progressive reform and democratic processes; and in electoral reform we have always been a world leader.

Governments of all persuasions share the credit for these reforms, which have usually had bipartisan support. As a result, Australia has had one of the most open electoral systems in the world with an excellent reputation for integrity and transparency. Many other countries looked to us when they were designing or reforming their electoral processes.

However, our open electoral system is now greatly diminished because the Howard government has used its majority in both houses of parliament to wind back some of the most progressive features of our electoral system. The only reason for these reforms seems to be for its own short-term partisan advantage.

In December last year the Howard government introduced the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005. This legislation is expected to commence in mid-December this year and was touted by the Special Minister of State, Senator Eric Abetz, as a necessary measure to improve the integrity of Australia's electoral system by reducing the opportunities for electoral fraud.

Let me put it clearly on the record right here that I am now, and have always been, opposed to electoral fraud. Senator Abetz has openly admitted that there is not, and has never been, any evidence to show that any election outcome has been affected by fraud in the history of our country. What then is the Howard government's agenda in amending the Commonwealth Electoral Act?

When we look at exactly what changes these reforms will make, its motivation becomes clear: to disenfranchise thousands of eligible voters for its own partisan self-interest. The major changes these new reforms make are: increasing the amount above which donations to a political party must be declared; tougher identity requirements for enrolment and to cast a provisional vote; and the earlier closure of electoral rolls.

The earlier closure of the electoral rolls is a critical issue, as it could result in thousands of Canberrans and Australians missing out on their right to vote. For citizens wanting to be added to the electoral roll, the roll close at 8.00 pm on the day the election writs are issued. Citizens previously had seven days to enrol from the time the writs were issued.

As Australia does not have fixed date elections at a federal level, the Prime Minister is able to call an election without any warning. This means that, if a resident is not enrolled the day the writs are issued, they have to be in a position to enrol that day or they will miss out. In other words, they need to be in a position where they can drop everything and go and enrol.

This is a completely unrealistic situation to place people in. Closing the electoral roll for most new enrollees on the day the writs are issued and only giving existing enrollees three days to correct their details is likely to disenfranchise many young people who are unaware that an election may be called.

At the 2004 election 284,000 people enrolled or changed their enrolment in the five working days between issuing the writs and closure of the roll. This included nearly 80,000 Australians hoping to vote for the first time.

While the federal Liberal Party has suggested it has no partisan interest in preventing young people from voting, the 2004 Australian Election Study showed there was a large increase in the percentage of young people voting for parties other than the Liberal Party.

The Howard government's electoral reforms will impact the ACT in a number of ways, as the ACT Electoral Commissioner, Phil Green, told the legal affairs committee on 2 November. With regard to the earlier closure of the rolls, Mr Green said:

Typically hundreds of thousands of people take advantage of that week to update their enrolment or to enrol for the very first time.

He went on to say:

Because the commonwealth is cutting that period short, there will no doubt be some people who will miss out who would otherwise have corrected their enrolment. The fact that our election is a year after the commonwealth election will mean, quite possibly, that our roll will not be in as good a shape as it might have been if people were correctly enrolled after the commonwealth election.

I am running out of time. I had a bit more to say, but I will say that it is vitally important to oppose these changes.

Vietnam Veterans Federation

MR SMYTH (Brindabella) (4.44): I have recently received a letter from James Wain, the President of the Vietnam Veterans Federation (ACT Branch) Inc. The last paragraph of the covering letter says:

I have attached a brief, outlining our activities and requesting that you support our application in the Assembly.

Mr Wain writes to the government about an application to the Land Development Agency for the purchase of the former parks and gardens depot at 3 Burkitt Street in Page. I am sure most members have been to the facility. It is a facility that, over the years, the Vietnam Veterans Federation have poured tens of thousands of dollars into. According to the summary attached, something like 3,000 hours of effort have been put into improving the facility.

They are asking for support to purchase the property outright. That is what they are after. Being a volunteer group and being broke, they have offered the government the princely sum of \$1 to purchase the property so they can get security of tenure. To quote:

The offer is ... intended to reflect the improvements made to the asset and in recognition of our contribution to the veterans' community.

They want to improve it some more. There are two applications that they are going to put in. The first is to the federal government in relation to water saving. It is for a water tank and rainwater recycling system. The second is for seed funding to support a scoping study into ACT veterans who are living in social isolation. That proposal has the support of ACTCOSS, the Red Cross and a local psychologist who is assisting them with the medical aspects of the support.

They have recently had a number of barbecues. One of their initiatives is to host a frail, aged veteran widower each Tuesday for a barbecue lunch. The Red Cross drops him off and then picks him up at about 2.30. The benefit for this guy is that he is not isolated; he is with former veterans; and he has the ability to get out into the community.

There are some things they have done to the current premises. They have rewired it and put in telephone and computer wiring. They have rebuilt the administration building. It has been refurbished throughout and now has a reception area, four offices and a filing room. There is a large shed on the block. It is an L-shaped building. It has been insulated, lined and partitioned, and a ceiling has been installed. It has a woodwork shop, a metalwork shop, a kitchen and a conference room.

The small shed was originally a large double garage. They have now put on a wooden door. It has been insulated; it has been lined; it has a ceiling; it has been carpeted and they have put lighting in. The original lighting has been replaced. They have built a number of structures including storage sheds. They have also erected a computer storage area and a workshop attached to the small shed.

The other thing they have done is landscape. The landscape gardeners association came to the assistance of the federation and put in labour and materials. They have called the whole area the garden of peace. It is at the rear of the premises, if people have not seen it. It is a nice, calm, soothing environment. It is a place for veterans to go and relax or have counselling. It is a nice place to go to sit and admire the weather.

With the assistance of urban services, who provided the materials, they have also put in a box drain. One of the volunteers is a licensed plumber. He has helped to install the box drain so they have better drainage.

They do a lot of work. They assist with claims to the Department of Veterans' Affairs; they make representations to the Veterans' Review Board; they make representations to the AAT; they have a garden service for frail, aged veterans or their widows; they do hospital work and hospice visitation; they have a walk for health program; they have a golfing group; they have a food van that is used for fundraising; they have a male choir; they have a cooking group; they have a computer training centre; and they have a woodwork shop and a metal workshop. I think this is a tremendous example of a group who are looking after their own in the finest of Australian traditions.

There are two submissions. One is going to the federal government, which I will be happy to support. The second, as I have said, is a submission to the ACT government, simply to gain seed funding for a pilot study on how best to improve the mental health of the members. I think we all appreciate in this place that veterans' mental health is a big issue, particularly for those who live in social isolation. A lot of veterans do not seek help, as is outlined here in the letter. It says:

The reasons for not seeking help are complex but certainly include:

- the stigma that surrounds mental disabilities;
- the 'big bronze Anzac' syndrome i.e. I must be weak if this has happened to me;
- survivor guilt; and
- a tendency to self medicate with alcohol and recreational drugs.

I do not like the words "recreational drugs" but I have just quoted from here. It is something that has obviously gone to the minister responsible for the Land Development Agency. I hope the minister and others in this place will note my support for their application, because they are a worthy group.

