



Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

SIXTH ASSEMBLY

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Thursday, 23 November 2006

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Thursday, 23 November 2006

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

Petitions

The following petitions were lodged for presentation:

Schools—closures

By Ms Porter, from 283 residents:

To the Speaker and members of the Legislative Assembly for the Australian Capital Territory

This petition draws to the attention of the Assembly that the department of Education and Training is intending to close GIRALANG PRIMARY at the end of 2006.

Your constituents therefore request that the Assembly, as urgent priority, review the decision to close the school due to the overwhelming concern about the detrimental educational, social and health effects this closure will have on the children and the community of Giralang.

I am:

- a parent/relative/friend of a child at Giralang primary
- a parent/relative friend of a child at Giralang preschool
- a resident of Giralang
- associated with Belnorth Junior Soccer Club
- an ACT resident (outside Giralang) who strongly objects school closures

(✓ More than one if applicable)

I am concerned the closure of Giralang schools may also have detrimental effects on:

- Schools in neighbouring suburbs (e.g. overcrowded classrooms and increased traffic).
- Parents' choices of smaller schools for their children.
- The Giralang suburb as a whole (e.g. reduced amenities decreasing house values, maintenance of sports fields and wetlands).
- The possible relocation of the local doctor's surgery.
- The prospects of future viable shops in Giralang.

Name:

Griffith library

By Mr Pratt, from 90 residents:

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that the imminent proposed closure of Griffith library on 1 December 2006 will have a detrimental effect on a large number of residents and the local community and will remove a fundamental and valued community service.

Your petitioners therefore request the Assembly to act to ensure that the Griffith library remains open to serve the community as a vital and highly valued community service.

Griffith library

By **Mr Pratt**, from 721 residents:

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that the decision to close Griffith library on 1 December 2006 has not been given due consideration and attention and has not involved a process of public consultation.

Your petitioners therefore request the Assembly to delay the proposed closure of Griffith library to allow consultation and liaison with Government agencies, service providers and peak community and industry groups in a meaningful way.

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

Territory-Owned Corporations Amendment Bill 2006

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

Title read by Clerk.

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

That this bill be agreed to in principle.

Today I am tabling the Territory-Owned Corporations Amendment Bill that provides for the removal of Rhodium Asset Solutions Ltd from schedule 1 of the Territory-Owned Corporations Act. I recently announced that the government intends to sell Rhodium. However, the government is unable to sell the shares whilst Rhodium is subject to the Territory-Owned Corporations Act. This is because the act stipulates that government ministers can only hold the voting shares.

As members of this Assembly will recall, the government announced as part of the 2006-07 budget that a scoping study would be undertaken with a view to a future sale of Rhodium. The scoping study, which was prepared by Horwath Pty Ltd, indicates that selling the shares of Rhodium in concert with the management of the ACT government fleet contract would enhance the potential sale value of the company. This type of sale would also minimise any potential disruption to the business.

The sale is expected to achieve the optimum financial return for the government. Potential bidders may be prepared to pay a premium to gain access to Rhodium's customer base. The government is poised to make cost savings as a result of the fleet contract being managed at competitive rates. This means that the sale will have a positive impact for the territory, as it will save taxpayers' money, which can be used for higher priority purposes for the benefit of the community.

Rhodium has been actively pursuing opportunities to grow the business. It is at a stage where only about 25 per cent of its business operations are directed towards providing services to the government. As Rhodium has successfully expanded its customer base, this has also raised the risk profile of the company.

Commercial operations of this kind are not core government business. The government considers it would not be prudent to expose scarce public finances to this level of risk indefinitely. The government has therefore decided it is appropriate to move quickly to sell the shares in the company.

It is unlikely that the sale will have a major impact for the local motor vehicle industry, as most fleet companies tend to obtain vehicles from local dealers, and also to do the vehicle servicing and repairs. The Rhodium staff will be closely consulted throughout the sale process.

The sale will be conducted by an open tender process. The government will call for expressions of interest after the appointment of a sales adviser. The government is at the stage where it is seeking the agreement of this Assembly to allow the sale to proceed by supporting this bill. The Territory-Owned Corporations Act requires the shares of Rhodium to be held by an ACT government minister. Therefore, the shares cannot be sold until Rhodium has been removed from schedule 1 of the act.

Arranging for the legislative amendments to be passed at an early stage will facilitate a more efficient sales process by removing any buyer uncertainty about when the bill, and hence the sale transfer, could take effect. The bill will allow the Treasurer to notify the commencement date after the sale negotiations have been completed. It is important to note that the provisions of the Territory-Owned Corporations Act will continue to apply to Rhodium until the sale has been completed.

The bill also provides for consequential amendments to the Taxation of Government Business Enterprises Regulations 2003. This bill allows the government to divest itself of Rhodium. I commend the bill to the Assembly.

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

Court Legislation Amendment Bill 2006

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

Title read by Clerk.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for Planning) (10.36): I move:

That this bill be agreed to in principle.

Today I am presenting the Court Legislation Amendment Bill 2006. The bill makes a number of important changes to the legislation governing the courts. The amendments relate to contempt of court, the functions of officers in the Magistrates Court and the Ngambra Circle Sentencing Court. The amendments relating to contempt of court and the functions of officers are the result of issues raised during the development of the Court Procedures Rules 2006—the court rules.

The court rules were developed under the Court Procedures Act 2004. This act provides for the rules of the Small Claims Court, Magistrates Court, Supreme Court and Court of Appeal, dealing with the conduct and preparation of litigation, to be simplified and, where possible, uniform across all of the courts. The rules are made by the rule-making committee, which consists of members of the judiciary. The rules are subordinate laws and can be disallowed by this Assembly.

The court rules commenced in the Supreme Court and the Court of Appeal on 1 July 2006 and will commence in the Magistrates Court and Small Claims Court on 1 January 2007. The rules are of value to civil practitioners who presently work with different sets of precedents and practices in the different courts. The rules should reduce the incidence of errors resulting from misapplication of process, or time frame rules in the wrong jurisdiction. The rules will also lead to procedural uniformity in most of the work of the different court registries.

During the drafting of the court rules, clarification was sought as to whether the Magistrates Court has a contempt power, which extends to taking action for contempt to enforce its own orders. Contempt of court occurs when conduct interferes with the administration of justice or perverts the course of justice. This can occur when a person insults a judicial officer or an officer of the court, interrupts proceedings or obstructs or assaults someone in the court.

The Magistrates Court Act 1930 clearly states that the court has power in relation to contempt in the face of the court. However, the act is somewhat unclear with respect to other forms of contempt, such as non-compliance with court orders. This bill clarifies the position to put beyond doubt the powers of the Magistrates Court.

In particular, the bill clarifies what is meant by “contempt in the face of the court”. It provides that the Magistrates Court has the power to take action for contempt for

non-compliance with court orders and undertakings, and provides that the Magistrates Court has the same power as the Supreme Court for dealing with contempt.

The same amendments have been prepared for the Coroners Court. These provisions will assist in ensuring compliance with court orders. They are consistent with the underlying principle in the court rules that, where appropriate, the lower court should have the same powers generally as the Supreme Court.

During the drafting of the court rules, the rule-making committee considered that the registrar of the Magistrates Court should generally have the same powers under the court rules as the registrar of the Supreme Court. As this is not possible under the current legislation, the bill clarifies the powers of the registrar and deputy registrars in the Magistrates Court.

In particular, the bill provides that the Magistrates Court may confer court functions on the Magistrates Court registrar and deputy registrars. The bill also removes an amendment in the Justice and Community Safety Legislation Amendment Act 2006, to enable the registrar and deputy registrars to exercise powers under the court rules.

The bill also includes an amendment removing any doubt that the Magistrates Court may make practice directions about circle sentencing in the Magistrates Court. This follows a recent query about whether the practice direction is beyond the power in section 309 of the Magistrates Court Act 1930.

The ACT Magistrates Court has established, by practice direction, the Ngambra Circle Sentencing Court as a division of the court. The Ngambra Circle Sentencing Court involves the ACT Aboriginal and Torres Strait Islander community in the sentencing process and provides culturally appropriate and effective sentencing options for Aboriginal and Torres Strait Islander offenders.

The Ngambra Circle Sentencing Court is an important tool in addressing indigenous reoffending. This bill puts the validity of the power of the court to make a practice direction for circle sentencing beyond doubt.

The bill also includes amendments to the Magistrates Court Act 1930 and the Court Procedures Act 2004 to make ancillary or consequential amendments to those acts I have just mentioned. I commend the bill to the Assembly.

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

Freedom of Information Amendment Bill 2006

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

Title read by Clerk.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for Planning) (10.41): I move:

That this bill be agreed to in principle.

The Freedom of Information Act 1989 supports the government's commitment to open government and transparency principles. The act creates a legal right for any member of the public to access documents held by government agencies, subject to a number of exemptions on grounds such as the protection of personal privacy, public safety and law enforcement activities.

The Freedom of Information Amendment Bill 2006 is another achievement by this government to improve laws for the advantage of Canberrans. The ACT community will benefit from amendments to the existing legislation introduced by this bill protecting the privacy of personal information.

The Freedom of Information Amendment Bill 2006 amends the act to provide for a consultation process with an affected person prior to the release of personal information. The consultation process takes into account the views of the person whose privacy is potentially affected by the disclosure of personal information. It will also assist in the making of an informed and objective decision.

The bill also amends the legislation to provide for an exemption where the disclosure of information could prejudice the security of the Australian Capital Territory. The bill protects important security-related information from release, particularly where it relates to material that may, if released, encourage people engaged in terrorist activities. Provision has been made in the bill for exempting documents that may affect the national security or defence of the commonwealth, the territory or any state, and the international relations of the commonwealth from release to an applicant.

The bill makes a number of straightforward and sensible changes to the current legislation. Consistent with public expectations of accessibility and for clarity of law, the bill also includes an amendment that outlines the information to be considered by an agency in assessing the amount of work required in processing a freedom of information request.

A recent ACT case has highlighted the need to clarify these provisions. This amendment will assist an agency in determining whether the processing of the freedom of information request would involve the unreasonable diversion of that agency's resources. I am confident that this bill will strengthen the operation of the ACT's freedom of information legislation. I commend the bill to the Assembly.

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

Road Transport (Safety and Traffic Management) Amendment Bill 2006 (No 2)

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

Title read by Clerk.

MR HARGREAVES (Brindabella—Minister for the Territory and Municipal Services, Minister for Housing and Minister for Multicultural Affairs) (10.44): I move:

That this bill be agreed to in principle.

The Road Transport (Safety and Traffic Management) Amendment Bill 2006 (No 2) amends the Road Transport (Safety and Traffic Management) Act of 1999. The bill amends the act by increasing the penalty for the offence committed when a driver of a vehicle which is involved in an accident causing death or injury fails to stop and render assistance. Section 16 of the act provides:

If the driver of a vehicle, or rider of an animal, is involved in a traffic accident on a road or road related area, and someone dies or is injured in the accident, the driver or rider must not knowingly fail to stop and give any assistance that is necessary and in his or her power to give.

The maximum penalty for this offence currently is 50 penalty units, imprisonment for six months, or both. Clearly, where a person who is driving a vehicle is involved in an accident resulting in death or injury there are moral reasons for expecting the person to stop and render any assistance the person is able to give at the accident scene.

There may be the opportunity for the person to render immediate assistance and/or to call emergency services to assist an injured person. Failure of a person involved in an accident to stop and assist should rightly be regarded as a serious matter from both a moral and a legal perspective.

A review of penalties for similar offences in other jurisdictions has disclosed that the ACT penalty for this offence is significantly out of step with penalties throughout the rest of Australia. It appears that all other jurisdictions have a maximum penalty of at least one years imprisonment for the equivalent offence. The penalties range up to 10 years imprisonment in New South Wales and Victoria.

The bill increases the maximum penalty for the ACT offence in section 16 from 50 penalty units and/or six months imprisonment to 200 penalty units and/or two years imprisonment. Two hundred penalty units is about \$20,000. This will more appropriately reflect the seriousness of the offence and render the ACT penalty more consistent with the practice elsewhere.

It should be noted that the only change effected in relation to this offence at this stage is to change the maximum penalty which can be imposed. The substance of the offence and its interrelationship with any other ACT laws is not proposed to be changed.

The Assembly should be aware that, by increasing the maximum penalty to imprisonment for two years, the offence becomes an offence which may, if the defendant so chooses, be dealt with on indictment in the Supreme Court. The present offence is a summary offence only, as the imprisonment term which can be imposed does not exceed one year. Therefore the offence can currently only be dealt with by the Magistrates Court.

What we are trying to do here I have articulated clearly in that tabling statement, but I want to reiterate that it is a simple act to stop after you have had an accident and arrange for an ambulance to turn up, or to call 000 yourself. It is a pretty low act to just keep driving. At the least, an offence against this act could be a person panicking and driving away. At its worst it can mean someone hitting a pedestrian and callously driving away.

Mr Pratt: As did happen.

MR HARGREAVES: I cannot judge on the nature of callousness in every instance, but certainly interstate experience in recent times has shown us that, all too often, people do not regard the stopping and rendering of assistance as seriously as they do the original accident. People do not understand, I do not think, that failure to render assistance when somebody has visited injury or death upon someone is one of the lowest things we can possibly imagine.

The ACT does not intend to lead the way by having too draconian a penalty. Nonetheless, it still has an obligation to send a message to every single driver out there on the road that, not only do they have a responsibility to not cause death and injury on the road but also they have a responsibility to the rest of us and to the person they have injured to stop and render assistance in some form.

Of course we would encourage people to undergo St John Ambulance first aid training. We would expect people who have medical training—either nurses or doctors—to be able to render much greater assistance than the average citizen. But we know that every single person can stop, flag a car down and see if they can go and get help.

We know that many people are carrying mobile phones in their cars—hopefully they are not using them while driving. They can pick that mobile phone up while they are stopped on the side of the road. By dialling 000, they can call an ambulance to the scene quickly, or they can call the police. That is not too big an ask, I do not think.

It should be an automatic response just to stop when you have injured someone, or even if you think you have, and say, “What have I done?” Stop thinking about what that person has just done and think about the implications of it. Pick up the mobile phone. Stop the car. Go and ask somebody else if they have a mobile phone. Tear off or send someone for help. That is all we ask. Failure to do that in my view walks away from the social responsibility of being a citizen in this town.

As I say, we do not wish to be draconian in our measures, but we do wish to be consistent with other jurisdictions. We want to send a message loudly, if we can, to the community that the community expects people to be responsible and to take responsibility for their actions. I commend this bill to the Assembly.

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

University of Canberra Amendment Bill 2005

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) (10.53): I move:

That this bill be agreed to in principle.

This bill introduces a significant amendment to the University of Canberra Act 1989 by reducing the size and specifying the composition of the university's council. Some additional, related amendments are proposed regarding the Chief Minister's external appointments. Some minor technical amendments are also proposed.

Universities are required to comply with the national governance protocols for higher education providers in order to receive Australian government funding. Consequently, Australian universities are reducing the size of their governing bodies, limiting the number of elected membership and ensuring that external members are in the majority.

Similarly, the review of the governance structures of the University of Canberra council, which was commissioned by the Chief Minister in 2005, identified smaller governing bodies as best practice. It also identified the need for council members to have the requisite skills for the governing body of a significant ACT institution. Therefore, the purpose of the amendments to the University of Canberra Act 1989 is to improve the council's governance.

The bill reduces the size of the council from 22 to 15 members. A council of this size will enable the university to provide three ex-officio and four elected staff and student members, whilst preserving the Chief Minister's ability to appoint the balance of eight members.

During this year both the Chief Minister and I have met regularly with the university, the University Students Association and the National Tertiary Education Union in finalising the restructure of the council. On enactment of this legislation the existing council will be abolished and a new council created. New appointments will be for a three-year term, which can be extended for no more than a total of nine years. Some of these appointments will be staggered to allow for continuity of experience and skill.

In line with the national governance protocols and the Chief Minister's review, the ministerial appointments will be of external, independent members who are neither enrolled as students nor employed by the university. The bill now stipulates that these appointments must collectively have skills in finance, management, commerce, law and teaching.