Men's accommodation and support service program Canberra Men's Centre

MS PORTER (Ginninderra) (4.49): Yesterday I had the opportunity to join with Minister Katy Gallagher as she launched the men's accommodation and support service program. The object of this program is to assist men to establish a level of stability in their lives. The key outcomes include securing and maintaining long-term accommodation; improving basic living skills; addressing complex health and substance abuse; and re-engaging with their families and the community.

The men's accommodation and support service program commenced in June 2004. It provides supported accommodation for up to 20 men who are experiencing homelessness. Included in this number are five places for men who are exiting custody or who are in contact with the criminal justice system.

MASS also provides support services to men who are severely institutionalised after spending many years in jail. Since its inception the MASS program has accepted,

housed and supported 63 men, with each client receiving intensive care management for the duration of their stay.

When a client is assessed for independent living and wishes to remain in their accommodation, Housing ACT facilitates the transfer of tenancy from the Canberra Men's Centre directly to the client's name. This enables the client to sustain long-term accommodation and assists the MASS outreach service to maintain consistent contact. The program operates seven days a week, 24 hours a day, with call-out provisions.

A 1800 number has also been implemented for use by MASS clients and is also available 24/7. This service provides access to case managers or to the Canberra Men's Centre intake counsellor. Of course, this service reduces the risk of participants in the program experiencing a crisis.

The other services offered by the Canberra Men's Centre include counselling for men with their partners and families; anger management programs; men's peer support group; transitional case management for people living in Ainslie Village and seeking to move to mainstream accommodation; individual case management for men with complex support needs; and an information and referral service.

The Canberra Men's Centre is to be congratulated on the provision of their coordinated and holistic approach towards men's issues. The Canberra Men's Centre and MASS now receive over \$680,000 a year from the Stanhope government to support its service provision.

The Stanhope government has recognised that there is a need for responsive, specialist and professional services for men and has significantly grown the capacity of the sector. One only needs to look at the range of men's services operating in the ACT and supported by the Stanhope government to see the commitment this government has to recognising and responding to the specific needs of men.

Whilst at yesterday's launch I had the opportunity to meet one of the clients, who told me how helpful MASS had been in getting his life back on track. This man has served time in a New South Wales prison. When released, he had no support in the community other than that provided by the MASS program. He told me that had the service not existed, he had no idea what his future may have been. With the support of MASS he is now optimistic about his future.

During our discussion the conversation turned to the Maconochie correctional centre. The man told me he believes that the design of the new complex and the emphasis on rehabilitation and life skills is far more likely to produce a positive outcome than institutions that prisoners currently occupy in New South Wales. He also indicated to me that being able to see family members on a more regular basis would also assist in rehabilitation, as the likelihood of family support on release will be greater if the relationship is able to be maintained as a result of continued contact.

The Stanhope government is taking a progressive and innovative approach and response to many of the social issues we experience in our modern society. I am proud to be a member of a government that does not seek simplistic answers to complex problems.

Voting age eligibility Greening Australia

DR FOSKEY (Molonglo) (4.53): First of all, I want to report on my daughter's joy yesterday when she received a letter from the Australian Electoral Commission. My daughter has recently turned 17. This form came out of the blue to her, although I remember Mr Green telling us that this was a practice of the electoral commission.

I want to say that, when she filled that in and I witnessed it, she said, "This feels really important and really serious." I must say that I felt that while she would not necessarily vote for me, she would be a very responsible voter if this Assembly indeed decided to make voting for 16 and 17-year-olds possible for those who chose to do so.

The main reason I wanted to rise today is to acknowledge the many volunteers that we have in our community who are part of, I suppose, the effort to combat climate change, although I am sure they were doing this long before climate change became a phrase we talked about, and even before the organisation for which they now work—Greening Australia—was set up, as I believe it was set up in the 1980s.

There is an article in today's paper which inspired me to make this speech. It has a photo of a man of 88—Vic Grosvenor of Page—in the nursery at Aranda where the plants are propagated. It refers to the death of Don McColl, a Yass district farmer who also worked with Greening Australia. I am hoping that the age of these two gentlemen is not indicative of the average age of all of Greening Australia's volunteers. If that is the case, then you know it is not a great thing for our future.

Secondly, I refer to the work of Greening Australia in general, many of whose trees I have helped to plant in the Lower Cotter catchment where they have planted many thousands of trees. I also note that Greening Australia provides trees to local farmers at a low cost. I note also their scrupulous attention to making sure the trees that are planted are of the provenance of trees that are grown in the area. They do not just plant a red gum, for instance. They make sure the trees come from the seeds of red gums that grew in this local area. That is their intention.

To address Mr Stanhope's frequent remark—I think I have heard it twice this week—about how some people regard some trees as more equal than others, of course all trees are wonderful but not all trees are in the right place. There is the fact that some trees, for instance, are known to be fire retardant. In that I would include blackwoods, silver wattles and a number of other varieties. You just have to go to the Yarralumla Nursery to find those.

Secondly, he has said that some trees are not appropriate in certain environments. Greening Australia is one organisation that makes sure that trees planted are appropriate to their environment. They give lots of advice to the people who plant them. They make sure that there are follow-up watering and other plans.

This is just one of those things where I believe it is important that we share our knowledge instead of deriding it. In relation to the arboretum discussions, for instance, it is a pity that Mr Stanhope, and perhaps others, were not open to making a dialogue

about this so we could make sure this investment was a successful one. We all care that projects instigated in Canberra are successful and that money is well spent and not wasted. That is certainly the spirit in which I am contributing to the debate on the arboretum at least.

Policing—fatal accident

MR PRATT (Brindabella) (4.58): I stand here today to talk in defence of and support for our police, who have had to be confronted by yet another dreadful challenge in respect of the pursuit of an offender in which a poor old lady was killed in Callam Street the other day. I want to make a couple of comments about that. Firstly, I offer my condolences and the condolences of the opposition to the poor lady's family. Also our sympathies are with the police who were involved in that incident for the feelings they must be going through at the moment.

I will make a couple of points. Referring to the poor old police, we have seen a number of incidents which we have talked about here. The opposition has questioned the circumstances of a number of incidents over the last 18 months. Clearly, in the case of the pursuit of an offender, the police are damned if they do and damned if they do not in the eyes of the public. Of course, the police have to make a judgment call and sometimes it has to be a split decision judgment.

We cannot even comment, and nor should we, about what we think might have happened or did not happen. These are matters which must run the full course of an appropriate police investigation and perhaps a coronial inquest, but we can talk about some of the politics around this. I would make a couple of points relative to that. I was dismayed at the way the ABC yesterday in their *Afternoon Show*, and also the *Canberra Times* editorial of yesterday, made some quite critical comments and statements on ACT Policing around the circumstances of this particular incident.

I do not know that the editor of the *Canberra Times* and the journalist on the ABC yesterday are armchair admirals and suddenly blessed experts who can make comments about what might have happened, what did not happen and the pros, cons and wisdom of pursuits or no pursuits; whereas our police, who are qualified and have been trained in these areas over many years, are indeed the experts who have to make the judgment calls.