The amendment proposes, for the first time, that external members be paid at a rate determined by the remuneration tribunal, with costs to be met by the university. With

a smaller council, members will have increased governance responsibilities, including attending the regular council and subcommittee meetings.

Payment of external members signals to the university and the broader community that the council is a professional organisation that has performance expectations of these members. This increased expectation of expertise and responsibility will ensure the effectiveness of the new council.

The Government Solicitor has confirmed that the proposed changes to the University of Canberra council will not alter the legal status of the university, which will continue to be a body corporate established under an enactment. The university's obligations under the Financial Management Act 1996 and the commonwealth Corporations Act 2001 or any accounting standards will not be affected by the proposed changes.

The University of Canberra council secretariat and the council's legislative committee have had input in preparing this bill, including providing instructions on minor technical amendments regarding circulation of resolutions and updating references to the Higher Education Support Act 2003.

With the passage of these amendments, the University of Canberra will be compliant with national governance protocols and will be genuinely moving towards significantly improving their governance structures. After all, good governance invariably improves strategic management.

I believe that a council of 15 is the ideal size for such a body. It is large enough to benefit from a diversity of viewpoints and small enough to facilitate effective decision making. As members can see, the amendments make a significant improvement to the governance and administrative operations of the act. I commend the bill to the Assembly.

Debate (on motion by **Mrs Dunne**) adjourned to the next sitting.

Griffith library

Proposed reference to standing committee

MR PRATT (Brindabella) (10.58): I move:

That, given the failure of the government to consult appropriately with the Canberra community over the announced closure of the Griffith library:

- (1) the closure of the Griffith library be deferred until appropriate consultation has taken place;
- (2) the proposal to close Griffith library be referred to the Standing Committee on Planning and Environment for inquiry and report by 31 March 2007; and
- (3) the Government wait for the report by the Standing Committee on Planning and Environment and respond to the Assembly before any decision is made.

I rise today on behalf of a significant number of Canberrans who are outraged at the now-decided plan to close the Griffith library on 1 December 2006. The purpose of this motion is to present the case as to why it would be premature to close the library and why this matter and the government decision surrounding the announcement on Saturday must be referred to a committee for inquiry. For example, we must be concerned about the lack of consultation. And we must be concerned about the lack of true inquiry in the lead-up to the announcement of the closure of the Griffith library.

To underline this concern, which is the basis of the opposition's call here today to refer this matter to the committee, I draw the attention of this place to the petition tabled last week containing over 2,500 signatures of constituents, mainly from the inner south but also from all over Canberra, who are vehemently opposed to the closure of this valuable asset to the community. To further underline this concern, I also draw your attention to the fact that there is another group of petitions, with 800 further signatures, being tabled.

The petitions call upon the Assembly to delay the proposed closure of Griffith library to allow consultation and liaison with government agencies, service providers and peak community and industry groups in a meaningful way. That makes the number of petitioners concerned about this library closure now in the region of 3,500. Surely this is a demonstration of concern. It adds to the justification that the decision to close on 1 December should be delayed. It underlines the gravity and the need for the government's decision to be taken to the committee for further inquiry.

Whilst we are presenting this case again, I would like to again acknowledge the hard work of the library users, the Griffith/Narrabundah Community Association and the Save our Griffith Library group, who have rallied support to try and retain the Griffith library. They have campaigned hard. Their efforts should be acknowledged. The efforts of the community, who have worked very hard to try and keep this library open, must be acknowledged. They have worked hard; they have campaigned hard; and the opposition acknowledges their efforts.

I would also like to acknowledge the work done by Jacqui Burke, MLA, the member for Molonglo, who has been working for some time on this particular project. She has communicated with the Griffith community. She has had a number of meetings with the Griffith community. With laryngitis, et cetera, she was at that rally on Saturday and I had to speak on her behalf. Jacqui Burke has championed this campaign by this community quite actively.

The justification for sending this government decision to a committee is based on the fact that we believe the government's decision to close this library is a sham. You have to question whether the value in dollar terms and the supposed savings justifies the government's decision.

We believe that that decision, in dollar terms alone and on the other factors that we are now beginning to see in the report, is a sham. The report, of course, was not readily available in any good time before the decision to close the library. The dollar value is absolutely low. For a few dollars saved, we are putting the community at great pain.

There is great dislocation flowing from this decision for what would appear to be a very poor dollar return—unless, of course, there is another motive or another underlying objective. That is, if there is another higher dollar value return—eg, the selling off of the land on which that library sits—then that would make more sense in terms of the government’s rationale, as opposed to any moral decision that the government should have taken. A proper moral decision, in this case, and a proper governance decision in terms of what the supposed savings are would have been to leave that library intact and provide a decentralised library service to that community.

Let us look at the question of consultation. Why was this decision rushed? Why was there no consultation at all? We are well aware of the disdain Mr Hargreaves has shown to the community about consulting. We know that in his view there was no point in consulting with the community because he knew they would be unhappy about the decision.

That is what he said to me in the hearings into annual reports. When I asked him, “Why did you not spend sufficient consultation time with the broader community before you even got anywhere near making the first sorts of decisions that you might have needed to make?” his answer to me was, “It is pretty obvious, is it not? Why would I go and consult with the community to tell them that I want to close this library when I know what their answer is going to be?”—or words to that effect.

That is what the minister said to me in the annual report hearings. It floored me. I have to tell you that it absolutely floored me and my colleagues. My colleague Mrs Burke was floored by that response. Good government, when it makes decisions to cut community services in the democratic way, should broadly consult. They should be going out to the community and saying, “We are a bit concerned about this library” or, “We are a bit concerned about this school” or, “We are a bit concerned; we think there needs to be a G3 Telstra tower in your backyard” or whatever it might be.

They should say, “We are seriously considering taking certain actions. What do you think? What else could be done to perhaps ameliorate that? Are there any other ways that we can manage these issues? We will not be making a decision for six months or a year. We are giving you a heads up now. We need to talk to you about these things.” That is what they did not do with the Griffith library decision. They did not. They have demonstrated, as they have time and time again, with the 39 school closures and the *Towards 2002* plan, that they will not consult. Why?

When you are a majority government, do you not have to? Do you not even attempt to carry the community with you on the decision you have to make? In 2006, as we become a more sophisticated democratic society, do we not bother to try and do these things—to consult? Could the decision be modified, qualified or changed with some good community input?

That certainly was not the case with Griffith library. I tell you, Mr Speaker, if you had seen the response of the rally on Saturday and the feeling coming out of that community group, you would clearly understand that they know they have been duded. Not only have they been duded because there is no justification to close the

library. They also know they have been duded because there simply was no attempt to consult with them. There was no attempt to take the community through with them. There was no attempt to perhaps tell the community exactly what they have in mind for the particular site where that government building sits.

These are issues which the community should have input to. These are decision-making processes which the community has a right to have input to. That did not occur in this case. It is a sham of a decision. That is why the government's decision to close this library must be referred to a committee for further inquiry. That is why the government must delay the decision they have now taken. They must put that decision on hold pending the planning and environment committee inquiry into the circumstances leading up to the decision taken by the government about this particular library. That is what must occur.

In addition to that, the government would do well to go back to the community, regardless of the outcome of that committee inquiry, and start the consultation process all over again. Perhaps there are other ways of tackling whatever problem the government seems to have here.

Mr Speaker, the opposition will put it to you that the decision by the government was simply that they had to find a library to close. When you look at the services agreement and the various scoping studies you can only come to that sort of conclusion. There is no justification in the studies in the Lunn report, for a start, and any other document that has been written about this, which would show you a logicity as to why this decision needed to be taken. It simply does not make sense. There are a number of issues I would like to point out in respect of that.

Take the services agreement tabled here on Tuesday for example. In that particular services agreement there is neither mention of what consultation actually took place nor when. We have already talked about that. In fact, the only time the word "consultation" appears in this document is in the project planning and inception section. This task took only 0.5 of a day of the six weeks allocated to complete consultation on the report. We believe that consultation did not even occur. I do not know where the 0.5 comes from. Was that the time spent on Saturday afternoon telling the community that the library was going to close? Is that what it was?

Further, it seems that the library staff were kept well in the dark also. Some staff were not informed of the decision to close the library, their place of employment, until they were alerted by a disgruntled library user. That is a shame. That is a very poor way for any employer to treat their staff.

The problem with this decision is that a bad decision like this is very difficult to reverse without significant expenditure being brought to bear. We, the opposition, have made a pledge that if we become the government and that building is still intact—there is a big question mark over that—we will re-establish that library service in that building. Minister, if your government bulldozes that building and sells that land, then we will do everything in our power to re-establish a library service in the Griffith area.

Mr Hargreaves: What are you going to do with the tenants? Where are they going to go?

MR PRATT: That is a fair point raised by the minister. If, in the meantime, you put new community services group tenants into that building—

MR SPEAKER: Mr Pratt, do not engage in conversations across the room. Direct your comments through me.

MR PRATT: Through you, Mr Speaker, the opposition says that we will have to alert people that, so long as that building remains in government hands, our intention will be to re-establish the library service in that building. We will have to take care of the other problems beyond that point.

Mr Hargreaves: No solution.

MR PRATT: Problems which will be sheeted home to you, minister. Let us have a look at the scope of the report into this library closure. The services agreement, in a telling sentence, sets out the scope of the report, which is to “assist with the review of library services with the aim of consolidating all ACT government libraries into the mainstream library service and to bring library expenses in line with local government benchmarks”. What the hell does that mean?

Further, the methodology referred to points out, “Provides options for the saving of \$2.4 million through both process improvement and revised service delivery.” There we go. It is all spelt out. No consultation is required because they just need the money.

I still do not understand why \$2.4 million is worth the pain of total disruption of a total community. It does not make sense. It does not add up. This is why this has to go to a committee. The opposition is calling for the government’s decision to close Griffith library to be sent to a committee for inquiry. We think it is a very poor decision.

MR HARGREAVES (Brindabella—Minister for the Territory and Municipal Services, Minister for Housing and Minister for Multicultural Affairs) (11.13): I welcome the opportunity to respond, on behalf of the government, to Mr Pratt’s motion. The government is united in its opposition to this motion.

The decision to close Griffith library on 1 December has obviously hurt and angered the community. I deeply regret that. But no amount of consultation would have prevented people from feeling that way about having their local services reduced. I had great difficulty in reaching the decision to close the library because I know what the community feel about it. Although this city is growing and experiencing boom times, thanks to this government, it still has many attributes of a small town. You do not have to have a lengthy consultation period and appoint subcommittees to find out what the community thinks on a particular issue. The media have no hesitation in reporting community concerns and are only too willing to fill in the gap left by the lack of an effective opposition party in the Assembly.

If I had my time over, would I do it differently? Yes, I would. Would the outcome be different, Mr Speaker? I doubt it—except that the community would have had more warning and the opposition would have had more opportunities to attack the government.

Earlier this year the Chief Minister very clearly and very publicly articulated the need for the ACT to live within its means. This meant that key ACT government services would be scrutinised, analysed or reviewed to determine the most appropriate and effective means of delivering services into the future. The library service is no different in this respect. It, too, has to make savings. When my department commenced planning for the library services consolidation project of ACT library services in June 2006, the emphasis from the outset was on how the library service would deliver services into the future in a climate of budget constraint.

However, the library services review has not just been about making savings or closing Griffith library. The report's findings affirmed the government's decision. The review report has identified a number of very significant concerns and opportunities for the service that must be addressed if the service is to remain relevant. I refer specifically to concerns regarding the age of the library collection, the potential to provide enhanced self-help facilities for customers through the installation of radio frequency identification technology—RFID—and consolidation of the existing services model and branch hierarchy.

Given this environment, the review had a purely internal focus. The methodology is composed of process analysis, financial and performance analysis, site visits and benchmarking, as well as best practice information from other library services. Staff consultation comprised a significant portion of the review and the review project team played an important role in developing ideas for further testing and in discussing options. A number of submissions were also received from library staff and from the management team.

While I support the role of the Standing Committee on Planning and Environment and commend its members for their hard work, referring this issue to the committee at this point in time is more about political grandstanding by Mr Pratt than about good governance and consultation with the community. As we all know, the committee is still deliberating over the annual reports and the general administration of departments. I am informed that Mr Pratt took the opportunity to participate in those hearings and, along with Dr Foskey, asked a series of questions about the Griffith library. I have no doubt that the committee's report will canvass the issues.

The motion this morning is about Mr Pratt wanting to have two bites at the cherry. But he has had his go, and the government is not going to give him another chance. He will have to live up to the election promise he made at the protest rally last weekend. He will have to win government, become minister and then reverse the decision.

Mr Pratt would also do well to consider instead the significant investment in library services this government has made in the past few years. The new \$3.5 million Kippax library, which opened in August 2005, is almost four times larger than the

previous library and has resulted in a huge increase in visitation. There has been \$800,000 to improve the new Kippax library collection, with new books, hundreds of contemporary CDs, DVDs and audio books and English learning resources.

There has been the refurbishment of Erindale, Woden and Belconnen libraries—in 2003, 2004 and 2006, respectively—at a cost of about \$3 million. The refurbishments have provided improved internal layout, better access for people with disabilities, enhanced computer areas, new youth areas and improved facilities and furniture.

And there is the construction of the new Civic library as part of the \$16 million Civic library link project. It will be opened by the Chief Minister on 8 December 2006. The library will be over 60 per cent larger than the existing one and will have new computer facilities, including a training room, community meeting space and youth area. It will also provide exciting opportunities for new strategic partnerships with the library's neighbours in Civic Square, the Theo Notaras Multicultural Centre and resource library, the Canberra Museum and Gallery and the Civic library and link project.

The Stanhope Labor government has a strong commitment to our public library service and to the important role public libraries play in the life of the ACT community. Our significant investment in public libraries has been in an attempt to modernise them. It must be noted that the role and nature of public libraries is changing; libraries need to move with the times to embrace electronic resources and new service delivery methods to appeal to people of all ages—particularly a new generation of library users. The ACT government is committed to ensuring that our public library facilities, services and programs remain viable and meet the needs of the ACT community in coming years. It is unfortunate in the extreme—and I repeat that I deeply regret it—that if we are to continue with a sustainable, improved, best practice library service, Griffith library must close and its resources be allocated elsewhere in the system.

It also needs to be put on the public record that the mobile library service still operates. It will provide services to people in Griffith and Narrabundah who are socially isolated—as it already does. The home lending library system will also operate; it will be exactly the same.

It has often been said that bus access into Civic is pretty ordinary. But the buses—the intertown buses particularly, but buses on other routes as well—actually stop right outside Civic Square. It will be roughly the same distance to the new library as the distance at present. And the new library itself, as I said, is 60 per cent bigger than the old one. The services will be more extensive.

There has been some suggestion that there has been an abandonment of people who cannot get to a library. I can say this, Mr Speaker: we are very happy to work with anybody who feels as though they had an opportunity to walk to the library and cannot do that now. We will try to facilitate ways in which people can get to one or other of the other libraries, be it Phillip or Civic. I am particularly concerned that a number of older people may feel that they cannot make the trip. We might talk to people like Southside Community Services and do some work with them to see how we can help.

It would be remiss of me not to explain one or two things. Let me return to consultation. There was an enormous amount of consultation around the original decision when the Liberal Party wanted to close the library. The point was made at the rally that I attended on Saturday that it was the Liberal Party that originally wanted to close the library. But there was an enormous amount of consultation around at the same time.

There was also a fair amount of consultation when the neighbourhood action plan was developed. It said that a replacement library could be built on a site identified. There was a lot of consultation around that. I did meet Mrs Fanning and her representatives. I did receive quite a lot of emails. Except for those of the last few days, I have responded to all of them. I have given the government's reasons. So to suggest that we have not engaged with people is not quite right.

Of course, we received quite a number of letters from people. I would like to share a couple of them with the chamber. All of them—all of the letters in a great big box in my office—were not unsolicited reactions from people; they were not letters from people who spontaneously wrote to us. I do not denigrate these at all, but I put them into two categories: those that are spontaneous representations and those that are solicited representations. The ones I am indicating are all solicited ones. Let us just examine a couple of them. I said at the rally that I respect people's right to make their representations in any way they like. These particular ones were placed in shops around the Griffith shops. I am fine with that. But when the letters came in, we had a look at them.

Dr Foskey: I am glad you did.

MR HARGREAVES: The tone of Dr Foskey's interjection that she is glad we did almost suggests that we would not. That is a suggestion and imputation that I find abhorrently objectionable, Mr Speaker—objectionable.

When we did look through the letters, there was a complaint about catchment areas. The catchment area is different in one context from that in another, but I take the point that people are saying that the suburbs of Yarralumla and Forrest should be in the catchment area of the Griffith library. Firstly, the Griffith library is not a group centre area anyway, but I would argue that there are places in Yarralumla—where Dr Foskey used to live is one of them—that are closer to the Phillip library than to the Griffith library. So let us get a bit real.

Secondly, I am holding a preprinted letter addressed to "John Hargreaves, the minister". It says, "I am a user of the Griffith library. It is my wish that the Griffith library remain open because ..." Then there is space for someone to write their stuff and provide a signature and their address.

The letter I hold in my hand now is from a person from Austria who says, "Every time that I visit Australia I stay with my mother in Canberra—and come to Griffith library frequently." There is a whole heap of others here—from Bungendore, Glenfield, Collector, Cook, Fadden, O'Connor, Campbell, Wanniasa, Theodore et cetera.

People from all of these places have to go past a minimum of two public libraries to get to Griffith library.

Mrs Burke: What does that tell you then?

MR HARGREAVES: What that tells me is that we should be enhancing our library service in our group centres, and that is what we are doing. Mr Speaker, I think I mentioned this yesterday but I am quite happy to do it again today. When I went to Melbourne recently I visited a couple of city councils. They have a catchment area of 100,000 people. The ACT would be the equivalent of three of these city councils in terms of size. Those council areas have one public library in each of them. That is one public library to 100,000 people. We have—

Mr Pratt: So are we going to dumb down our standards?

MR HARGREAVES: Mr Pratt would dumb the place down. We have one library for 50,000 people, excluding Griffith library, and I propose to make that the norm.

Mr Speaker, as you might imagine, the government will not be supporting this motion. We are not going to give Mr Pratt any more oxygen than he needs.

DR FOSKEY (Molonglo) (11.28): I support Mr Pratt's motion to refer the Griffith library matter to the Standing Committee on Planning and Environment. Of course, it could just as easily have been referred to the Standing Committee on Education, Training and Young People, because libraries are an essential part of our out-of-school learning facilities. For this reason alone, I oppose the closing of the Griffith library.

I would have to say up front that you just cannot have too many libraries in a city. That is probably something that we would all understand. It is not a question of there being too many libraries. It is a question of the government having to find savings—or believing it has to find savings or telling us it has to find savings wherever it can, without telling us why.

I want first to address the issue of the lack of consultation. I think the government has a problem in that it sees consultation as always being something to do with talking to your opponents. The fact is that consultation can be a way of finding solutions to a problem. In this case there was a problem in that the government felt it did not have enough money to run the library service as it is. How about going to the community and talking about ways in which the library service could still answer people's needs and money could be saved? We could also look at other areas where money could be saved, but, if money has to be taken from the library sector, let us look at that. In terms of consultation done by the consultants themselves, there was half a day. I imagine that was half a day spent talking to the bureaucrats who supervised the study.

I believe there has been confusion about appropriate places for libraries. Mr Hargreaves has called upon a planning hierarchy in which he sees town centres as the place where libraries should be. Patently that is not the case now. We have just had a new library built in Kippax. I know it is an intermediate town centre, but it is not the town centre of the Ginninderra district or Belconnen. Nor are Erindale or

Dickson town centres. I am not by any means saying that those libraries should be closed; I am just saying that there has not been a rule applied.

There is a library in Griffith because Griffith was one of the first suburbs built. That library served the first populations of Canberra. As the residents have convincingly argued, isn't Manuka a kind of town centre? That is an area that serves two very important vibrant centres—Kingston and Manuka—and, to a certain extent, Griffith and Narrabundah, as well as all the suburbs in the inner south. The neighbourhood plan that so many Griffith residents participated in some time ago was finalised in about 2004, I think. It never put up the idea that there would be no library in Griffith. There was a suggestion for moving the library, but there was no suggestion of getting rid of it. Now we are talking about losing the library and not re-establishing another. I think that is breaking faith with the people who participated in the many consultations about the Griffith town centre.

In the library report we see the machine model version of the library. We have references to space ratios. Did you know there is too much space at Griffith? There is also too much at Dickson—we had better do something about that. It is the idea that every library user just needs enough space to stand up in. I am not sure exactly how you calculate what is the appropriate amount of space for people, but you certainly do not use that as a bottom line. In Griffith, which is a largish library, given that it is in an old primary school, they have made very good use of the space.

I have to say that Griffith is a young people's library. It has a children's area, a sort of teenagers' area and a young people's area. Those spaces are designed and decorated in such a way that each of those age groups would feel welcome. Indeed, they were being utilised on the mornings that I was there. One of the best speakers at last week's public rally was a young person, a Narrabundah College student, who said that her whole life has involved using the Griffith library. Even though college libraries, high school libraries and primary school libraries are very good, they do not have all the books. We all know that when there is an assignment students rush out to find books in the nearest library. It would be a pity if students from Narrabundah, which produces some of our best results in the ACT, were disadvantaged by not having access to the Griffith library.

The Griffith library is also important to families, young people and isolated individuals, whether they are young or old. It is also an elderly people's library. That is because Griffith is one of the areas with an ageing demographic—again due to its history. The library is used by many elderly people who walk there or drive their car there and park close by. That is hugely important to them and it is just the sort of thing that governments are inclined to overlook.

What about the argument that people can get on a bus? A lot of people get on a bus and go to Woden now and bring back bags of shopping. Now they will have to haul back a bag of library books as well. It is not a good argument. It also makes a joke out of the saving identified in the report, which Mr Hargreaves has said that he has not imposed, of \$1 a half-hour for internet access. It costs more than a dollar to catch a bus to go to Woden or Civic, so this is a pretty false saving. In fact, it is not a saving at all—not for the group of people we are talking about.

An increasing number of people are telling me that they try to keep out of Civic. I know that our planning hierarchy now assumes that people will come into Civic and that while they are here they might as well go to the library. But there is the parking issue, and the atmosphere of Civic is not conducive to some people; not everyone likes it. If people already do not like coming to Civic, they are not going to come here just because their library is closed. I suspect it will mean that fewer people from the Griffith area will use the library.

We are a city that talks about being full of educated people; we are a city that promotes lifelong learning. Libraries are an important part of that. As I said, you cannot have too many of them, though you certainly can have too few and you can have them inconveniently located. Mr Hargreaves says that Weston Creek has not got a library. Weston Creek would probably like a library. I do not think the fact that Weston Creek does not have a library is a reason why the Griffith community should not have a library.

I want to talk about the importance of community libraries as a place from which community development can grow. Community libraries are networking places. They are places where people can put up notices of events that are occurring. They are places where people can meet for those events. They are places that people who are isolated know that they can visit and find at least one person who will speak to them that day. This is so important in our ageing society. More and more people are living alone. We have got a planning process. We have more and more flats and apartments. More and more people are living on their own. The number of people in families is diminishing every year.

Last night I heard a presentation from an employee in the Chief Minister's Department who is involved in residential aged care. He talked about a concept called "virtual aged care". It is something that apparently the government is interested in exploring. This means putting elderly people together in some way. The impetus has to come from the people themselves, but the proposal involves networking them and having them support each other. We need to explore the role of a library as a pivotal part of that. That needs to be explored—and here we are talking about one of the areas in Canberra with a very high density of aged people.

Finally, let me address the point about the mobile library. It does not provide that interaction. This is a case where local members maybe have been lacking. I have not seen the Labor Party people—all the Molonglo members and ministers—at any of the rallies. At the rallies I have seen Mr Pratt and I have seen Mrs Burke. Of course, I have been there. Have you been there, Mr Smyth? I am not so sure, but that is an issue for all of us, I think.

MR MULCAHY (Molonglo) (11.38): I would like to speak in favour of my colleague's motion. I condemn this government for its decision to close the Griffith library, made with minimal consultation.

The public outcry over this decision has been immense. It is indicative of anger at not just the decision itself but the way in which it has been presented to the people of Canberra as a *fait accompli*. It was not practical for me to be at the rally last week, but hundreds of people attended. In addition, over the last few weeks I have received many representations from many angry constituents. Indeed, just this morning my staff logged 14 letters from constituents. They are not all form letters, as the minister tried to purport; there are many individual letters. But this pales in comparison with the number of emails and other letters I have had over the past week. The petitions that have been tabled in the Assembly, with thousands of signatures opposing the government's decision, are reflective of the depth of feeling. One of the major concerns of these people, especially 800 people who signed the petition tabled today, is the complete lack of consultation that has occurred in relation to this matter.

People are concerned not only about the loss of a vital community service but also about the way in which the territory government has handled the issue. What we see here is a government that is exploiting its majority to introduce major cost-cutting measures. We must consider why these measures are deemed to be necessary. The fact of the matter is that, because of its financial mismanagement of the territory budget since 2001, the government of this territory is now cutting services that it sees as expendable. This is something I have been on about since I was elected to this Assembly in 2004. I predicted it was coming when Mr Quinlan was here, before he jumped ship. I have said what was going to happen. We have seen the horrific deficits. We have seen the horrific increases in taxes, many of which have been borne by older folks in Griffith. And we are now seeing the slash-and-burn policy of this government as it desperately tries to get its house back in order after having had years and years of profligate spending, poor management and a lack of financial control, despite the pleadings from Mr Quinlan to stop high-spending ministers who took their eye off the ball.

For 4½ years, the mantra of this government was to spend, spend and spend. Wasteful pet projects were indulged, the public service was expanded to record levels, and all the time the budget suffered.

Mr Gentleman: You don't like those public servants, do you?

MR MULCAHY It is not a matter of not liking public servants. Look at where the Stanhope government took the numbers from the 15,000 when Kate Carnell was Chief Minister. The Stanhope government took the numbers to 19,000 people that we simply could not afford. I do not like to see stupidity in government, but that has been a hallmark of the way Mr Stanhope has run things over these years. It is too late that the government has realised that the forgotten voice of reason in the ranks—now, sadly for those opposite, enjoying Canberra's golf courses and bowling greens—the former Treasurer, Mr Quinlan, was correct all along: the government was living beyond its means.

Who pays for the wastefulness? The people of Canberra are going to pay for it. All residents suffer from the dramatic increases to rates and other government charges. Families suffer because of the closure of 39 schools and the poisoned chalice that Mr Barr has got. He is ducking for cover on the Griffith library issue. It is his electorate,

but we do not see him coming out and defending the people of Molonglo. We do not see Mr Corbell defending the people of Molonglo. We do not even see Katy Gallagher in the chamber on this issue.

This is one of the three biggest issues that have hit my office since I was elected: the civil unions legislation, the dragway and the Griffith library. On the basis of the volume of letters, the Griffith library is emerging as the single largest issue on which people have made representations.

It is time for the government members for Molonglo to move out of their ministerial offices, talk to the people in Griffith and Narrabundah and listen to what they are saying, because those people are angry, and they are rightfully angry. The residents of the inner south are going to suffer because the Griffith library will close.

It being 45 minutes after the commencement of Assembly business, the debate was interrupted in accordance with standing order 77.

MR SMYTH (Brindabella) (11.43): I move pursuant to standing order 77:

That the time allotted to Assembly business be extended by 30 minutes.

The Assembly voted—

Ayes 8

Mrs Burke
Mrs Dunne
Dr Foskey
Mr Mulcahy
Mr Pratt

Mr Seselja
Mr Smyth
Mr Stefaniak

Noes 9

Mr Barr
Mr Berry
Mr Corbell
Ms Gallagher
Mr Gentleman

Mr Hargreaves
Ms MacDonald
Ms Porter
Mr Stanhope

Question so resolved in the negative.

Motion negatived.

Resumption of debate made an order of the day for the next sitting.

Minister for the Territory and Municipal Services

Motion of censure

MR MULCAHY (Molonglo) (11.46): I seek leave to move a motion of censure in relation to the Minister for the Territory and Municipal Services.

Leave granted.

MR MULCAHY: I move:

That the Minister for the Territory and Municipal Services be censured for his handling of the closure of the Griffith library.

The manner in which we have had to proceed on this is not something we take lightly, but I cannot sit back and see a sizeable number of my constituents disenfranchised, disregarded, treated in such a cavalier fashion on an issue about which they feel passionately and which they treat as a very serious issue in terms of their community and the neighbouring communities in which they live.

I am disappointed. I think it is almost without precedent, Mr Speaker, that a minister would leave the chamber when a motion of censure has been brought against him. In the time I have been in this Assembly, I have never, ever seen that occur and I find it extraordinary that the contempt for the community and, indeed, for this chamber is evident by the minister's abandonment of this chamber at such a critical time in debate.

The issues of concern to the people of Griffith are substantial. As I have indicated, the residents are suffering because of the mismanagement by the territory government of its budget. We have the increases in rates and other charges, the suffering of families through the closure of 39 schools that has been forecast, and now the situation that people of the inner south, many of whom are older folks, are going to suffer because the Griffith library will close.

It is worth considering who will suffer because of the closure of the library. It will be the young primary school students from the local area including Red Hill and Narrabundah primary schools, the elderly and other disadvantaged sections of our society. Recently I received communication from an 82-year-old pensioner, a veteran of World War II who wrote to me. His daily activity is to walk to the Griffith library, read the newspapers, books and magazines. He is not able to travel by bus alone and does not drive. I am sure that his is not a unique situation.

Other constituents who have contacted me have raised this same issue either on their own behalf or for family members and friends. And I do not have a problem with the fact that people who might live out of the area are concerned. Do I take no interest in my mother who had an injury a few days ago and who is in hospital in Hobart? If I call, does the hospital say, "Well, it is not your problem; you do not live in Hobart"?

It is a similar situation for someone living in Theodore when their parents, who live in Griffith, are in trouble. Do we deny them the right to put a view, to express their concern? Of course we do not. Do we sit here saying, "Well, they cannot vote in my electorate; so I do not care. I do not give a hoot about their concerns"? It is a disgraceful way in which to treat representations from the community.

I receive hundreds of representations on a raft of issue every few weeks. Some of them I disagree with. Some of them I agree with, but I consider it my duty, and I have since I was first involved in doing political work, that if you receive representations from constituents, you should treat them with the maximum possible courtesy and advance those concerns to the appropriate minister. I do not think it helps the minister's reputation in handling this to just dismiss and trash letters that have come from people—from whatever area—who, for whatever reason, have taken an interest in the plight of those who patronise the Griffith library.

Other constituents who have contacted me have raised this issue that the pensioner raised—either on their own behalf or for family members and friends. Because of the lack of consultation, and the failure of the government to put the proposal before the Standing Committee on Planning and Environment, adequate consideration has not been given to these sorts of concerns or difficulties. The government will no doubt detail at length the improvements that have been made to the Civic library and I welcome these improvements. I enjoyed a tour of the site shortly before it opened and I attended another event last night. But, Mr Speaker, many people who have contacted me about the closure of the Griffith library have detailed how difficult it would be for them to travel to Civic or, alternatively, to Woden.

The minister told the rally of residents opposed to the closure that it was government policy to locate libraries in town centres. But a resident has written to me asking why the established centres of Manuka and Kingston do not count. Another has pointed out that, in contrast to the office workers who take advantage of libraries in town centres, the patronage of Griffith library is made up almost entirely of local residents.

In talking about the patronage, one of the great concerns I have is the well-regarded collection of Italian work—Italian literature—in that library. We wonder what the fate will be of that important collection which has been enjoyed by many of the first post World War II immigrants who settled in Canberra, particularly those who came here to work on the Snowy project and who have now established their families. Many of them have retired in the area and have enjoyed this particular service and quality of literature that reminds them of the land from which they came.