If in the normal chain of command something has gone wrong, then it is up to ACT Policing and the coroner to make comments and to make adjustments if they think that is necessary. On the face of it, I do not see why anything would be necessary, but that is only a preliminary assessment by me. I am not in a position to assess anything, really, at this stage.

You get a damn young fool who has either stolen a car or shoplifted somewhere and has sped away from the police. If they had not sped away from the police and if they had not driven through a red light, the poor old lady would not be dead. That is often forgotten. There is a bit of a track record here, too, with a number of offenders that have been involved in some of these incidents over the last couple of years. Some of them have quite long offence records.

MR SPEAKER: Mr Pratt, this is a matter that is on foot at the moment. We really do not know where it is going to end up in terms of a coronial inquiry. I would caution you against getting too close to the issue itself.

MR PRATT: Thank you, Mr Speaker. The only other point I had to make was that, while we support the police and we hope that they are able to conclude this matter, we would encourage the government and the police to move as quickly as they can to investigate the circumstances so we do not have the sorts of issues hanging around that the media might misinterpret and make silly comments about. That is the position that the opposition has.

Question resolved in the affirmative.

The Assembly adjourned at 5.02 pm until Tuesday, 21 November 2006, at 10.30 am.

Answers to questions

Public service—privacy guidelines (Question No 1242)

Mr Stefaniak asked the Minister for Housing, upon notice, on 20 September 2006:

- (1) How many public servants in your Department have been disciplined for breaching privacy guidelines between 1 July 2004 and 30 June 2006;
- (2) How many of these public servants have (a) lost their jobs and (b) been demoted.

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

- 1) One public servant has been disciplined for breaching privacy guidelines between 01 July 2004 and 30 June 2006 within Housing ACT.
 - 2) (a) No public servant has lost their job; and
(b) No public servant has been demoted.
-

Tourism—marketing activities (Question No 1281)

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006 (*redirected to the Minister for Tourism, Sport and Recreation*):

- (1) In relation to Action 29 in the Economic White Paper, what funding has been committed by the ACT Government to support tourism marketing activities;
- (2) What benefits have been achieved from the commitment of these resources;
- (3) What initiatives have been developed to maximise the return to the ACT from domestic and international visitors;
- (4) What evaluation has been undertaken of these initiatives and what benefits have been achieved for the ACT economy.

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

- (1) In relation to Action 29 in the Economic White Paper, the Government has appropriated the sum of \$13.836 million in the published Budget for 2006-07 to support a range of programs directed toward tourism marketing activity.
- (2) Benefits achieved from the commitment of these resources have not been realised for 2006-07 but will be monitored through awareness, preference and visitation survey results. However, the most recent outcomes available on visitation as advised by Tourism Research Australia are as follows.

International Visitors (Key results for the year ending June 2006)

Australia received 5.0 million international visitors in the year ending June 2006, representing an increase of 1.3% compared to the year ending June 2005. The ACT welcomed 154,920 international visitors in the year ending June 2006, representing an increase of 0.3% compared to the year ending June 2005. The average length of stay of international visitors who came to the ACT for holiday/leisure was 3.8 nights in the year ending June 2006, compared to 2.6 nights in the year ending June 2005.

Domestic Visitors (Key results for the year ending March 2006)

For the ACT, the latest NVS results indicate a 0.7% increase in domestic overnight visitors in the year ending March 2006 compared to the year ending March 2005. This is a positive result in light of the 6.6% decline in domestic tourism nationally. The Northern Territory was the only other state/territory to record an increase in domestic overnight visitors (2.8%).

- (3) A range of initiatives have been developed to maximise the Government's investment in tourism marketing activity to deliver an increase in international and domestic visitors to the ACT. The Government will continue to conduct *See yourself* brand campaigns integrated into thematic, tactical marketing campaigns. International marketing activity will continue in target markets of South East Asia and New Zealand. The marketing campaigns will be supported by public relations and media campaigns and refreshed marketing collateral. In 2007, the Government will implement Floriade, the Rally of Canberra and assist and support eligible events. It will also continue to provide visitor information services through the Canberra and Region Visitors Centre.
- (4) Ernst and Young will conduct a formal independent evaluation on Floriade upon its conclusion. Through Tourism Australia's Domestic and International visitor surveys, the Government will continue to monitor progress on visitation.

**Emergency Services Authority—headquarters
(Question No 1311)**

Mr Pratt asked the Minister for Police and Emergency Services, upon notice, on 21 September 2006:

- (1) How will the \$17.329 million for the refurbishment of the new Emergency Services Authority (ESA) headquarters, as quoted in Budget Papers 06-07 be distributed;
- (2) What is the annual leasing cost for the new ESA headquarters;
- (3) When was this lease agreement signed;
- (4) What is the duration of the lease agreement;
- (5) Who is the lease agreement between;
- (6) Where is the funding for this lease in the 2006-07 Budget;
- (7) What is the breakdown of costs for the (a) building fit out and (b) leasing and operating costs of the new ESA headquarters;

- (8) What is the total number of staff housed in the new ESA headquarters;
- (9) What number, and which, of these positions will be lost in the restructure of the ESA;
- (10) What is the total number of staff by classification level, lost in the restructure of ESA, that will be transferred to (a) Shared Services and (b) other departments;
- (11) When will the staff transfers identified in part (10) occur and when will the transfers be completed.

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

- (1) The establishment and fit-out will happen in three parts. The first component is the area infrastructure, for example: broadband connections into various facilities and then specialist communications equipment for the Communications Centre and Emergency Coordination Centre. The second component is the fit-out of facilities, including the specialist outdoor training centre. The third component will be the acquisition of specialist equipment such as vehicle hoists for the new workshop.
- (2) The annual leasing costs are around \$3.3m per annum increasing by 4.5% per annum which includes the Air Support Operations Centre and the new building.
- (3) A lease for the Air Support Operations Centre was signed 15 February 2006 and the Heads of Agreement for the other six buildings were signed on 27 April 2006.
- (4) The lease agreements vary from building to building. They vary from five to 20 years.
- (5) The lease agreements are between the Territory and the Capital Airport Group.
- (6) The 2006-07 Budget (BP4 Page 245) provided funding for these leases. There is also the transfer of funding for current accommodation; for example the current rent for Curtin HQ.
- (7) The building fit-out is provided through capital funding and is included in the \$17.329m outlined in question (1) above. The lease costs are operating funds outlined in question (6) above.
- (8) It is expected to house around 130-145.
- (9) The internal structure for ESA has yet to be determined.
- (10) Not yet finalised, to date one SOG-B has been transferred.
- (11) The SOG-B was transferred to Procurement Solutions on 1 July 2006.