In urging people to use the Civic library, I doubt the government has considered the enormous difficulty and cost of parking in Civic. These are difficulties that may prove prohibitively expensive to residents who currently use Griffith library. The government has not given any consideration to these people in making its decision to close the library. They have not bothered to take the time to listen to people's concerns, but instead have acted unilaterally and taken advantage of their majority to force the closure.

Mr Speaker, I support my colleague's motion to defer the closure of Griffith library until appropriate consultation has taken place. As I have said, moving this motion is not something that I have taken lightly. Indeed, I have said to my colleagues on occasions that censuring a minister is not something one should do here on a frivolous basis or with a lack of due regard. But I cannot, as I said, sit back and watch a situation where I feel that a sizeable group within my community are having their interests trampled on, are being treated with absolute contempt, were not properly consulted and are thus being told, "We could not care less what you think and we will not even entertain the possibility of extensive discussion in this chamber where we are elected in the first instance to represent our constituents." All other things proceed secondary to that, in my opinion.

The government should refer this to the Standing Committee on Planning and Environment. It would certainly give the people of the inner south a chance to have their concerns addressed. I commend this motion to the Assembly and I would hope that Mr Hargreaves might take stock of the approach he has employed to date. Whilst

he may not represent the electorate of Molonglo, I would hope that his colleagues Mr Barr, Ms Gallagher and Mr Corbell would understand the depth of concern over his handling of this issue and the dismissive way in which he has spoken about people who have raised legitimate concerns. For that reason, I stand by this motion of censure.

MR HARGREAVES (Brindabella—Minister for the Territory and Municipal Services, Minister for Housing and Minister for Multicultural Affairs) (11.54): It is interesting, I think, to notice that the time difference between the conclusion of one decision and the decision to move a censure motion was a nanosecond. I think it was a nanosecond. I think, in fact, that the good spin doctor Mulcahy had it in his back pocket for a couple of days. And he has thought—

Opposition members interjecting—

MR SPEAKER: Order! Members of the opposition will cease interjecting, including Mr Pratt.

MR HARGREAVES: And I thought it was really a bit of political genius to say—

Mr Pratt: It would not have occurred to you—

MR SPEAKER: Order, Mr Pratt!

MR HARGREAVES: Actually, Mr Speaker, I have been thinking to myself, “I wonder when this is going to come.” And I have to say to you, it has come a day later than I thought. But, then again, in thinking about it, of course, Mr Mulcahy and Mr Pratt are too clever by half. What they have actually done, Mr Speaker, is to put this piece of Assembly business on the notice paper knowing that I would not be in the Assembly at the time. Therefore, they were going to run this censure motion. It was always going to happen today. But it was a cowardly attempt because I was not going to be here. As it turned out, for reasons of my own, I did not go. Mr Speaker—

Mr Pratt: You bloody dingbat!

MR SPEAKER: Mr Pratt, enough of that.

Mr Pratt: I apologise, Mr Speaker. I do apologise, John.

MR HARGREAVES: I accept your apology, Steve. I accept it and it is reciprocated with warmth. What is the substance of this censure motion? They did not get what they wanted. They decided that it is a nice political ploy to go and pick a few things. What are they?

Mr Pratt: What—to keep a library open?

MR SPEAKER: Mr Pratt, I have called you to order twice.

MR HARGREAVES: I refer to the lack of consultation process. I have actually said in this place, I do not know how many times, that if we could do things better in terms

of the consultation process, we would—with the caveat that I have not been able to do this over the last couple of days because I have been down here. I have answered the emails that people have sent to me, and there has been a flood of them. I have arranged for letters to be responded to if people have written to me. I have signed those off and I have a whole pile in my office, which I would be doing now if I were not doing this. I have met with the group at the library.

Mr Speaker, I attended the rally. Like my colleague Mr Barr, when there are decisions taken to close something, it does not take any guts to get up there and oppose that closure. It does not take any guts at all. But it takes a certain amount of courage to front a crowd who you know dislike you and to explain to them the reasons, whether they like them or not, and to listen to what they have to say. And I did just that, Mr Speaker, on the Saturday and I listened to the children. I have to say that some of the children touched me on the ticker quite dramatically because they were genuine kids. Other children were spiked by their parents with questions. The kids who spoke to me genuinely, I thought, were wonderful kids. You should know that, Mr Pratt, because you were there.

Mr Speaker, I was touched by a number of eloquent questions that were given to me and I know that the answers that I gave people probably did not satisfy them. But you cannot accuse me of not fronting that community and telling them directly from my mouth whose decision it was and the basis of that decision. And I did it. So you cannot say that I did not do that.

I need to say this publicly: Mr Pratt did, in fact, acknowledge that publicly—that I did actually turn up at that rally. I have forgotten the exact words he used, but I would like to express my appreciation in this place for that comment. I think it was an honourable thing to do and I appreciate it. We talk about the reasons why there is a censure moved against me for administering something. We are talking about why I did it. Why are we closing it?

We could have a history lesson here. I suppose it is probably warranted. Let us go right back to the original conversation around Griffith library. I have no idea, and I do not know if my colleagues can remember either, why the Liberal Party wanted to close it. The original decision to close the Griffith library was taken by the Liberal Party and I have no idea why. There are members in the opposition who were part of the Liberal government of the day who were party to that decision, but I still do not know what that decision was based on.

But I can tell you why the current one was made. There have been a number of decisions to close the Griffith library over a number of years. The first one was, in fact, taken because we wanted to enhance the Civic library service. We were going to put an awful lot of money into building the new Civic library. Then we would transfer the smaller one from the interchange into the city. It is 60 per cent greater in size and it will have a considerably greater number of services. Those services will need to be resourced. The source of those resources was going to be Griffith library. That is where we were going to get the people from.

To do that would mean that the Griffith library would need to be closed. That was the decision a number of years ago. We moved on. Then we talked about the consultation

process around the neighbourhood action plan, and people knew then that it was going to close because, in fact, the neighbourhood action plan talks about the closure and the use of that building for community uses. For example, if a library were to be rebuilt into the future, it would possibly go on a certain block of land. So there was notice out there that it was happening.

Then we come to the stage when we were revisiting, as I have explained in this place before, the restructure of the Department of Territory and Municipal Services. I do not see any congratulations coming across from the opposition benches, Mr Speaker, for the amount of reduction in the waste that Mr Mulcahy talks about and the waste that Mr Pratt talks about in the restructure of the Department of Urban Services only 12 months ago. That is because those opposite choose not to recognise some facts. In the first restructure of the Department of Urban Services the first—

Mr Pratt: You sold the—

MR SPEAKER: Order!

MR HARGREAVES: The very first eight positions to go were SES positions. The eight different silos of the Department of Urban Services were restructured into two—enterprise and municipal services. All of the so-called wastage that Mr Mulcahy and Mr Pratt keep talking about that is supposed to exist today was removed.

Then, of course, we had the integration of other parts of the department such as environment, sustainability, heritage and ACTION. We had the same objective then. We had to remove wastage there, and we did. As part of that whole process we talked about what we were going to do with the library service, because it needed to be restructured—the same as everything else in the department. Of course, it was at that time when the possibility of having a town and group centre library system was discussed. The closure of the Griffith library was always on that agenda. We had those views but we needed to make sure that those views were tested and academically verified. That is why Dr Veronica Lunn was actually engaged.

Mr Smyth: What, don't you trust the community?

MR HARGREAVES: Mr Speaker, Mr Smyth interjects and asks why don't we trust the community. That is a gratuitous remark and an insult to Dr Veronica Lunn, as far as I am concerned. She is an internationally renowned consultant in library services. She is an Australian. She knows the Australian library culture, and for Mr Smyth to suggest that we should just instantly dismiss her thoughts or even her involvement is a low-life act in the extreme.

Mr Smyth: No, not talking to your community is a low-life act.

MR SPEAKER: Order, Mr Smyth!

MR HARGREAVES: Mr Speaker, I really do need to ask the opposition to just sit back and see this thing in its context. So we have now reached the position where we had a good idea at the time. We have developed it through a range of areas and then we decided to test it. We have had community input all the way along the line and that

community input has been consistent. It has been consistent as far back, Mr Speaker, as 2001. The consistency of that feedback from the immediate community of Griffith-Narrabundah has been “do not close our library”. Quite reasonably, that has come from the people who use it. I have no objection to that. I do not disrespect that at all. There has been constant feedback: do not close the library. So we know that.

We commissioned this academic work from Dr Lunn and she affirmed the view that we had entertained, that we should have a robust library system which has actually got in it contemporary material. The materials that we have in the library at the moment are something like an average age of five years. We should not have materials anywhere near that age in our library service. We need to bring them into the electronic age. We need to make sure that the balance between print and non-print materials is the correct one for the demands and the needs of the users of today.

We need to examine the joint use library system to see whether it is working. We need to examine a whole range of things like the electronic self-help system, the RFID, and then we need to resource that across the system. We need actually to house the various specific collections that we have. The report talks about the heritage library and the Assembly library, but it also could include all of the specific language collections that we have. Those who visit Dickson library would know that a Chinese collection is up there. In fact, the Italian library collection which is at Griffith will go to Woden. So we needed to consider how we could actually bring all those together and make sure that we have an enhanced system.

I am being condemned, as I understand it, for taking a process that was started in its destructive nature by the Liberals, and then progressing it through, putting it into the restructure process of waste reduction that those opposite have been telling us to do for a stack of years now—

Mr Pratt: We have never said waste front-line services.

MR SPEAKER: Order!

Mr Pratt: We have never said waste—

MR SPEAKER: Order, Mr Pratt!

MR HARGREAVES: I did not say that either. You misheard me.

Mr Pratt: That is what you are talking about.

MR SPEAKER: Order!

MR HARGREAVES: As usual, you mishear me. I said waste reductions. We have done that process but I am being condemned for that. I am also being condemned for having the theories tested academically and I am being condemned for the amount of consultation that has not gone on. The consultation has gone on since those opposite tried to close the library in 2001 or 2000—I have forgotten exactly when. I have responded to all of the emails to me. I have met with the groups themselves, I have

fronted to the crowd of people who were there, and I have responded personally to the emails that people have sent to me. (*Time expired.*)

DR FOSKEY (Molonglo) (12.10): I did not expect to be speaking twice on this topic. I am going to support this censure motion. I believe it is the first one I will have supported in this Assembly, and it is not something I do lightly. The reason really is that to me it was just horrific that that debate was closed down because this was the closest thing that the community got to a broad ranging consultation about this library. It is not equivalent to consultation. They deserved a lot more than that. This is a discussion by their elected representatives talking about their issues in a forum.

While we have a majority government that has to stick together on this issue, I believe there must be discussions in the Labor Party about this. There have to be. There are representatives from Molonglo; they are ministers. They do not get to act as local members. I understand that that is a difficult situation for them. They are members of cabinet but they are also local members. If those discussions are not happening in the Labor Party, then I believe the community should be very worried, because it means that majority government is a shutdown of community considerations. What Mr Hargreaves has done amounts to a gag, although technically it is not one. But it amounts to a gag of the debate and that is what he is doing.

A motion to refer the matter to an Assembly committee is a small thing. It has been done dozens of times in the history of this Assembly. The committee system works like that. It allows all the issues to be ventilated. We can get a historical approach to it; we can hear all the pros and cons; we can actually get some expert advice. Whatever comes out of that becomes a decision that the Assembly is more likely to own. But what has happened now? The debate was closed down.

Ironically, it is probably going on longer now than it would have if you had not closed the debate down. But it has been closed down on a day when we are probably going to finish early. It is not as though we have got a crowded agenda. It is not as though we have a crowded agenda where we are going to have trouble fitting all the items in. My staff have been invited to a drinks session at 5.30. There must be some prediction that the day is going to be over by then instead of 6.30 as normal; so we have the time.

I think that at the very least, it was not thoughtful of you and it was not civil to this issue. Nor do I believe that Mr Hargreaves's treatment of the many letters that he received from constituents was civil either. In fact, I think it was really insulting and I was actually blushing for him, because I do not think it is the kind of thing he will feel so good about later on. We all know that in campaigns stalls are run, letters are there, people can sign them. That signature is their message of sincerity. Not everyone is good at putting the words together but as members of the Legislative Assembly, we are doing it all day. We are signing letters that we did not necessarily write but we read them and our signature is equivalent to our writing them. It is so not fair to put those signatories down.

The other thing is that this Griffith library is one library in a whole system. People are acting within their rights to write from Jerrabomberra. They use the library. They are in their rights to write from Belconnen or from Campbell because our library is like that. We do not have the same books in every library. When you order a book, it can

take a week to arrive because it is in that library over there. But we collect it in Griffith because it is easier for us to do that. So that is not an argument and people have the right to complain about a downgrading of the library system.

It is not just one library we are dealing with. It is a library system, and in this report there are reasons to worry about other libraries as well because, for instance, Dickson library is told it has got too much space—that maybe it should have a cafe or a bookshop in it.

Dr Lunn is an internationally renowned expert. I have looked at her website. I know she had done a lot of work all around the place, but she is not a Canberra local. That can be good too. You need the outside experts, but you also need the Canberra opinion. She actually says—this is what made me wonder—on page 23:

The Kippax Library recorded the most significant increase in business levels ... in January to July 2005 and January to July 2006 (up 52.7 per cent).

Does she know that that library just opened? I do not know. There could be a good explanation for that. But my sense is that Dr Lunn did not have the local picture. She was actually told in this contract, which ironically is called the going forward together project, to have a look at our library service expenses in line with local government benchmarks. We do not have local government here. I know local governments run the libraries in Victoria. As I said when I spoke about the Griffith library before, I had a look at the library system in Victoria too, and I noticed that they have lots of libraries, not just one per 100,000 people.

I do not know which shires Mr Hargreaves looked at, but they were not the ones in the areas that I think Canberra should compare itself with. I think we should compare ourselves with some of the most well-heeled suburbs. It works with our UAIs, for instance. We are equivalent to the upper income earning areas of Sydney. It is probably truer in Melbourne. That is our demographic, and this is a demographic that deserves a good library system.

I do not feel that comfortable about voting for a censure motion. To me it is really about Mr Hargreaves having a difficult job. I also commend him for standing up in that rally and I commended him on the day, because I know how hard that must have been. I know how hard that must have been for Minister Barr as well at the school rallies. That is the tricky part about being in government. Do not worry; I acknowledge that that must be awful at times, and it must be awful when you have to enact decisions that you do not really like. It must be; you cannot like them all.

However, the way that you do it is to engage with people. Your community engagement strategy recognises that. Time and time again in relation to this budget and the decisions coming from it, the community engagement strategy has not been engaged. It is coming back and hitting the government now. Decisions only work when the community is brought along with you. Even Machiavelli could have probably told us that.

Sadly, I am going to join in this censure motion. I do so with an understanding of the difficulties of the issues that Mr Hargreaves faced, but I do so in a sense that he did

not do this in a way that was going to engage the community. Most particularly, he tried to shut down debate in this place—a place of last resort for the citizens who use the Griffith library and who care about the ACT library system.

An incident having occurred in the gallery—

MR SPEAKER: Order! We also have to maintain order in the gallery. I call Mr Barr.

MR BARR (Molonglo—Minister for Education and Training, Minister for Tourism, Sport and Recreation and Minister for Industrial Relations) (12.19): I rise in defence of my colleague Minister Hargreaves. I have been interested in observing the debate this morning that has raised a number of broader structural issues about the ACT overall. I acknowledge a lot of what Dr Foskey had to say in relation to government ministers often having to defend very difficult decisions and I can speak from personal experience in relation to a number of those issues in many of my portfolios.

I think, though, that we need to take a step back and have a look at the context of the financial position that the territory is in. I have observed in my six months in this place that those opposite regularly make observations about an alleged lack of financial management. One of the things that struck me in the six months I have been here is that every attempt to address some of the major structural issues that this territory confronts around the asset base that we inherited from the commonwealth, our limited tax base, the fact that we are not riding on the back of a resources boom like some other states and territories are—

Opposition members interjecting—

MR SPEAKER: Order!

Mr Pratt: What about GST?

MR SPEAKER: Order, Mr Pratt!

MR BARR: This jurisdiction has, and I think always will, suffer a comparative disadvantage. We get some adjustment from the Commonwealth Grants Commission, but I think this is a reality that governments of all persuasions throughout the history of self-government have had to face up to. One of the reasons we were given self-government was that the level of resources, services and infrastructure that was provided by the commonwealth to the people of Canberra up until the point of self-government was significant. In comparison to other jurisdictions, the level of resources in the territory and the level of government services that are required or expected are considerably higher. That has presented challenges for governments for 17 years.

On being elected in 2001, the Stanhope government sought to address a number of areas where there were clear gaps in service provision that needed to be addressed. As the Chief Minister has indicated, there were possibly times when we attempted to try to fix significant social problems in the city and that we spent too much money. We probably did.

Mrs Burke: An admission.

MR BARR: We probably did. But the point is, though, that given the structural asset base that this territory is seeking to operate off, given the level of taxation, given the level of resources that the government—it does not matter whether it is Labor or Liberal—can bring to meet those needs, there are always going to be areas that are stretched.

The point I am seeking to make in this debate overall is that what we see—be it in schools, be it in libraries—is a question of quality versus quantity. That is the issue that we need to confront, Mr Speaker, in this debate. No-one likes to have to be confronted with decisions that require the closure of certain services. We have a choice. We can determine that there will never be an expansion of service in any other area, that we will not seek to build new facilities, that we will just sit on the services we have got and gradually watch them age, watch those assets and infrastructure decay over time. We can decide never to seek to provide new services. That is effectively one choice we have—be it with schools, libraries or a whole range of government services.

The other option, of course, is to seek to raise more revenue. Those opposite have sought to oppose virtually every means of raising additional revenue. The crux of this debate overall, though, is that if we are going to want to maintain the level of services significantly above that of other jurisdictions, then we will have to raise revenue significantly above that of other jurisdictions. This is the truth—the inconvenient truth, might I say—that some opposite are not particularly interested in. Whilst Mr Mulcahy talks at length about the need for financial management and for responsible budgeting, those opposite have opposed every specific measure to return the budget to balance—every measure.

Mrs Dunne: Who took it out of balance?

MR SPEAKER: Order!

Opposition members interjecting—

MR BARR: Mr Speaker, yes, and it is clear that it has been reported in various budget papers—

Mr Pratt: Who forgot to bank the money?

MR SPEAKER: I warn you, Mr Pratt.

MR BARR: Yes, on a GFS basis the budget was in deficit and we need to address that. Yes, we do, but those opposite seek to oppose every measure by which you would do that. Those opposite might seek to point to their experience in government when I think they sought to bring the budget into balance by driving wages down, by reaching a point where the ACT public service—teachers, nurses and other public servants—were an entire pay level below that of the commonwealth. This resulted in a very serious situation for the territory in terms of being able to recruit quality staff.

Yes, that is one way of seeking to balance the budget in the territory—recognise that half the budget is salaries and wages. If you drive them down, you reduce the quality of our public services. You can do it by reducing the pay levels to staff.

We are seeking through a sensible wages policy to ensure not only that we have staff within the ACT public service appropriately paid in a competitive manner but also that we have quality services. But that means making some difficult decisions about, as I say, this fundamental issue of quality versus quantity. We see it in the schools; we see it in the libraries; we see it in a whole range of services.

We have to own up to the fact that the current arrangements are not sustainable. The minister has sought to address this issue. The government has invested significantly in library services. There is no doubting that; no-one is contesting that. But in order to do that, you do need to have a rational look at the service provision across the territory. This is an incredibly difficult decision and I admire the courage of the minister in seeking to take on the debate, in seeking to address people's concerns—to front the angry crowd. As I say, I have some personal experience about what that is like and it is difficult but it does not mean that you run away from having to confront these issues.

That is what responsible governments do. They seek to confront these issues to find sensible, commonsense ways forward that will ensure that service provision is improved where possible. That is what this minister is doing in the library service. There is no doubting that. You need only look at the \$20 million investment in seeking to modernise and upgrade our public library service. Those changes that seek to bring the library service into the 21st century are difficult and require a significant investment from the government. This minister and his predecessor have been able to deliver on it, but it is not possible to do that across a number of sites.

As I say, it is a very similar issue in relation to schools. It is a quality versus quantity issue, and it is a difficult one. It is very easy for those opposite to seek to make political capital out of this. I suppose if I were in opposition it would be something that would be very tempting to do. But I am sure the shadow Treasurer has observed with some concern what happens as each of these issues comes up.

As I say, every specific measure to seek to address some of the longer-term structural issues that this territory faces is opposed by those opposite. This provides a short-term political gain, no doubt, but the question is what it does for the longer-term structural basis for this territory. The answer is that it sets it back. If we are to have some sustainability in our government services and we are to have a situation where our staff, the expenditure on whom constitutes half the total ACT budget, are appropriately paid, we have to look at these issues. I know that it has been an issue for me with teachers that those opposite have sought to capitalise on. But you just cannot keep adding money on and on without seeking to raise additional revenue. (*Time expired.*)

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

Sitting suspended from 12.29 to 2.30 pm.

Questions without notice

Hospitals—overcrowding

MR STEFANIAK: My question is to the Minister for Health. Minister, earlier this week you informed the ACT community that “we’ve”—that is, ACT Health—“actually purchased 10 beds from the National Capital Private Hospital to deal with some of the pressure” at the Canberra Hospital. Minister, are you aware that, in purchasing these beds from the National Capital Private Hospital, patients who use the private hospital are being denied access to beds in that hospital? What was the basis of the arrangement made by ACT Health to purchase those beds from the National Capital Private Hospital?

MS GALLAGHER: As members would be aware, in this year’s budget we had \$12 million for an additional 20 beds. In order to get those beds up and running in Canberra Hospital there needs to be some planning and some capital works redesign done. So those beds will not be operational until early next year. In the meantime we are in a position where we are able to increase the capacity for beds in the public hospital system with the agreement of national capital private.

I doubt very much that what you say is true—that people are being denied access to National Capital Private Hospital—unless you are receiving information that I have not received. It is not a decision that national capital private would necessarily take if they were full with their own patients. They entered into an agreement with the Canberra Hospital for a six-month period for us to use 10 of their beds.

That increases the capacity at the hospital in line with some of the arguments that the opposition has been running that we need to increase capacity in the hospital. I thought you would welcome the initiative by the government to make sure that the beds that we funded in this year’s budget are operational as quickly as possible.

There has been pressure for inpatient beds. We need to respond to that pressure. As I have said many times in this place, through our current term and by early next year we will have 126 extra beds in place—75 of which are now operational—to deal with the growth that we are seeing.

The opposition are always saying, “100 acute-care beds must be operational now”, except they have no plans for where those beds would go or how they would staff them. There is no solution there. We are doing it in a very planned way. We now have 20 medical beds—12 at Calvary and eight at TCH—in place from the 2005-06 budget. We now have three intensive-care beds in place and 60 sub-acute beds—51 are extra; nine are already in place. They will be operational early next year.

We now have an extra 17 emergency department short-stay beds in place at TCH and Calvary, and 15 transitional aged-care beds jointly funded by the ACT and commonwealth governments have been in place since June 2006 run by the aged care sector. In this year’s budget, we also have funding for an additional 20 beds, 10 of which are now in place. We are responding to the growth that we seeing in demand for hospital beds. This government is taking a very sensible approach and ensuring that we are planning where those beds need to go.

Mr Smyth: Answer the question. It is about national capital private.

MR SPEAKER: Order! Mr Smyth.

MS GALLAGHER: We do not have a simple answer or a simple response—which is 100 acute-care beds now without any idea of where they need to go. The new beds in this year's budget will target older patients—those over the age of 75, who in terms of the data that I have seen are the ones affected most by access block. We are planning where these beds needs to go.

I imagine that in every budget from now into the near future there will be extra beds. When we cannot get those beds operational within the public system because of the work that needs to be done to create the new unit for the beds, this makes sense. We share a campus with national capital private; they are there. Our patients can move between the hospitals. Nobody broke national capital private's arm. I am sure that they entered into the agreement with ACT Health only because it suited them as well.

MR STEFANIAK: I have a supplementary question, Mr Speaker. I thank the minister for the answer and she may or may not be able to answer this. Minister, what action are you taking to ensure that those patients who are being denied access to beds in the National Capital Private Hospital are able to be treated appropriately? What inquiries will you make, minister?

MS GALLAGHER: As I have said, if private patients were missing out I am sure the National Capital Private Hospital would not have entered an agreement with ACT Health to supply 10 beds for ACT public patients to use. I am not aware of any private patient who has been denied service at national capital private because the government is purchasing 10 beds from national capital private. From my understanding, this arrangement is in both parties' interests. As I said, national capital private could have said no to us if it was going to impact on their private business, but certainly I am not aware of any advice to me that private patients are missing out—and I imagine I would have heard about it by now.

Rhodium Asset Solutions Ltd

MR MULCAHY: My question is to the Chief Minister. Chief Minister, you recently claimed that the sale of Rhodium would have little impact on the local motor vehicle trading industry, as most motor vehicle lease companies purchase vehicles from local dealers. The fact is that most motor vehicle leasing companies are not based in Canberra. Chief Minister, doesn't this mean that the vehicles could well be purchased in bulk in local markets like Sydney and Melbourne? If this is the case, won't this potentially impact adversely on territory business?

MR STANHOPE: I thank Mr Mulcahy for the question. My advice—the advice that I have from Treasury in relation to the likely implications or impact of the sale of Rhodium on local business—is as revealed or declared now by Mr Mulcahy. The advice that I have received is that experience in other places in Australia is that fleet companies such as Rhodium that operate elsewhere in Australia are inclined to utilise

the services of companies, whether for the purchase of cars or for their maintenance and upkeep, in the location in which they operate. That is the advice that I have. I have no reason to dispute that advice. Of course, it is my fervent hope that the sale of Rhodium will not disadvantage ACT businesses.

Having said that, the ACT has instituted a detailed scoping study, which has reported quite categorically that there are very good reasons for the ACT government selling Rhodium. As I have indicated in relation to that, at this stage only around 25 per cent of Rhodium's fleet leasing business involves the ACT fleet. As a result of expansion by Rhodium into the private sector, in the order of 75 per cent of its work or its client group is within the private sector. Certainly we must ask, particularly in the context of the increased risk that represents commercially, whether or not a government such as ours is appropriately engaged in a car or fleet business. The answer to that is almost certainly no. That is my view and the view of Treasury, and I am sure that it is the view that Mr Mulcahy will continue to accept, having previously expressed it.

If we accept the basic position in relation to Rhodium and its future, let me say that there may be some consequential impacts on certain ACT businesses. If there are, I regret that, but in the context of the overarching policy position I believe that the decision to sell Rhodium is sound. In a reasonably short time, we will be proceeding to an open tender process to achieve that result.

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

MR MULCAHY: Thank you, Mr Speaker. Thank you for that reply, Chief Minister. Do you intend to make it a contractual condition in the sale of Rhodium that the purchaser sources vehicles from ACT motor dealers?

MR STANHOPE: That is not my understanding, but I would not wish to be definitive on it. I would prefer to go back and seek further advice on the sorts of contractual conditions that the ACT government would be seeking to impose, but I do not believe that that will be one of them. I will confirm that through further advice from Treasury, and I will provide that information to members.

At this stage, let me offer an invitation to any member who may be interested in a briefing from Treasury officials in relation to the proposed sale of Rhodium. This is a matter of some moment—the sale of an ACT government asset. I would wish any members interested in a briefing to avail themselves of the opportunity for one. Treasury officials would be more than happy to give a full and detailed briefing on all aspects of the proposed sale to any member who wishes it.

Women—White Ribbon Day

MR GENTLEMAN: My question is to the Deputy Chief Minister in her capacity as Minister for Women. Minister, this Saturday is White Ribbon Day. Could you inform the Assembly of the purpose of White Ribbon Day and the events taking place in Canberra?

MS GALLAGHER: I thank Mr Gentleman for the question and his commitment to White Ribbon Day. All male Labor MLAs are white ribbon ambassadors. All are

strong advocates for the eradication of violence against women. That is what White Ribbon Day is all about—the total elimination of violence against women. It will be marked by a combined event in Garema Place this Saturday, 25 November.

White Ribbon Day was initially established by a group of Canadian men in 1991 on the second anniversary of the massacre of 14 women in Montreal by one man. Thus began the campaign to urge men to speak out against violence perpetrated on women. In 1999, the United Nations General Assembly declared 25 November the International Day for the Elimination of Violence Against Women, IDEVAW, and the white ribbon became symbolic of that day. The date 25 November was chosen in commemoration of the lives of the Mirabal sisters from the Dominican Republic, who were assassinated in 1960 during the Trujillo dictatorship.

The white ribbon campaign is the first mass international campaign focusing on and bringing awareness to society that the use of violence against women and children is not acceptable. In the ACT and internationally, the majority of victims of domestic, family and sexual violence are women and girls, and by far the majority of perpetrators are men.

White ribbons are worn by all to encourage men to speak out against violence towards women and as a personal pledge by men not to commit, condone or remain silent about violence against women and children. I have a load of ribbons in my office, if I have not already sent them out to everybody, and I encourage all staff and members to purchase and wear one on the day.

Sadly, Australian research has shown that more than one million Australian women have experienced violence during a relationship. According to the ABS personal safety survey of this year, 40 per cent of Australian women have experienced at least one incident of physical violence or sexual violence from the age of 15. This means that almost everyone knows someone—a mother, daughter, sister or friend—who will at some point be a victim of physical or sexual abuse. In 2004, men and women across Australia wore 200,000 ribbons and in 2005 approximately 250,000 ribbons were distributed. White Ribbon Day encourages global recognition of the issue of violence against women and girls and respect for the equal role and rights of women in society and raises awareness of gender-based violence.

The event this weekend will take place in Garema Place between 10 and 2. It is coordinated by the Domestic Violence Prevention Council and will feature music, a barbecue, entertainment, information, white ribbons, of course, and balloons. Mr Gentleman will launch the day at 11 am and has organised for 75 Trussme National Capital Rally cars to drive through Garema Place between 11.30 and 2, all fitted with white ribbons. Canberra Raiders players will be there and the Australian National University Choral Society choir will perform at 12 noon. There will be an opportunity to enter a raffle and to ride in a rally car with a rally champion, with all proceeds going towards UNIFEM's white ribbon campaign.

In conclusion, if we are to end violence against women, it is essential that every member of our community, male and female, is part of the solution. I urge you all to join me and show your support to ending gender-based violence by wearing a white ribbon on 25 November.

Hospitals—waiting lists

MR SMYTH: Mr Speaker, my question is to the Minister for Health. Minister, in the Assembly last week you referred to work that is being done in New South Wales to reduce the size of their hospital waiting lists. You said:

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.

You also noted that members of the New South Wales surgical task force participate in the ACT waiting list task force. What has the ACT learnt from working with New South Wales that is relevant to the operation of the ACT's hospital system and to the management of waiting lists? What benefits have patients in the ACT received from this collaboration with New South Wales ?

MS GALLAGHER: Thank you, Mr Speaker. It is probably early days, as the access improvement program working through the surgical access task force started only about a fortnight ago. That was the first meeting of that task force which New South Wales attended. I guess the idea of having New South Wales at the table—and we are very pleased that they have agreed to cooperate with us—was to get their advice on how things worked for them when they commenced on this business redesign in relation to surgical services across New South Wales.

We had a presentation from them about the issues they addressed through the access improvement program. The access improvement program started not two weeks ago in surgical services. They have actually done that first bit of planning, having a look at what is going on, looking at quick solutions, or I think they are called quick fix—mapping where the areas of pressure are, looking at what the delays are in surgery, the reasons behind the delays and ways to improve. That goes from looking at the role of wards people to the radiographers, to the way the theatres are being staffed, to the role the surgeon plays, to the pre-booking clinics and to the admissions processes. It looks at the whole thing.