**Emergency Services Authority—headquarters
(Question No 1312)**

Mr Pratt asked the Minister for Police and Emergency Services, upon notice, on 21 September 2006:

- (1) What is the breakdown by position and function of all positions in the (a) Curtin based Emergency Services Authority (ESA) headquarters and (b) new ESA headquarters in Fairbairn for (i) command, (b) operations, (c) communications, (d) planning, (e) logistics and (f) administrative staff;
- (2) What are the details as stated in part (1) of any other agency that is deemed to be an annexe agency of the ESA headquarters;
- (3) What is the number of vehicles by type, specifically assigned to each of the ESA headquarters;
- (4) What is the operating costs of the vehicles by type as stated in part (3);
- (5) What is the number and type of major assets worth \$5 000 or more, including mechanical, electrical and communication, for both Curtin and Fairbairn headquarters;
- (6) What is the current training budget for ESA and its agencies.

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

- (1) I am not prepared to authorise the use of the very considerable resources that would be involved in providing the detailed information required to answer the Member's question. Staffing profiles are provided in the 2005/06 ESA Annual Report.
- (2) I am not prepared to authorise the use of the very considerable resources that would be involved in providing the detailed information required to answer the Member's question. Staffing profiles are provided in the 2005/06 ESA Annual Report.
- (3) The ESA has a Headquarters at Curtin, the only Headquarters located at Fairbairn at this date is the Rural Fire Service Headquarters, therefore it should be noted that information provided as Fairbairn related to the RFS. There are 12 sedans, 5 station wagons, 7 4WD's and 2 utilities located at the ESA headquarters at Curtin and there are 8 4WD's and 2 utilities located at the RFS headquarters at Fairbairn.
- (4) The average operational costs per vehicle by type (including lease costs, servicing etc) is approximately Sedans – \$894.19 plus GST, plus fuel (as used), Station Wagons – \$1,095.67 plus GST, plus fuel (as used), Four Wheel Drives – \$1,153.05 plus GST, plus fuel (as used), and Utilities – \$978.27 plus GST, plus fuel (as used).
- (5) The number and type of major assets with a cost value more than \$5 000 for Curtin headquarters and Fairbairn are shown in the table below:

Emergency Services Agency – Asset value greater than \$5 000

Assets (Curtin)	Number of Assets	Assets (Fairbairn)	Number of Assets
Communication	14	Communication	1
Computer	5		
Fitouts	7		
Furniture & Fitting	2	Furniture & Fitting	1
Leasehold	3		
Office	2	Office	3
Plant & Equipment	36		
Software	7		
Vehicles	5	Vehicle	1
Total	81		6

Notes:

Number and type of major assets with cost value more than \$5 000 for Curtin headquarters and Fairbairn as at September 2006.

Some assets shown in the table are held against Curtin cost centres, however, they are/will be used at various locations (for example Defibrillators included in Plant and Equipment).

- (6) The ESA is currently finalising internal budget allocations. While detailed budget amounts for training are not yet available, it is planned that the ESA 2006-07 training expense budget will exceed last financial years budget of \$0.57m.

Commissioner for Children and Young People (Question No 1316)

Dr Foskey asked the Attorney-General, upon notice, on 17 October 2006:

- (1) Which Minister will the Commissioner for Children and Young People be responsible to;
- (2) When will the Commissioner for Children and Young People be appointed;
- (3) Will the Commissioner for Children and Young People have a role in assisting students affected by the 2020 plan.

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

- (1) The Attorney General.
- (2) It is expected the appointment will be completed by the end of the year.
- (3) The role of the Commissioner for Children and Young People is to promote and protect the interests of children and young people in the ACT.

The Commissioner is an independent statutory office holder and will consider matters appropriate to the function of the Commissioner. The Government is not in a position to direct the Commissioner's role.

Emergency services—personnel (Question No 1317)

Dr Foskey asked the Minister for Police and Emergency Services, upon notice, on 17 October 2006 (*redirected to the Minister for the Territory and Municipal Services*):

- (1) What was the number of staff with fire fighting training and expertise employed by Environment ACT or in other parks and conservation services of the Territory at the start of 2006;
- (2) What number of similarly experienced or qualified officers will be employed in those areas when the budget cuts have taken effect;
- (3) What effect will these cuts have upon the Parks Brigade's capacity to conduct operational planning and to fight fires;

- (4) What is the expected reduction of Emergency Services Bureau operational staff from the start of 2006 to the end of 2006;
- (5) What effect will these cuts have upon the Park's Brigade's capacity to conduct operational planning and to fight fires.

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

- (1) Each year the Department of Territory and Municipal Services (TAMS) enters into a Memorandum of Understanding (MOU) with the Emergency Services Authority (ESA). This MOU clearly defines the roles and responsibilities of each party and identifies the number of departmental staff that will be made available for fire suppression activities throughout the summer. For the 2006 fire season this consists of 105 staff to crew six tankers, eight light units, 5 officer positions, 2 incident management team (IMT) positions and agency representatives, on an ongoing 2.5 shift basis.
- (2) The budget cuts have had minimal impact on the fire budget. Savings in expenditure have been found in other areas and the fire budget (\$6.49 million) is the largest ever allocated by any government in the ACT. We will continue to budget for the number of fire fighters that are required under the MOU – which is currently 105.
- (3) As previously stated, the budget cuts do not affect the Parks Brigade's capacity to conduct operational planning and to fight fires;
- (4) The Attorney General is the Minister responsible for the Emergency Services Authority and this question should be directed to him. However, I am advised that the ESA has not had any expected reduction in operational staff for 2006. Any reductions have been due to natural attrition and delays in recruitment processes.
- (5) It is unclear whether this question relates to the ESA or the Department of Territory and Municipal Services. Even though the fire budget is the largest ever, any reduction in overall numbers of operational staff, for any reason, may have a short-term effect while duties and responsibilities are transferred to other staff.

**ACTION bus service—bike racks
(Question No 1318)**

Dr Foskey asked the Minister for the Territory and Municipal Services, upon notice, on 17 October 2006:

- (1) Why is the rule in place that, even when the bike rack facilities are available, passengers are not allowed to load bikes on any buses other than the intertown (300) services;
- (2) Is there any plan to change this rule;
- (3) Is there a plan to make the 'bike n ride' service available on all intertown (300) buses; if so, when will this be implemented;
- (4) Are there any plans to review the rule that bikes with attached children's seats, panniers or baskets cannot be loaded onto bus bike racks.

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

- (1) The trial is on the Intertown (300) services only. Appropriate safety audits have not been undertaken on other routes.
- (2) No.
- (3) Yes, with Network 06, due to commence 4 December 2006.
- (4) No, due to safety issues.

Conservator of Flora and Fauna (Question No 1319)

Dr Foskey asked the Minister for the Territory and Municipal Services, upon notice, on 17 October 2006:

Who is the Conservator of Flora and Fauna.

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

- (1) The conservator of Flora and Fauna is Mr Hamish McNulty, Executive Director of Environment and Recreation, Territory and Municipal Services.

Parkwood Recovery Estate (Question No 1320)

Mr Berry asked the Minister for the Territory and Municipal Services, upon notice, on 17 October 2006:

Further to the answer to question on notice No 1175, what was the square metre rate for the Parkwood Recovery Estate, by block, for each block on the Estate.

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

- (1) The table attached shows the valuation for each block.

Block no.	\$/m² pa	Block no.	\$/m² pa
2028	\$ 5.50	2020	\$ 4.25
2004	\$ 5.50	2036	\$ 4.00
2017	\$ 5.50	2039	\$ 4.00
2019	\$ 4.75	2025	\$ 3.50
2016	\$ 4.75	2034	\$ 3.50
2014	\$ 4.75	2044	\$ 3.25
2013	\$ 4.75	2050	\$ 3.00
2018	\$ 4.75	2048	\$ 3.00
2012	\$ 4.75	2049	\$ 3.00
2011	\$ 4.75	2047	\$ 3.00
2010	\$ 4.75	2035	\$ 3.00

Block no.	\$/m ² pa	Block no.	\$/m ² pa
2009	\$ 4.75	2052	\$ 3.00
2008	\$ 4.75	2026	\$ 3.00
2007	\$ 4.75	2051	\$ 2.50
2006	\$ 4.75	2053	\$ 1.75
2005	\$ 4.75	2045	\$ 1.25
2022	\$ 4.75		
2038	\$ 4.75		
2031	\$ 4.75		
2021	\$ 4.75		
2029	\$ 4.75		
2042	\$ 4.75		
2024	\$ 4.75		
2033	\$ 4.75		
2002	\$ 4.75		
2032	\$ 4.75		
2001	\$ 4.75		
2023	\$ 4.60		
2027	\$ 4.60		
2040	\$ 4.50		
2037	\$ 4.50		
2030	\$ 4.50		
2041	\$ 4.50		
2015	\$ 4.50		
2046	\$ 4.25		
2003	\$ 4.25		
2043	\$ 4.25		

**Workers compensation
(Question No 1321)**

Mr Berry asked the Minister for Industrial Relations, upon notice, on 17 October 2006 (*redirected to the Attorney General*):

- (1) In relation to the *Workers Compensation Act 1951* has the number of employees covered for Workers Compensation in the ACT remained in line with the employment trends in Canberra;
- (2) Is there any evidence that employers are changing their structures and employment arrangements to reduce or avoid Workers Compensation payments;
- (3) Is there any anticipated increase in liability for the Default Insurer Fund related to any such practice.

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

- (1) Yes. Over the past 3 years the number of employee positions covered for workers compensation in the ACT private sector under the *Workers Compensation Act 1951* has grown at an equivalent or faster rate than the growth in private sector employment in the ACT.

- (2) ACT WorkCover does not have substantive evidence suggesting any general trend among ACT private sector employers to change their structures and employment arrangements to reduce or avoid workers compensation payments.
- (3) No. See answer to question 2.

Cleaning Industry Long Service Leave Fund (Question No 1322)

Mr Berry asked the Minister for Industrial Relations, upon notice, on 17 October 2006:

- (1) In relation to the Cleaning Industry Long Service Leave Fund, are (a) Jaazacorp, (b) Cumire, (c) Karli Investments and (d) Empire Cleaning Services registered employers under the Long Service Leave (Contract Cleaning Industry) Act 1999;
- (2) Do any of the companies listed in part (1) have any outstanding payments owed to the fund; if so, (a) how much is owed, (b) for how many employees and (c) for what period;
- (3) Does the fund anticipate recovering any outstanding debts; if not, will the employees be disadvantaged;
- (4) If employees are not disadvantaged, how will the fund cover any payments owed to the employees.

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

- (1) Yes, Jaazacorp, Cumire and Karli Investments are (or have been) registered with the Cleaning Industry Long Service Leave Authority. Empire Cleaning Services was the trading name of Jaazacorp and is not, as such, registered with the Authority.
- (2) The following details are provided:
- | | | | |
|--------------------------|-----------------------------|-----------------|---|
| Jaazacorp | a) \$3,313 | b) 27 employees | c) until 31 December 2002 |
| Cumire | a) \$3,002.60 | b) 30 employees | c) March and June 2004 quarterly returns |
| Karli Investments | a) \$1,500 (estimated debt) | b) 25 employees | c) June 2006 quarterly return not yet submitted |
- (3) The LSL Authority has written off the debts for Jaazacorp and Cumire. Karli Investments have indicated that they will pay the outstanding amount and the Authority will endeavour to recover this debt. However, if funds are not recovered, this will not impact an employee's ability to receive entitlements at a later time.
- (4) The fund absorbs the debt from the accumulated contributions collected from employers.

**Children—deaths
(Question No 1327)**

Mrs Burke asked the Minister for Disability and Community Services, upon notice, on 17 October 2006 (*redirected to the Minister for Health*):

- (1) Given that the Minister advised the Legislative Assembly on 24 August 2006 that in the order of 400 children had passed away in the ACT in the last ten years, what analysis has been carried out on these child deaths in relation to emerging trends over the past ten years;
- (2) What were the trends and findings;
- (3) What trends emerged between (a) 2002-03, (b) 2003-04, (c) 2004-05 and (d) 2005-06 to date, in relation to sex and age of the child surrounding the cause of death.

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

- (1) Refer to the *Review of ACT Child Deaths 1992-2003* report.
- (2) Refer to the *Review of ACT Child Deaths 1992-2003* report.
- (3) Due to annual fluctuations, because of the low number of child deaths each year, trends analysis in the ACT is usually undertaken by aggregating 3-5 years of data together. Analysis has shown that there has been an ongoing decline in both the child and infant mortality rates over the last 20 years. I am advised that this is due to advances in antenatal and neonatal care, as well as a greater understanding of disease aetiology and a greater emphasis on health promotion, education and disease and injury prevention activities. Successful public health campaigns aimed at reducing the incidence of sudden infant death syndrome (SIDS), in particular, have had a marked impact on the infant mortality rate since the early 1990s.

**Emergency services—front-line vehicles
(Question No 1338)**

Mr Pratt asked the Minister for Police and Emergency Services, upon notice, on 18 October 2006:

- (1) Will he provide a list of vehicles by type specifically assigned to the Emergency Services Authority (ESA) Headquarters;
- (2) What is the collective operating costs of those vehicles listed in part (1);
- (3) What is the number, by type, of major assets within the ESA with an initial purchase cost of over \$5 000, including (a) mechanical, (b) electrical and (c) communication items.

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

I believe that this question is a duplicate of QON 1312 and has already been answered.

**Emergency services—training staff
(Question No 1339)**

Mr Pratt asked the Minister for Police and Emergency Services, upon notice, on 18 October 2006:

- (1) What is the number, by function and appointment, for training staff who are part of Joint Emergency Services Training (JEST);
- (2) What is the budget of JEST for (a) operating costs, (b) building costs, (c) resource costs and (d) total cost of implementing training programs.

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

I believe that this question is a duplicate of QON 1313 and already has been answered.

**Supportlink
(Question No 1340)**

Mr Pratt asked the Minister for Police and Emergency Services, upon notice, on 18 October 2006:

Will the ACT Government continue to fund Supportlink; if so, what are the details of the cost and term of the contract with Supportlink.

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

The ACT Government does not have a contract with Supportlink.

The ESA is looking at ways to engage Supportlink, but no contracts currently exist.