It is pretty much the same as New South Wales. The challenge we have and where it will be different is that New South Wales have been able to allocate certain functions to each hospital, particularly across Sydney. They can quarantine some hospitals and say that this hospital will be doing this and this hospital will be doing that.

I guess some of the officers at the presentation acknowledged that, for the ACT, that is not an option. We have two public hospitals and one is the major trauma centre for the whole region. That makes it much more difficult to run elective surgery in the way they are running it in New South Wales now. I think the lesson learnt is that part of the puzzle is money, in terms of purchasing more elective surgery, and that part of it is the business processes.

As I said, the whole journey for a patient starts from the moment they get their letter in the mail saying that their surgery is on at a certain time to the moment they leave,

whether it be through day surgery or through a more complex procedure at the other end. There is a whole range of steps along the way that need to be addressed in making sure we are offering the most efficient and effective process we can.

It is probably early days in relation to what we are learning from New South Wales, but they gave a presentation at this meeting. It is my understanding that they are going to come to every meeting of that task force to assist us through some of the discussions we are having with surgeons and other relevant people in the surgical journey in the ACT.

MR SMYTH: Minister, when will the elective surgery waiting lists in the ACT be reduced by your government as a result of this collaboration with New South Wales?

MS GALLAGHER: The elective surgery waiting lists are down from where they were at last year. They have come down a fair bit. We have had a couple of months where there were 24 being added to the list. I think that 4,703 was the last answer we gave to you, so the figure has gone up in the last couple of months. We are hopeful with the extra money that we are putting in. We are doing more surgery than ever—9,120 operations; never been done before in the territory—but we are seeing the same demand for people to come onto the waiting list.

It is a complex issue. I cannot say exactly when we are going to see the waiting list come down. I am hopeful that it will be down at this time next month, but the hospitals have been busy, so I cannot say that. We are doing everything we can to improve access to elective surgery. There is money in this year's budget—I think another \$2½ million—to increase the amount of surgery we are doing. We are looking at our private partners to see whether they can take on some of the low-acuity/high-volume work and be cost effective for us. We are targeting people who have been on the waiting list for longer than they should have been and making sure that they can get access to surgery.

We are doing the business redesign work, although we have to do that with the agreement of the surgeons. That is why we have set up the surgical access task force. We have opened another operating theatre. We have extended operating theatres. We are doing everything we can, but there will always be a demand for elective surgery. I have no doubt that we will exceed 9,000 operations this year. I am just looking at some figures from Calvary. Access to elective surgery in the first four months of 2006-07 was up 16 per cent, or 197 procedures, with 1,433 elective procedures in four months compared with 1,236 for the same period last year. A lot of effort is being put into making sure that we are getting that list to trend down. It has been going down. For a couple of months it has gone up slightly. I am confident that at the moment we are doing everything we can to address the pressure on the ACT's waiting list.

Transport—deficiencies

MRS DUNNE: Mr Speaker, my question to the Chief Minister relates to issues which impact upon our economy, reputation and capacity to attract business and tourism to the territory. This morning's collapse of the taxi prebooking system, combined with gridlock on Pialligo Avenue and traffic backup on Majura Road have highlighted a number of transport deficiencies across Canberra. Chief Minister, what is your

government doing to address the myriad of interlocking transport deficiencies that adversely impact on Canberra's chances to do business and attract tourism?

MR STANHOPE: Mr Speaker, the issue of Canberra's reputation is, of course, particularly important to the government and all Canberrans. It is why my government is always particularly positive about Canberra and its great achievements and attractions. It is why I constantly regret the extent to which the opposition talk down the wonderful city of Canberra. We see, of course, Canberra being repeatedly talked down by members of the opposition in relation to its transport, level of crime, economic buoyancy, and as a great place in which to do business and live. We seek to counter the negativity which you and others generate about the ACT. Of course, we want you to support Canberra as the wonderful place it is to live, work and do business—a place unequalled in Australia and, I believe, around the world.

There are a number of issues in relation to this city, as there are with all cities around the world. In the context of traffic and traffic flows, people who come to this town and talk to me marvel at things such as the ease of traffic flow and the ease of movement. One of the things about the ACT that visitors, particularly international visitors and visitors from Sydney or Melbourne, speak to you about in glowing terms is the ease of movement around this wonderfully planned city of Canberra.

There are issues with the taxi service. The ACT government does not own or run the taxi service. The ACT government has a regulatory role in relation to the taxi service and the minister responsible for that regulatory role has sought to impress upon the owners, managers and those who constitute the taxi industry in the ACT the importance of addressing some of the very frustrating aspects of the management of that business. Certainly a point will be reached when the government's tolerance and patience will be absolutely exhausted in relation to the regulatory obligations of the taxi company. But the ACT government does not own the taxi company. This is a private sector company with private sector operators. It is not our business.

Is there a serious suggestion from the opposition that the government should perhaps buy the taxi service, that we should actually oppose the views which Mr Mulcahy has been expressing? I must say that I find it rather frightening that we have agreed in relation to the appropriateness of the government having businesses such as fleet management businesses. It is a little disturbing to me to find Mr Mulcahy and me in some sort of furious agreement over this. But I wonder what Mr Mulcahy would say about the prospect of an ACT government perhaps purchasing the taxi company? This is a market operation, this is the private sector, this is business, this is the market. Certainly governments can regulate but this is not a business we would run.

In relation to the part of the question that referred to Pialligo and Majura Valley, once again I think the Minister for the Territory and Municipal Services and his department have acted in an exemplary way in the taskforce constituted by the ACT and commonwealth governments. Indeed, this morning I was at a ministerial consultative committee meeting convened by Mr Lloyd, the minister for territories, and Mr Lloyd commended the ACT government and the Minister for the Territory and Municipal Services for the work of the taskforce on traffic, particularly its focus on Pialligo and the juncture of roads within the vicinity of the airport.

It is interesting to note that in the outcomes of that very productive process the one discordant note was struck by the member for Eden-Monaro, Garry Nairn, the Special Minister of State. In spite of the very productive and very cooperative attitude of commonwealth officials at those meetings, it was Garry Nairn who essentially said, "Well, I don't really care what you propose. The commonwealth will not be participating in any of those upgrades in the Majura Valley or Pialligo." Who was it, after the completion of a very productive and cooperative suite of discussions involving the airport, business and the ACT and commonwealth governments, who spat the dummy and said, "Well, it has got nothing to do with the commonwealth"? It was the Liberal member for Eden-Monaro, the Special Minister of State, who poured cold water over the ACT government's efforts to get a cooperative outcome for the issue of traffic at Pialligo.

MRS DUNNE: I have a supplementary question, Mr Speaker. Chief Minister, why does Canberra have the worst transport links between the city and airport of any capital city in Australia?

MR STANHOPE: That is absolute nonsense. Certainly there are some frustrating delays along Pialligo Avenue from time to time for a short period of time in the morning and for a short period of time in the evening. But for anybody to stand up in this place and expect to be treated with some credibility on the basis of statements like "why does the ACT have the worst transport links in Australia" in relation to any section of our road is laughable. That is a laughable assertion to make in relation to traffic and traffic flows in the ACT.

I live in Belconnen and it takes me eight minutes to get to work. That is during the busy times, and that is without exceeding the speed limit during those periods of the day. At 8 o'clock in the morning I can drive from the Belconnen Town Centre to Civic in eight minutes, observing all speed limits and stopping at all red lights. For any member of this place to come into this place and to suggest or assert that the ACT has the worst traffic links in Australia is just so derisory that one wonders where they live or whether they perceive anything that is going on around them.

We have a system of roads, transport and traffic arrangements that is the envy of Australia and of most cities around the world. Accepting that there are moments of frustration at being required to wait sometimes in queues for as long as five or 10 minutes—

Mr Hargreaves: That's shocking!

MR STANHOPE: I know; it is just so awful, isn't it, as those people in Campbelltown climb aboard their cars or trundle down to the train station with the prospect of an hour or an hour and a half; those people in Sydney who get out of bed at 5 o'clock in order to get to work by 8.30 am.

That is the reality. There is always room for improvement, and certainly we acknowledge and accept absolutely the need for upgrades of Pialligo Avenue and roads associated with the airport and we will respond to that need, just as we have responded to the needs of Gungahlin, despite the impediments and opposition that the

Liberal Party put in our way to construct the Gungahlin Drive Extension, the most significant piece of road infrastructure constructed in the ACT for decades. The major, most significant piece of capital works being currently undertaken is, of course, the Gungahlin Drive Extension, the most significant piece of road infrastructure delivered in the ACT in decades. We are doing that with no cooperation from you—in fact with your benign opposition; the barriers that you put in our way, the obstruction that you created.

You did not deliver or help to deliver the Gungahlin Drive Extension at all. You obstructed it at every opportunity or step that you could because essentially that is the only role you see for yourselves: an opposition that know nothing but opposition, an opposition without policies, an opposition without commitment, an opposition with no commitment to working cooperatively, no desire to work cooperatively, an opposition that is prepared to talk Canberra down.

Just imagine a person in this place standing up and saying to the world at large, to the rest of Australia, “Why is it that we have the worst road network and infrastructure in Australia?” What a joke! How could anybody in this place who pretends to stand up for Canberra or represent Canberra send that message to the rest of Australia—and they are out there ready to belt us—to the *Daily Telegraph*? This sort of Canberra bashing is manna to papers around Australia. But here we have a Liberal Party spokesperson standing up and saying, “Why have we got the worst roads in Australia?” What a load of garbage! What a load of garbage!

Transport—demand responsive

MR PRATT: My question is directed to the Minister for the Territory and Municipal Services and concerns demand-responsive transport. We will probably get a more sane answer to it than we did to the previous questions. Minister, on 9 March this year, this Assembly passed the Road Transport (Public Passenger Services) Amendment Bill 2005, which was supposed to enable the introduction of demand-responsive public transport systems. What actions have you and/or your department taken to facilitate demand-responsive public transport in the ACT since then?

MR HARGREAVES: I thank Mr Pratt for the question supplementary to the question and supplementary question to the Chief Minister. I admire his ability to overhear my colleague Mr Barr, who said to me, “What has been happening lately with demand-responsive transport, Johnno?” This guy has incredibly acute hearing!

As Mr Stanhope, the Chief Minister, just said, it is not the business of the government to own taxi companies and it is not the business of the government to own mass transport things other than our bus service. That is not our business. The demand-responsive legislation was introduced to facilitate the provision by other carriers of alternative services to those being provided either by ACTION or by the other mass transport carriage system, Canberra Cabs. I would have to go back, and I will go back, to find out how many accreditation applications have been received. I will bring that back to you, Mr Pratt. I appreciate the questions because I will actually find out.

However, let me say that one of the reasons that we were interested in having the demand-responsive transport legislation was to create a legal opportunity for rather

large capacity carriage from places such as the airport to, say, Belconnen, Parliament House and the museum for which there was a defined route, it was not possible to do so by cab and there was no ACTION bus route. We wanted to make it quite legal for people to do that and to have a regulated regime under which that could fall.

Deane's Buslines actually do that at the moment. They provide a service from the city to the airport and back. It is almost a regular bus service. I have forgotten how frequent it is now. It is about every half-hour, every hour or something like that. They have a bus route which is not frequented by ACTION buses, so there has been that take-up. I anticipate from the genesis of this question that it is about what Mrs Dunne was talking about—dissatisfaction with the taxi system in this town. I think we all share dissatisfaction with the taxi system in this town. It seems to be about a massive dose of finger-pointing.

Mrs Dunne: I take a point of order, Mr Speaker. This question is about implementation of the Road Transport (Public Passenger Services) Amendment Bill—there is no reference to taxis in it—and what the minister has done about demand-responsive public transport, which, by his own admission, is over and above the taxi service.

MR SPEAKER: Please read the question again, Mr Pratt.

Mr Pratt: My question reads as follows:

... on 9 March this year, this Assembly passed the Road Transport (Public Passenger Services) Amendment bill 2005, which was supposed to enable the introduction of demand-responsive public transport systems. What actions have you and/or your department taken to facilitate demand-responsive public transport in the ACT since then?

MR SPEAKER: I call Mr Hargreaves.

MR HARGREAVES: Mr Speaker, the most obvious bit of demand-responsive transport in this town is the taxi system. That is a simple fact. It is also about alternative bus systems. There is a big finger-pointing exercise round town. Canberra Cabs are pointing at us, they are pointing a finger at the drivers and the drivers are pointing a finger at Canberra Cabs, and away we go. We have been trying to get some sort of regime going whereby they are forced to provide a decent service, and we continue to do so. I will go into some detail later, but last night's effort when they had the computer go down and 100 people missed their planes and that sort of thing was totally unacceptable. Coincidentally, we have been considering whether to bring forward in this place legislation to mandate an operator-assisted service.

MR PRATT: I have a supplementary question. Minister, can I take it therefore that you will take on notice steps to list the action that you have taken since the introduction of that legislation? If no action has been taken, will you outline why it has taken so long to act on the issue?

MR HARGREAVES: The legislation is enabling legislation, it is facilitation legislation. It is there for people to take up the option of providing an alternative transport system if passengers require it. It is not something that the government has

to be proactive about. It is to remove barriers which prevent something. Those barriers have been removed. The people who asked for it originally were Canberra Cabs. They wanted to put on minibuses to run from Parliament House to the airport. The legislative and regulatory barriers have been removed.

Mrs Dunne: All of them?

MR HARGREAVES: My understanding is that the legislative and regulatory barriers have been removed in the sense that, for example, Deane's Buslines already operate on that system. The government cannot force a private concern such as the airport to take business into their business precinct. We cannot force the airport to allow Canberra Cabs, for example, to operate their demand-responsive transport minibuses outside the airport itself. That is an arrangement that has to be struck between Canberra Cabs or whatever trading name they have this week and the airport. There is nothing we can do about it. We have removed any regulatory and legislative barrier for them to operate. If the marketplace does not pick that up, there is nothing much we can do about it. We have freed up the whole lot, with the support of this Assembly, in that piece of legislation.

We have been accused of not doing much in the whole of this system, particularly the taxi industry. I have articulated in this place 100 times what we have done about the wheelchair-accessible system. I have told this place how in recent times we created the standards that we will apply to Canberra Cabs. Similar standards apply to demand-responsive transport. Last night's crash whereby 100 people's bookings were lost, whether they missed aeroplanes or not, created havoc round the place. As I said earlier, the dependence on this particular system is not good enough. It has been being introduced for 12 months or more and I do not think anybody finds that acceptable.

We have been very tolerant in giving them extra time to get the system up. We have been very reasonable, in the interests of natural justice, in not applying the standards in too short a time frame. I have announced in the media and to the public which ones they have satisfied and which ones they have not. However, it appears to us, particularly anecdotally, that people just cannot get their messages through to the booking system. There are two things people want. They want to have their booking actually received by somebody and then have a cab turn up. It is not rocket science. That is all they want.

Right now, what seems to be within our power to change is whether they can get a booking service. To that end, today my department—I approved the process, curiously enough, two days ago—has written to Aerial Consolidated Transport indicating to them that I consider that providing the option of an operator service is a necessary component of a taxi booking service and that we might just put a new clause into part 5 of the minimum service standards to bring that into effect. In a sense, we are asking the operator, in shorthand terms, to show cause why we should not legislate that there has to be a human being on the other end of the phone.

We have given them plenty of time. We have introduced the standards and we have introduced penalties. We are now saying to them that we might just do that, too, if they do not get their act together. In terms of the other network, we are saying to them that there are things that they have to do that the community demands. Probity is one.

We are working with those people on that. I table the letter to Aerial Consolidated Transport.

Public housing—access to services

DR FOSKEY: Mr Speaker, my question concerns access to services for people living in multiunit public housing blocks.

Mr Hargreaves: Who is it to?

DR FOSKEY: To you, I expect.

Mr Hargreaves: You will have to tell somebody.

DR FOSKEY: Could the minister for housing please advise the Assembly whether there are emergency procedures in place so that if a fire or an incident that requires evacuation occurs, frail and vulnerable residents will know where to go and who will look after them.

MR HARGREAVES: It is my understanding that all of our multiunit complexes comply with the fire provisions of the Building Code of Australia.