ACT Policing has recently completed a competitive tender process for provision of social support services. As a result of that process, Supportlink has been selected as the preferred tenderer. Details of the contract between ACT Policing and Supportlink are yet to be finalised. Once finalised, they will be gazetted and made publicly available through the Australian Government's Contracts website (www.contracts.gov.au).

**Bushfires—hazard reduction
(Question No 1341)**

Mr Pratt asked the Minister for Police and Emergency Services, upon notice, on 18 October 2006 (*redirected to the Minister for Territory and Municipal Services*):

What is the total budget for bushfire hazard reduction for the 2006-07 bushfire season for (a) hazard reduction burns conducted by fire units, (b) any other hazard reduction and clean up tasks and (c) the monthly activity program by activity by which this budget will be expended, including description and cost of task.

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

As these issues fall under my portfolio I will be responding on behalf of the Minister for Police and Emergency Services.

(1) The total fire budget in Territory and Municipal Services for the 2006-07 financial year is \$6.49M; this covers prevention, suppression, and preparedness.

(a) The budget for hazard reduction burns for 2006-07 is \$0.2M.

(b) The budget for hazard reduction and clean up tasks is \$3.0M; this covers grazing, mowing/slashing, physical removal and herbicide control.

(c) Other activities included in the approved Bushfire Operation Plan (BOP):

Access improvements and maintenance - \$1.0M;

Infrastructure such as dams and access trail signage - \$0.1M;

Fire fighting equipment - \$0.08M;

Fire fighter related training - \$0.06M;

Auditing and monitoring - \$0.17M;

Fire management salaries and stand up overtime - \$0.83M;

Seasonal and rapid response plant - \$0.95M; and

Emergency management - \$0.06M.

The BOP is the approved works plan for fire related work for the 12-month period commencing on July 1st each year. Whilst some activities are specifically programmed in identified months (such as mowing and physical removal) other activities are undertaken when the seasonal circumstances are appropriate. A mixture of contract and permanent staff undertake the above activities.

Bushfires—hazard reduction (Question No 1342)

Mr Pratt asked the Minister for the Territory and Municipal Services, upon notice, on 18 October 2006:

(1) What is the total budget for bushfire hazard reduction for the 2006-07 bushfire season for (a) hazard reduction burns conducted by fire units, (b) any other hazard reduction and clean up tasks, (c) the monthly activity program by activity by which this budget will be expended, including description and cost of task and the which of these tasks have been allocated for hazard reduction to be undertaken by fire units;

(2) What is the total budget for hazard reduction on the urban edge and along arterial roadways by mowing for the 2006-07 bushfire season;

(3) What are the details of the monthly activity program details relating to part (2).

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

(1) The total fire budget in Territory and Municipal Services for the 2006-07 financial year is \$6.49M; this covers prevention, suppression, and preparedness.

(a) The budget for hazard reduction burns for 2006-07 is \$0.2M.

(b) The budget for hazard reduction and clean up tasks is \$3.0M; this covers grazing, mowing/slashing, physical removal and herbicide control.

(c) Other activities included in the approved Bushfire Operation Plan (BOP):

Access improvements and maintenance - \$1.0M;
 Infrastructure such as dams and access trail signage - \$0.1M;
 Fire fighting equipment - \$0.08M;
 Fire fighter related training - \$0.06M;
 Auditing and monitoring - \$0.17M;
 Fire management salaries and stand up overtime - \$0.83M;
 Seasonal and rapid response plant - \$0.95M; and
 Emergency management - \$0.06M.

The BOP is the approved works plan for fire related work for the 12-month period commencing on July 1st each year. Whilst some activities are specifically programmed in identified months (such as mowing and physical removal) other activities are undertaken when the seasonal circumstances are appropriate. A mixture of contract and permanent staff undertake the above activities.

(2) The budget for mowing along the urban edge, arterial roads and rural roads is \$1.56M

Land—native title (Question No 1343)

Mrs Burke asked the Minister for Indigenous Affairs, upon notice, on 18 October 2006:

What obligations are incumbent on the ACT Government to embrace the Native Title Act's recognition of connection to land of traditional owners for consultation, particularly on matters of Ngu(n)awal culture and heritage.

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

On matters of Ngunnawal culture and heritage, the ACT Government is obligated to consult with Ngunnawal people.

The ACT Government is obliged by virtue of a legally-binding agreement under s86F of the *Native title Act* (Cth) to consult on all Indigenous heritage matters with the agreement parties. The agreement was concluded during the Humphries government in 2001. The agreement parties include all the parties to the first ACT Ngunnawal native title claim. The Interim Namadgi Advisory Board is a body set up under the agreement and consultation occurs through this body. The activities of the Board are detailed in annual reports.

Aboriginals and Torres Strait Islanders—consultations (Question No 1344)

Mrs Burke asked the Minister for Indigenous Affairs, upon notice, on 18 October 2006:

How has the ACT Government, under the principles of best practice, consulted with accredited and recognised Ngun(n)awal people on matters of Ngun(n)awal culture and heritage.

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

Ngunnawal ancestry is something that is personal to Ngunnawal people and they do not need to be "accredited" to identify as a Ngunnawal person. Therefore, the ACT Government does not, and will not, assume who is or is not an "accredited" Ngunnawal person. The ACT Government obtains advice on Ngunnawal culture and heritage through recognised bodies such as the United Ngunnawal Elders Council, the Interim Namadgi Advisory Board and the ACT Aboriginal and Torres Strait Islander Community Consultative Council.

The ACT Government is also obliged to consult with Indigenous representatives by ACT laws such as the *Heritage Act 2004*. The ACT has invited local Indigenous groups to nominate to be consulted on heritage matters under that Act and a number have done so. The Heritage Act requires that the consultation occur with a representative Aboriginal organisation.

Aboriginals and Torres Strait Islanders—consultations (Question No 1345)

Mrs Burke asked the Minister for Indigenous Affairs, upon notice, on 18 October 2006:

What criteria, if any, does the ACT Government apply when determining who should be consulted on matters of Ngun(n)awal culture and heritage.

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

Depending on the nature of advice being sought, the ACT Government is able to obtain advice on Ngunnawal culture and heritage through the Ngunnawal Elders Council, the Interim Namadgi Advisory Board and the ACT Aboriginal and Torres Strait Islander Community Consultative Council.

The ACT Government is also obliged to consult with Indigenous representatives by ACT laws such as the *Heritage Act 2004*. The ACT has invited local Indigenous groups to nominate to be consulted on heritage matters under that Act and a number have done so. The Heritage Act requires that the consultation occur with a representative Aboriginal organisation.

Land—native title (Question No 1347)

Mrs Burke asked the Minister for Indigenous Affairs, upon notice, on 18 October 2006:

On what basis does the ACT Government offer symbolic recognition of the traditional Ngun(n)awal owners of the traditional lands in the ACT.

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

Symbolic recognition of the Ngunnawal people as the traditional owners of the ACT is offered on the basis of respect, and in the spirit of reconciliation.

The 2001 agreement under s.86F of the Native Title Act also obliges the ACT Government to extend symbolic recognition of the agreement parties by inviting them to send nominees to official Government functions and events.

**Land—native title
(Question No 1348)**

Mrs Burke asked the Minister for Indigenous Affairs, upon notice, on 18 October 2006:

When the ACT Government recognises the traditional Ngun(n)awal owners of the traditional land in the ACT, is this a requirement of the Namadgi Lease Agreement.

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

No.

**Public service—missing assets
(Question No 1351)**

Dr Foskey asked the Chief Minister, upon notice, on 18 October 2006:

- (1) Did the ACT Government commission a report in or around 2003-04 concerning missing ACT Government property; if so, (a) can a copy of this report be provided, (b) what were the major findings of this report, (c) what triggered the decision to commission this report, (d) what was the estimated value of ACT Government property that was deemed to be missing and (e) what action has the ACT Government taken on the findings;
- (2) What is the current estimated value of ACT Government property that is deemed to be missing;
- (3) Has the Australian Federal Police (AFP) been notified that there is missing ACT Government property; if so, (a) what action has the AFP taken into investigating the circumstances surrounding these missing assets and (b) has anyone been investigated over these missing assets.

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

- (1) As you were informed in a detailed briefing on this and related issues, the Government is not aware of the report you mention.
 - (2) N/A
 - (3) N/A
-

**Environment—sustainability legislation
(Question No 1352)**

Dr Foskey asked the Chief Minister, upon notice, on 18 October 2006 (*redirected to the Minister for the Territory and Municipal Services*):

Does the ACT Government still intend to develop sustainability legislation; if not, why not; if so, what is the anticipated timeline for (a) public release of the discussion paper regarding the sustainability legislation, (b) a draft version of the sustainability legislation, (c) the introduction of a sustainability bill into the Assembly and (d) for final passage of the sustainability legislation.

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

- (1) The Government remains committed to the development of sustainability legislation. However, due to limited resources, and the need to progress other priorities such as the Climate Change Strategy it has been decided to postpone any further work.
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**Rhodium Asset Solutions Ltd
(Question No 1354)**

Mr Stefaniak asked the Chief Minister, upon notice, on 19 October 2006 (*redirected to the Treasurer*):

- (1) On what was the \$232 000 spent by Rhodium for corporate entertainment;
- (2) Who approved this expenditure;
- (3) What benefit was Rhodium supposed to derive from this expenditure;
- (4) Was the Board advised of these expenditures; if so, how and when;
- (5) Did the Board or Management advise the shareholders or the officers of the ACT Government; if so, how and when;
- (6) Did Rhodium host the shareholders or other officers of the ACT Government with this money; if so, can the Minister give details of (a) who was hosted, (b) at what events and functions and (c) when this occurred.

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

- (1) The ACT Auditor-General's Performance Audit report on Rhodium, at page 54, provides a full explanation of the \$232,000 spent on Corporate Entertainment.
- (2) The Rhodium Board has advised that the former Chief Executive Officer approved corporate entertainment. The respective Rhodium management cardholders, including the former CEO, approved the various meal entertainment expenses.
- (3) The Rhodium Board has advised that this expenditure was targeted as a form of direct marketing, to develop client and supplier relationships, and to raise the profile of Rhodium in order to improve business growth.
- (4) The Rhodium Board has advised that it was not provided with expenditure reports on individual entertainment or marketing events.
- (5) Rhodium did not provide the shareholders or other officers of the ACT Government with entertainment expenditure reports. Following the assertions of inappropriate actions by the former CEO, the Board instituted three reviews by KPMG in which details

surrounding entertainment and sponsorship programs were examined in detail. The Board provided Shareholders, the Chief Minister's Department, Treasury and the Auditor-General with a number of briefings on these matters from February 2006.

- (6) The Rhodium Board has advised that the Voting Shareholders and Rhodium directors were not invited and did not attend any corporate entertainment events during this period. Rhodium advises that a number of ACT Government clients, such as agency fleet managers, attended some events although exact details of attendance were not maintained.

**Rhodium Asset Solutions Ltd
(Question No 1358)**

Mr Stefaniak asked the Chief Minister, upon notice, on 19 October 2006 (*redirected to the Treasurer*):

- (1) How and when was the Board of Rhodium chosen;
- (2) Were applications for the position of Board member sought;
- (3) What factors were taken into account in selecting the Board;
- (4) How was the Board of Rhodium to be kept accountable to the shareholders acting on behalf of the people of the ACT;
- (5) How much money was the Board of Rhodium paid for their duties.

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

- (1) The Board was first appointed on 19 November 2004 and comprised three directors selected by the Voting Shareholders from 8 interested candidates provided by ACT Treasury. The Board was extended to include a fourth director on 11 April 2005. All Board appointments were referred to the Standing Committee on Public Accounts.
 - (2) Ten candidates were contacted to confirm their interest and invited to submit their curriculum vitae in support of their nomination.
 - (3) The directors were selected on the basis that ideally the Board should collectively possess appropriate experience and qualifications in business management, financial management, accounting and law.
 - (4) Rhodium is subject to the requirements of the *Corporations Act 2001* and the *Territory-owned Corporations Act 1990*.
 - (5) The four directors of the Rhodium Board are collectively paid \$91,100 per annum. The Chair receives \$37,900, the Deputy Chair \$21,000 and the remaining two directors each receive \$16,100.
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**Rhodium Asset Solutions Ltd
(Question No 1360)**

Mr Stefaniak asked the Chief Minister, upon notice, on 19 October 2006 (*redirected to the Treasurer*):

What actions will the Minister take to ensure that Rhodium continues to buy vehicles from local ACT motor vehicle dealers regardless of whether or not Rhodium is sold.

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

It is common practice for Financial Management and Leasing companies to utilise the local dealer network, especially for novated leases. As long as the local dealers remain competitive, it is highly likely that their services will continue to be required if Rhodium is sold.

The Government's selection criteria will, however, request interested purchasers to indicate how they would utilise the local dealer network.

**Development—Melba
(Question No 1361)**

Mr Stefaniak asked the Minister for the Territory and Municipal Services, upon notice, on 19 October 2006:

- (1) When will (a) paving work and (b) other work at the Melba shops be completed;
- (2) Will the Government allocate additional car parking spaces at the Melba shops;
- (3) Will the Government address the lack of spaces near the Chinese restaurant so as to prevent an accident.

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

- (1) A landscape upgrade is being undertaken for Melba Shops as part of the Parks Conservation and Lands Landscape Upgrade Program 2006/07.

A consultant is currently developing the upgrade design and appropriate materials are being evaluated. The proposed works include:

- (a) Stabilisation of the loose grave surfaces in trafficable areas and improved drainage;
- (b) Other works to improve safe pedestrian circulation include rectification of damaged drainage gates and removal of trip hazards; relocation of bins and bike racks.

Construction of all components of the upgrade is expected to be complete by the end of March 2007.

(2) No.

(3) No, the current parking arrangements are considered to be safe and adequate.

**Education—higher school certificate results
(Question No 1363)**

Mrs Dunne asked the Minister for Education and Training, upon notice, on 19 October 2006:

How did Higher School Certificate results of ACT-resident students compare to those of NSW-resident students during (a) 1970 to 1975 and (b) 2000 to 2005.