DR FOSKEY: Do those residents also have access to waste recycling? If not, when is it likely that such services will be provided?

MR HARGREAVES: That supplementary question does not apply to the original question.

Dr Foskey: My question was about services for people living in multiunit public housing blocks.

MR SPEAKER: The minister has concluded his answer.

Dr Foskey: I have a supplementary, then.

MR SPEAKER: You have already had it. That was it.

Dr Foskey: If you have ruled that one out, I am, of course, prepared—

MR HARGREAVES: I will attempt to answer that bit.

MR SPEAKER: Order! Sit down for a minute, Mr Hargreaves, please. You had a question and a supplementary question. Mr Hargreaves answered both. There endeth the exercise as far as questions are concerned.

Dr Foskey: That supplementary was ruled out of order.

MR SPEAKER: No, it was not.

Dr Foskey: Mr Hargreaves said it was out of order.

MR SPEAKER: I am the one who says it is quitting time here.

MR HARGREAVES: Mr Speaker, with your leave and the leave of the Assembly, if it is helpful I will attempt to answer Dr Foskey's question. I am quite happy—just for the ease of the exercise.

MR SPEAKER: You have my leave, Mr Hargreaves. I do not know about the rest of the Assembly. But go on.

MR HARGREAVES: I will be happy to answer Dr Foskey's question in detail, but I am afraid she is going to have to give me a bit more detail than this. We have 11,500 tenants. She is talking about the people in multiunit complexes. I do not know which multiunit complexes she is talking about. They are different in size. The brand new ones only have about six units in them and some of them have a couple of hundred. If Dr Foskey would like to give me a detailed question, I would be only too pleased to give her a detailed answer.

Industrial relations—women workers

MS PORTER: My question is to the Minister for Industrial Relations, Mr Barr. Minister, can you please inform the Assembly what the ACT government is doing to help support women workers under the Australian government's WorkChoices legislation.

MR BARR: I thank Ms Porter for the question. Before going into some of the detail of what the ACT government is doing to support vulnerable women workers—

Mrs Burke: Mr Speaker, I respect your ruling on this, but I feel that it may be out of order, given that a select committee is also looking into these issues.

MR SPEAKER: I think Ms Porter asked what the government was doing. The government is entitled to respond to the question. Members are entitled to ask the question. The mere fact that a matter is before a committee does not stifle questions in this place altogether. The member does not ask the minister to anticipate the recommendations of the committee or to interfere with the committee's role in any way. The question is in order.

MR BARR: Thank you, Mr Speaker. Before going into some of the detail, I think it is worthwhile highlighting to the Assembly some important statistics. Women comprise 44 per cent of the work force in Australia and over 70 per cent of the part-time work force. An average woman on a full-time wage earns only 84 per cent of a comparably skilled man's full-time pay in an ordinary week. One-third of female employees are employed on a non-permanent basis, with no job security and limited access to promotion and training. Forty per cent of working mothers have no leave entitlements. These statistics paint a stark picture of working life for many female workers in Australia. It is a cause of great sadness that in the year 2006 female workers are not experiencing equality of pay or conditions in Australian workplaces.

It is our collective responsibility to fight for equal pay and conditions for equal work for female workers. It is a battle that many thought had been won in the 1970s, but it is a battle that the Howard government is making harder through its WorkChoices legislation. This legislation aims to increase the use of AWAs in our community—agreements that research clearly shows lead to reduced wages and conditions for women, particularly in the area of paid maternity leave. We know that only a small proportion of AWAs in 2002 and 2003 included family carer leave, paid maternity leave or paid parental leave. Only 51 per cent of women on AWAs had access to annual leave, compared to 62 per cent for men.

A report of the New South Wales parliament's Standing Committee on Social Issues titled *Impact of the WorkChoices legislation* was published today. In that document, the National Council of Women of Australia were reported as stating that the new reforms were likely to produce less favourable outcomes in wages, conditions and employment rights for women and as saying that reforms would worsen the position of women, their families and communities as well as the future prosperity of the country. This is not good enough.

In the ACT government's recent submission to the Fair Pay Commission, we specifically highlighted conditions and wages for women. Our submission argued that minimum wage increases are particularly important for the more vulnerable members of the work force, who are more likely to receive minimum wages. We pointed out that the higher level of award dependence and lower wages for women mean that a minimum wage is critical for them. Women will be particularly vulnerable should the real value of the minimum wage decrease. We argued that the Fair Pay Commission had an obligation to apply anti-discrimination considerations when making its decision.

The ACT government is also contributing to further work to assess the impact of these draconian laws on women. My colleague the Minister for Women last night opened the first of a series of Australia-wide women and work choices round tables. These round tables will look at women's recent experience of the WorkChoices legislation and what essential refinements and modifications are needed to protect vulnerable workers.

Seminars such as last night's will complement the recently announced national research project entitled "The impact of changes in national work regulation on vulnerable workers", which the ACT is a participant in. This project extends beyond minimum wages and considers a range of employment issues, such as access to leave, control of working time and security of employment.

I again put on the record that the Stanhope Labor government is opposed to an industrial relations system that eliminates a worker's ability to maintain work-family balance. We are committed to opposing the Howard government changes and we will continue to be diligent in looking at ways in which we can help women and other vulnerable workers to receive the wages and conditions they deserve.

Belconnen Remand Centre

MRS BURKE: My question is to the Attorney-General and relates to his responsibilities for corrections. Minister, I have received advice that ACT corrections is locking down detainees at the Belconnen Remand Centre for extended periods. I have heard that this is creating a tense atmosphere amongst detainees, which is threatening to blow up. Is this correct? If so, why is ACT corrections locking down detainees for extended periods?

MR CORBELL: All correctional facilities have a process for lock down of a facility for a range of operational reasons. “Lock down” is the term used when all detainees are detained in their cells or other accommodation for a period of time. There may be security or operational reasons for that to occur. That is a normal procedure in all correctional environments.

I know that in the ACT the use of such an approach is limited only to when it is absolutely needed. But it is a standard approach in correctional facilities to lock down facilities for a period. I do not know what Mrs Burke refers to as extended periods. If she wishes to provide me either now or later with further advice on what she means by that, I may be able to better ascertain the particulars of the circumstances she is raising concern about.

MRS BURKE: Mr Speaker, I have a supplementary question. How is this practice consistent with the Human Rights Act?

MR CORBELL: Mrs Burke has failed to demonstrate exactly what the concern is. Is an extended period one hour? Is an extended period all day? Three days? I do not know what Mrs Burke’s complaint is. She has not been able to tell me what this so-called extended period is. Clearly if it were occurring for days at a time, that would be of serious concern. But as I have indicated, all correctional facilities lock down their facilities from time to time for safety, security or operational reasons. That is a normal mechanism for managing the movement of persons within a correctional facility. It happens in jails around the country; it happens in our remand centre.

There are particular difficulties with the Belconnen Remand Centre that those opposite should be more than aware of. The Belconnen Remand Centre is a real rabbit-warren of a facility: you have to physically walk through some parts of that facility to get to other parts of the facility—you cannot bypass them; they are not discrete elements. That means that at times—in terms of moving particular remandees—other remandees must be kept in their cells for security or safety reasons.

One of the reasons we need a dedicated, properly built remand centre is so that we can move remandees in and out of the facility without their coming into contact with other remandees who may be of a different security classification or a different risk profile, and without impinging on the reasonable movement of other remandees. That does happen at Belconnen. I have seen it myself. That is down to the physical nature of the remand centre. It is a maze of corridors, rooms, courtyards and cells, and it is well past its useful date.

If the Liberal Party were seriously concerned about these types of matters, they would be supporting moves to provide a purpose-built remand centre—a contemporary remand centre that meets our needs and avoids the need for physical limitation on the movements of remandees to the degree that we currently experience at Belconnen.

Planning—EpiCentre lease

MR SESELJA: My question is to the Minister for Planning. It relates to the EpiCentre auction. Minister, the legal advice provided to ACTPLA prior to the auction raises the issue of a liability for the territory should the ACTPLA ruling be overturned in the courts. The advice states that, if it were found that the territory plan did not permit the development in the purpose clause, the lessee may have an action for breach of the lease. Minister, given this advice, what provision have you made for contingent liability for the EpiCentre site?

MR CORBELL: These matters are before the court at this time. It is not appropriate for me to comment on these types of matters.

Opposition members interjecting—

MR CORBELL: It is a hypothetical question, Mr Speaker, as to whether or not there will be any financial implications for the territory.

Mr Smyth: I raise a point of order, Mr Speaker. *House of Representatives Practice* states quite clearly that a civil matter is subject to the sub judice principle only when it is listed in the court. This matter has not been listed before the court at this stage.

MR SPEAKER: Who said it was sub judice?

Mr Smyth: Mr Corbell said it has been listed before the court. It has not.

MR CORBELL: I have not said that at all. I have not said it is sub judice. I have said it is before the court. I am answering the question. The matter has, in fact, been listed. It is listed for hearing early next month, I understand.

Those factors aside, the government would not, as a matter of practice, disclose whether or not any such contingency had been made ahead of a court ruling. It would not be appropriate. The government is confident of its position on this matter. The government will be vigorously defending the decision to grant approval.

Bushfires—vegetation restoration

MS MacDONALD: My question is to the Chief Minister. Could the Chief Minister please inform the Assembly of the role the ACT government is playing in restoring bushfire-affected areas through its greening program, and of any recognition of these efforts?

MR STANHOPE: I must say that it is with significant pleasure that I inform the Assembly today that the ACT government's program of urban revegetation,

particularly in the areas affected by the 2003 bushfires, has been recognised with the awarding of a most significant new national award, the inaugural Todd prize, a national award instituted by the Australian Institute of Landscape Architects. It is a real sign that the ACT government, in its attempts to ensure that we respond to the devastation that the fire caused, whether it be to those individual Canberrans who in the first instance were tragically affected by the loss of lives or through the loss of properties and indeed the parks, road verges and other areas, has sought to respond well in relation to all aspects of the devastation of the fire, including, of course, the urban environment.

It is a great credit, most particularly in this instance, to the Department of Territory and Municipal Services, who are the recipients of this inaugural award of the Australian Institute of Landscape Architects, that the greening response, the revegetation response, of the ACT government to areas affected by the fire has now been recognised through the inaugural award of this very significant major national prize of the Australian Institute of Landscape Architects. I acknowledge and congratulate most particularly the Department of Territory and Municipal Services on achieving this very significant award.

The greening initiative that was specifically identified and acknowledged through this award was a response to the planting refurbishment strategy that was developed by the department in association with Harris Hobbs Landscapes for the use of trees and revegetation in an urban environment. The award relates to 130,000 square metres of regrassing; 600 replacement trees provided in road corridors, open spaces and parks, most particularly in areas of Weston Creek and on road verges to the south of the ACT; replacement of 1,000 street trees in residential verges; and the planting of 15,000 other shrubs and accent plants, most specifically throughout Weston Creek.

The extent to which this revegetation or vegetation work and restorative work was undertaken, in very close consultation with property owners, affected neighbourhoods, community groups and ACT government services and utility providers, essentially underpins the fact that the results were so outstanding—outstanding to the point of being recognised by the Australian Institute of Architects as the best revegetation program in Australia for the year.

I am very pleased and proud to be associated with the acknowledgment of some of the restoration and recovery work that has been undertaken by the ACT government and its recognition through this award. The trees that have been utilised are a combination of indigenous species and exotics. This does and did involve a real consideration of some of the bushfire-abatement issues that are very much part of our planning and thinking now in relation to all the work that we do in bushfire-prone areas or the urban areas of the ACT that are potentially vulnerable to fire. Areas of Streeton Drive, Cotter Road, Waramanga Avenue, Dixon Drive and Eucumbene Drive were very much a focus of the judges' attention in relation to this award.

I might just say by way of conclusion that this work is over and above the significant other plantings that have been undertaken by the ACT government over the last four years. I think I have mentioned in passing that this is just one aspect or one component of the significant revegetation work that the ACT government has undertaken which has resulted in just over 4½ million trees being planted in both

urban and non-urban areas over the last 3½ to four years and, as I have previously indicated, of those, 145,000 or thereabouts have been cared for through watering at vulnerable stages.

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

Supplementary answers to questions without notice

Taxis—regulation

MR HARGREAVES (Brindabella—Minister for the Territory and Municipal Services, Minister for Housing and Minister for Multicultural Affairs): Yesterday Mrs Dunne asked about breaches of taxi regulations. If I may, I would like to take the opportunity to provide some information to Mrs Dunne and expand a little on the answer.

A search of the Road Transport Authority's records since January 2002 indicates a total of 39 notifications of services received from Aerial relating to wheelchair accessible taxis—I will call them WATs from now on. Initially, nine notifications related to operators' monthly reports on the total number of WAT hirings. The reports indicated that the number of wheelchair-based client journeys were lower than the expected average. In those instances a letter was sent reminding the operator of the requirements of section 114, special responsibilities of wheelchair accessible taxi drivers, under the Road Transport (Public Passenger Services) Regulation 2002. This was the appropriate action at the time, as the dispatch system used by the network was being reviewed and adjusted.

Twenty notifications related to a refusal to accept a WAT hiring. In these cases a letter was sent to the operator, commencing disciplinary action. Where the operator was not able to provide an explanation for refusing to hire, a reprimand was issued. So any suggestion that we have not taken action against people is not true.

Some operators provided assurances that the offending driver would be no longer assigned to a WAT vehicle. Again the issuing of a reprimand is in line with section 322, which is action that may be taken in relation to accreditations and licences under the Road Transport (Public Passenger Services) Regulation 2002. No action was taken in 10 cases, due to either Aerial being unable to confirm refusal, evidence that the onboard computer equipment was faulty, or the notification related to a late acceptance of hiring rather than an outright refusal.

Canberra Cabs may also discipline drivers for failing to give priority to a wheelchair hiring. However, it is acknowledged that Aerial has found, just as the department has, that it can be difficult to prove that a driver has deliberately refused a hiring, as drivers can use the dispatch system to indicate that they are not available for hiring, rather than actively reject that hiring.

Further, until recently the department has had concerns about the efficiency and level of fairness provided by the dispatch system. Canberra Cabs has now substantially complied with a new requirement under the minimum service standards for a network to micromanage hirings for wheelchair-bound people. These were recommendations of the wheelchair accessible taxis reference group.

The department has dedicated significant resources over recent years to dealing with wheelchair accessible taxi issues. A high priority has been given to working with both the industry and community agencies to improve services to wheelchair-bound people, particularly through the work of the WAT reference group and the implementation of its recommendations. In August 2006 the government implemented a further recommendation involving lift fee payments being available to drivers for a wider range of wheelchair hirings, providing drivers record the hirings with the network. This should provide improvements for the micromanagement task and provide more realistic waiting time data. In essence, if they accept a mobile phone booking, they do not get the lift fee.

Further reference group recommendations relate to a strict approach to enforcing the requirements applied to WAT operators and drivers. The department will have no hesitation in adopting this approach should an evaluation of progress with implementing the reference group recommendations indicate that this is now warranted.

I would like to take the opportunity at this time to give a little further insight into one of the things I was talking about before—the finger-pointing between, for example, the drivers and the network. Of course, there is always finger-pointing between the opposition and the government, but that is the job we are in. I will give you some indication as to the willingness the department has brought to the process. My department actually speaks to Aerial at least twice a week, and maybe more, either on the phone or in writing—far more than any other constituency. My office has met on numerous occasions with Aerial, trying to work through some of the problems with them. For Mr Bramston to say we have not been particularly receptive is not so.

Mrs Dunne: I raise a point of order, Mr Speaker.

MR HARGREAVES: I am indicating an extension of an answer to a question earlier on.

MR SPEAKER: Mrs Dunne, you asked the question earlier on. He is adding additional information at the end of question time, which has become something of a tradition.

Mrs Dunne: I am sorry. I asked a question yesterday about wheelchair accessible taxis.

MR HARGREAVES: Yes, that is right. Now I am adding extra information to what I was asked later on. I am doing both in the one hit.

Mrs Dunne: What extra information are you giving now, Mr Hargreaves?

MR SPEAKER: We will have to wait and see—until he gives it to us.