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

The Department of Education and Training is unable to access NSW Higher School Certificate results to make these comparisons, as the NSW Board of Studies holds the results under conditions of restricted access. The only results on record to allow such comparisons are for 1975, when 29,597 NSW school students obtained a mean aggregate score of 450.5 and standard deviation of 119.2, while 1,633 ACT school students obtained a mean aggregate score of 445.7 and standard deviation of 120.1.

**Education—preschool enrolments
(Question No 1364)**

Mrs Dunne asked the Minister for Education and Training, upon notice, on 19 October 2006:

- (1) Does the Department of Education and Training keep records of (a) preschool enrolment requests and (b) preschool enrolment requests which are rejected due to lack of capacity at the requested preschool;
- (2) Does the Department of Education and Training track and record any subsequent preschool enrolment request(s) and enrolment(s) from those whose requests are rejected.

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

(1) (a)

Yes.

(1) (b)

Preschool requests are not rejected. All eligible children are offered a position at a preschool. Families of children who are unable to be placed in their first preference preschool are contacted and offered their second preference, or subsequent preschools in their region.

(2)

See 1 (b) above. All subsequent requests/enrolments are recorded.

**Land—native title
(Question No 1366)**

Mrs Dunne asked the Minister for Indigenous Affairs, upon notice, on 19 October 2006:

- (1) Where is reference made in the *Native Title Act 1994* to “Genealogy of Connection”;
- (2) What view does the ACT Government have in relation to genealogical connection to the land and its association with the establishment of Native Title in the ACT;
- (3) Is it the intention of the ACT Government to ensure that Aboriginals and Torres Strait Islanders with any historic connection to Canberra and the region have equal recognition status to Ngu(n)awal people who have a legitimate genealogical connection to Canberra and the region;
- (4) Is it the ongoing intention of the ACT Government to consult with Aboriginals and Torres Strait Islanders with an historical connection only to Canberra and the region on matters of indigenous culture and heritage.

Mr Stanhope: The answer to the member’s question is as follows:

- (1) There is no reference to ‘Genealogy of connection’ in the *Native Title Act 1994*.
- (2) The ACT Government does not have any view about ‘genealogical connection to land’. In Native Title determinations genealogical evidence is relevant to the establishment of a continuing connection to land under traditional laws and customs. It is not necessarily conclusive. For example, in the *Yorta* case the High Court found that even though a genealogical connection might have been traced to an ancestor in the early times of settlement, there had been no continuous maintenance of traditional laws and customs by the relevant indigenous group. In the mid-nineteenth century the relevant group had been dispersed and simply ceased to exist as a group as a result of the encroachment of European settlement.
- (3) It is the Government’s intention to treat all local Indigenous groups with respect. The ACT Government cannot be the arbiter of the status of a particular Indigenous group, nor of the nature of their connection to the land.
- (4) The ACT Government is obliged under the existing Native Title agreement to consult with the agreement parties on all Indigenous heritage matters. The ACT Government must also consult with a range of representative Indigenous groups under the *Heritage Act 2004* (ACT).

**Land—native title
(Question No 1367)**

Mrs Burke asked the Minister for Indigenous Affairs, upon notice, on 19 October 2006:

What jurisdictional rights do the ACT and Federal Government’s have to transfer proprietary rights to third parties whilst Native Title claims over ACT land remain unresolved or are still awaiting delivery of a final ruling in the court system.

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

The ACT's authority to grant and dispose of land derive from the *Australian Capital Territory (Planning and Land Management) Act 1988* (Cth) and the *Land (Planning and Environment) Act 1991* (ACT). The ACT's authority under these enactments is not affected by the existence of native title claims. If native title were found to exist in the ACT then the provisions of the *Native Title Act 1993* (Cth) would have to be complied with when exercising these powers.

**Land—native title
(Question No 1368)**

Mrs Burke asked the Minister for Indigenous Affairs, upon notice, on 19 October 2006:

Is the Minister able to explain how the Crown's presumed eminent domain can override the sovereign proprietary right of the Ngu(n)awal people to the area known as the Australian Capital Territory.

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

The doctrine of 'eminent domain' is a doctrine in United States constitutional law relating to powers of the Federal Government. It has no application to the ACT.

**Land—native title
(Question No 1369)**

Mrs Burke asked the Minister for Indigenous Affairs, upon notice, on 19 October 2006:

- (1) How does Native Title recognition establish proprietary right under Commonwealth and State law;
- (2) Does the ACT Government hold proprietary rights over the land area known as the Australian Capital Territory; if not, who holds the proprietary right and what instrument of government grants, to the ACT Government, the power to require Native Title aspirants to surrender their sovereignty in order to participate in such agreements as the Namadgi Park Joint Management Agreement.

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

- (1) The *Native Title Act 1993* (Cth) makes provision for the recognition and protection of native title rights in Australia in all States and Territories.
- (2) The ownership of the ACT is vested in the Commonwealth by virtue of section 125 of the Constitution. The ACT Government has received powers to manage and to grant and to dispose of interests in land under the *Australian Capital Territory (Planning and Land Management) Act 1988* (Cth).

**Land—native title
(Question No 1371)**

Mrs Burke asked the Minister for Indigenous Affairs, upon notice, on 19 October 2006:

On what date did the legislative instruments for the transfer of freehold, leasehold and vacant Crown land to the Commonwealth of Australia come into existence for the administration of its territorial rights.

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

The ACT was acquired from the State of New South Wales in 1909. The *Seat of Government Act 1909* (Cth) and the *Seat of Government Administration Act 1910* (Cth) commenced at that time and made provision for Ordinances to be made for land administration and other matters. The latter Act prohibits the grant of any freeholds. From that time the Commonwealth gradually acquired the remaining old New South Wales freeholds in the ACT and established the leasehold system.

**Land—native title
(Question No 1372)**

Mrs Burke asked the Minister for Indigenous Affairs, upon notice, on 19 October 2006:

- (1) Is it a requirement of the ACT Government that Native Title claimants who want to become involved in any joint management arrangements for the Namadgi Park have to surrender any Native Title entitlements or cases that are being considered through the court system for the granting of Native Title over any part of the ACT;
- (2) What are the rights and responsibilities offered to any indigenous group that are signatories to the ACT Government's Namadgi Park Joint Management Agreement when they forego any Native Title claim;
- (3) Could the Minister outline how Native Title co-exists within the eurocentric context of the Feudal Doctrine of Tenure over land in the ACT.

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

- (1) The settlement by agreement of the first native title claim involved the claimants discontinuing the claim as part of the agreement, which included joint management arrangements for Namadgi National Park. This is not a 'requirement' of the ACT, but it is usual in agreements in settlement of Court proceedings that the proceedings are ended.
 - (2) The rights and responsibilities of the parties to the existing native title agreement concerning Namadgi are set out in the agreement, made by the Humphries government in 2001 and honoured by subsequent governments.
 - (3) The co-existence of native title with the 'European' law that arrived with sovereignty in 1788 is governed by the common law as expounded in the Mabo case and others and by the *Native Title Act 1993* (Cth).
-