MR HARGREAVES: This is in relation to why it is that drivers are being recalcitrant, supposedly, in relation to their relationship with the network. I am suggesting, in fact, that the reasoning behind that rests with the network. We have

received that recalcitrance ourselves. When we talk about the network's need to extend—

MR SPEAKER: Mr Hargreaves, I have to say this gets pretty close to a ministerial statement—

MR HARGREAVES: It is not a statement. In fact, I wish to table a couple of documents, but I want to give an explanation for them too.

MR SPEAKER:—for which you might otherwise be limited to five minutes.

MR HARGREAVES: It will not take long; just trust me. When Aerial Consolidated Transport wanted to introduce this new MT data despatch system for this you-beaut, elite system, they had to get their new network, their new booking system, approved, as anyone else would. We got a letter from Mr Bramston saying that he sees no need to seek approval. He is just not interested in playing the game. I will table that letter and I have another one. All the wheelchair accessible taxi drivers are fed up with this network.

MR SPEAKER: How does this relate to question time?

MR HARGREAVES: I was talking about the breaches by the drivers of wheelchair accessible cabs. The reason why they are going out and using their mobile phones is because they do not have confidence in the network. Another reason why they do not have confidence in the network is that, when some of the people have approached the network and asked, “What happens if we leave your network and go to another one; what will be the cost?” they have been told that the cost for them is going to be approximately \$10,000 a car. These are heavy-handed tactics. No wonder the drivers are not having good relationships with Aerial. . I table the following papers:

MTData dispatch system—copy of letter to the General Manager Transport, Department of the Territory and Municipal Services, from the Chief Executive Officer, Aerial Consolidated Transport, dated 13 November 2006.

Indemnity agreements—copy of letter to ACT taxi plate owners from the Chief Executive Officer, Aerial Consolidated Transport, dated 14 November 2006.

MR SPEAKER: You should wind up. It is conventional for ministers to provide some additional information at the conclusion of question times but when it comes to long statements, it might be better for ministers to consider seeking leave to make some sort of ministerial statement.

Hospitals—bed occupancy rate
Hospitals—patient administration system
Canberra Hospital—methadone program

MS GALLAGHER (Molonglo—Minister for health, Minister for Disability and Community Services and Minister for Women) (3.43): I have a couple of questions that I took on notice over the past two sitting weeks. On Thursday, 16 November 2006, Mrs Dunne asked me whether there had been any improvement in the bed occupancy rate at ACT public hospitals over the last four years. ACT public hospitals have

reported occupancy rates of above 95 per cent for much of 2005-06. Previous years figures are not readily available, as ACT Health only started using bed occupancy as a strategic indicator in the 2005-06 financial year.

Mr Pratt asked me a question about the loss of revenue from potential delays with the patient administration system. The new patient administration system has caused delays in billing for some services, but we anticipate no loss of revenue to ACT Health due to PAS implementation. However, there will be some delays. Records of all billable services have been maintained and accounts have been raised to recover these amounts.

Yesterday Dr Foskey asked me about the methadone program at the Canberra Hospital and about arrangements that are being made over Christmas. The opioid treatment services operate from building 7 at the Canberra Hospital. It provides a treatment service to approximately 190 clients a day, as well as a medical service. The opioid treatment service has four medical staff. All are available for appointments at the moment and up until Christmas.

Dosing in the clinic is available Monday to Friday between 7.15 am and 12.30 pm and between 2.00 pm and 3.00 pm. On weekends it is available between 7.15 am and 9.30 am; between 10.00 am and 12 noon and between 1.00 pm and 3.00 pm. Over the Christmas period the opiate treatment services clinic will be available until 22 December, reopening on Tuesday, 2 January 2007. During the period 22 December to 2 January the service will be open for dosing only. Throughout the whole period a medical officer will be on call from 7.30 am to 10.00 pm.

Chief Minister's Department—annual report 2005-2006 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): For the information of members, I present the following paper:

Annual Reports (Government Agencies) Act, pursuant to section 13—Chief Minister's Department—annual report 2005-06—corrigendum.

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

Leave granted.

MR STANHOPE: I present for the information of members a corrigendum to the Chief Minister's Department annual report 2005-06. Pages 71 to 73 of volume 1 of the report provides information on the department's staffing profile, including tables showing employment category by gender, employment category by classification, and average length of service and age profiles. There were data entry errors from the drafting process in the four tables in the published version of the annual report. The net result of the changes is a reduction in the total staff numbers from 437 to 436.

Volume 2 of the Chief Minister's Department annual report contains the workers compensation supplementation fund's financial reports. These include the

management discussion and analysis; the fund's financial report; the Audit-General's independent audit report; the financial report; the fund's statement of performance; the Auditor-General's report of factual findings; and the statement of performance.

Since publication of the Chief Minister's Department annual report, the Auditor-General's Office has issued a revised independent audit report and a revised report of factual findings, with incorrect references to the Financial Management Act 1996 removed. This corrigendum replaces the respective pages contained in the published report.

Utilities (Network Facilities Tax) Bill 2006 **Papers 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): For the information of members, I present the following papers.

Utilities (Network Facilities Tax) Bill 2006—

Exposure draft.

Draft explanatory statement.

Tabling speech.

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

Leave granted.

MR STANHOPE: I am tabling an exposure draft of the Utilities (Network Facilities Tax) Bill 2006. I am proposing to introduce and debate this bill in the December 2006 sitting. In recognition of the short sitting, I am providing an exposure draft to allow more reasonable time to consider its contents. I am also offering a full briefing to all members. I will confirm this by letter.

I regret the necessity to consider this legislation within this time frame; however, it is important to do so in view of the proposed introduction of the tax with effect from 1 January and in view of the significance of the estimated revenues for the territory. While the tax will not become payable by utilities until later in 2007, it is important that, where the utilities can pass the costs through to customers, they be able to do so from 1 January 2007.

The bill establishes a tax on owners of utility network facilities on land within the ACT and amends the Taxation Administration Act 1999. The purpose of the amendment is to include the Utilities (Network Facilities Tax) Act 2006 as the tax law. This bill facilitates implementation of an important component of the territory's budgetary status for 2006-07 and the future.

This is one of the revenue measures that will enable us to continue to deliver the important services the community expects and demands. This important revenue measure was announced in the 2006-07 budget as the utility land use permit.

After consulting with utility companies, the government proposes to use its existing taxation infrastructure to collect the new charge on network facilities. The charge is designed to be applied as a tax on ownership. This is because the charge can be applied with less administrative burden for the utilities, rather than through a more complex permit system. In particular, it will remove the burden on utilities of separately identifying and measuring that part of the network which is on unleased land.

The application of this new charge will be more comprehensive than similar charges imposed elsewhere by including all utilities—electricity, gas, water, sewerage and telecommunications. However, there are precedents for governments imposing charges on network infrastructure. For example, in Victoria land tax has applied since 2004 on electricity transmission easements held by electricity transmission companies.

The bill makes the charge payable by owners of utility networks as defined under the Utilities Act 2000 and the Utilities (Electricity Transmission) Regulation and the Telecommunications Act. The bill makes the tax payable on the route length of networks and at a rate to be determined under the Taxation Administration Act of 1999. The Commissioner for Revenue will have the opportunity to approve the appropriate methodology for determining network lengths. This will provide some flexibility for network owners in establishing the route length without undue compliance burden.

The government recognises that the network charge may be passed on to customers. The full extent and timing of this effect will be determined by the pricing strategies of the utilities and by price determinations by the relevant regulators. In the short term the government estimates that the full-year impact on an average utility customer connected to all network services will be around \$94, or \$1.80 a week.

In the longer term, and only if the charges are fully passed through to customers, the average impact across all customers would be \$137, or \$2.63 a week. Differential amounts are likely to be applied to residential and large commercial customers. In any case, under current price determinations it is unlikely that this full impact would occur until at least 2009.

The government has recognised the need to reduce the impact on pensioners and Department of Veterans' Affairs gold card holders. Consequently, the government will be increasing the funding for pensioner rebates on energy, water and sewerage bills.

Finally, this bill amends the Taxation Administration Act 1999 to include the Utilities (Network Facilities) Act 2006 as a tax law and thus subject to the provisions and support of ACT taxation legislation. I table the exposure draft of the Utilities (Network Facilities Tax) Bill for the consideration of the Assembly. In doing so, I will be making available Treasury officers to brief members as they wish.

Mr Mulcahy: Could I ask the Chief Minister if he would not mind tabling his speaking notes so we can have a look at them.

MR STANHOPE: Yes, most certainly.

Paper

Mr Barr presented the following paper:

Occupational Health and Safety Act, pursuant to section 228—operation of the *Occupational Health and Safety Act 1989* and its associated law—quarterly report—September quarter 2006.

Government Procurement Act—review Ministerial statement

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs and Minister for the Arts): I ask leave of the Assembly to make a ministerial statement concerning a report on the outcomes of the review of operations of the Government Procurement Act 2001.

Leave granted.

MR STANHOPE: In accordance with the requirements of section 53 of the Government Procurement Act 2001, I am pleased to report on the outcome of the review of the operation of the act which has been conducted over recent months. The Government Procurement Act commenced on 24 May 2001. Since its commencement, the scope of the act and associated statutory instruments have expanded significantly. This includes the incorporation of the provisions of a number of former acts, including the Public Access to Government Contracts Act and amendment by a private member's bill in the Legislative Assembly in 2003.

The vast majority of the provisions, and hence operations, of the act and associated statutory instruments focus on administrative activities within the ACT public service. The majority of the operative provisions that govern the procurement activities of ACT government agencies are contained in disallowable instruments called procurement guidelines issued under the act by the government procurement board.

Notwithstanding the use of the term “guideline” the instruments have the force of law and specify requirements with which agencies must comply. The existing statutory framework and the government procurement board have made significant contributions to enhancing the professionalism of ACT government procurement activities and public confidence in those activities.

During 2005 the Auditor-General reviewed government procurement activity. The audit office's principal finding was that, overall, agencies have demonstrated a satisfactory level of compliance with the Procurement Act principles and guidelines in respect of major procurement processes—those greater than \$50,000. The Auditor-General's findings reflect the existence of a mature regulatory framework, with growing awareness amongst and compliance by public servants with the key requirements of the legislation.

In accordance with the requirements of the act, the operation of the act has been reviewed. The review was conducted in consultation with a range of external bodies, including the government procurement board and the procurement consultative committee. The board has private sector and public sector members. The procurement consultative committee includes representatives of industry associations and Unions ACT. The Auditor-General's Office also contributed to the review.

The review committee comprised senior public servants with extensive experience in procurement matters. It has proposed a range of changes to the act and associated statutory instruments that would streamline some existing requirements and clarify the intent of others. I table the review report, which details the committee's key findings and recommendations.

The government accepts the recommendations and has decided to bring forward legislation to implement the changes to the current statutory framework proposed by the review committee. This legislation will be introduced next year.

The proposed changes would remove a range of unnecessary administrative obligations, improve the efficiency of relevant government operations, reduce the time frames for individual procurement activity and maintain public accountability and transparency of government procurement activity. As members of the Assembly would be aware, the ACT has the most transparent and publicly accountable procurement framework in Australia. This position will be maintained.

Key elements of the proposals include modifications to the role and functions of the board, including giving it a more strategic advisory role to government and removing its ability to make disallowable instruments and determine the regulatory framework faced by agencies. The government believes that this latter function is more appropriately discharged by the executive and the Assembly.

Regulations or other disallowable instruments would be issued when required, including in relation to matters currently covered by guidelines. This change would include the responsible minister, the Treasurer, having the power to refer classes of procurement activities—for example, by type, risk profile or procurement proposals with an estimated value above a specified threshold—to the board for review and by a proposed power for ministers and chief executives to refer other individual proposals to the board for review and advice when considered necessary.

The proposed changes also include placing a primary focus on the pursuit by agencies of value for money. In pursuing value for money, agencies must have regard to probity and ethical behaviour; management of risk; open and effective competition; optimising whole-of-life costs; and any other matter specified by regulation. This approach would establish a hierarchy amongst the procurement principles and bring explicit consideration of whole-of-life costs into the framework for the first time. The requirement to pursue value for money outcomes would be explicit in the act, rather than being in subordinate legislation.

The review committee has recommended the continuation of measures under the existing framework to enhance the ability of local suppliers to compete for

government procurement opportunities and measures to ensure that the ACT government only deals with suppliers that comply with their employee and industrial relations obligations. To clarify the application of the act, a definition of “procurement” will be included in the framework.

Following discussions with the Auditor-General’s Office, the simplification of the contract reporting provisions will be pursued. I note that the Auditor-General’s office strongly supports the proposed modification of its role in relation to reportable contracts that will be included in the amending legislation. I also note that the proposed changes do not in any way diminish the Auditor-General’s existing powers under the act.

As I have already noted, the existing statutory framework and the government procurement board have made significant contributions to enhancing the professionalism of ACT government procurement activities and public confidence in those activities. However, as the review has indicated, there is scope to improve the operations of the act and associated instruments. Given the importance of efficient, robust procurement in enabling the delivery of quality public services, the proposed legislation will be brought forward to the Assembly early next year.

Standing orders—suspension

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

That so much of the standing orders be suspended as would prevent order of the day, private members’ business relating to the proposed censure of the Minister for the Territory and Municipal Services being called on forthwith.

Minister for the Territory and Municipal Services Motion of censure

Debate resumed.

MR SMYTH (Brindabella) (3.58): This is a very important issue in which the arrogant Stanhope government have displayed exactly what they feel not just about the community but about the commitments they made to the community in 2004. We have already seen them closing preschools when they said they valued preschools. We see them closing schools when they said they would not close schools. When one consults the arts, heritage and libraries policy of the Jon Stanhope Labor government issued by Jon Stanhope MLA, Chief Minister and Labor leader, on 18 September 2004 one has to question the real agenda of this government. Page 2 of that document says, “Our record in this area is one to be proud of; however there is more to be done, and my government is getting on with the job in regard to libraries”. On page 6 of that document there is a whole section on libraries—major infrastructure. It talks about the Link project and the Civic library, which, of course, I started and it is good to see that it is almost finished.

But it then goes on to have a section on regional libraries. I would have thought south Canberra was a region, and in the middle of that region we have a library. It is called the Griffith library. And what does it say about regional libraries? It says, “The local

library has always been the cornerstone of the ACT library service, and this has been strongly supported by the Stanhope Labor government.” Then come their commitments. It says, “Labor will continue its strong support for and development of regional libraries.” Well, scrap that one—broken promise No 1.

It then goes on to community access and participation: “Labor is committed to providing the best possible access to library services for all Canberrans.” Well, scrap that; if you live in south Canberra; access gone. But it then goes on to say, “and values community views on how to achieve this”. Yes, let me read Jon Stanhope’s commitment on libraries again: “Labor is committed to providing the best possible access to library services for all Canberrans and values community views on how to achieve this.” Clearly, John Hargreaves does not believe that, he does not honour that commitment and he does not believe that what the Chief Minister said should be upheld because they have majority government. Arrogance! Arrogance is at work in this city this day because we have a government that think that they can get away with everything.

In *The Canberra Times* yesterday there was an interesting article by Geoff Miller, a local author. He wrote:

He belongs to a government which claims, according to the ACT Government website, to be committed to engaging the Canberra community in the development and implementation of government policies, programs, projects, public works and services.

That is the commitment on the website. That is the commitment in their libraries campaign policy, but what is the reality? The reality is there is no consultation because John Hargreaves just said, “I know what the answer is. It does not matter”.

Let us look at who is responsible for community consultation for the ACT government. Where do we find the government’s document entitled *Your guide to engaging with the community: ACT government community engagement manual*? We find it on their website. You turn the pages and, like all glossies put out by the government, there is a foreword. Who is the minister responsible for consultation and community engagement? Who is the minister who is responsible for the community engagement manual? Who is the minister with his picture on page iii? It is John Hargreaves, minister for closing the libraries: foreword from the minister for community services. It is from John Hargreaves and it says, “We will engage with you.” It actually lays out how we will engage with you so that we find out what you want so that we can honour Jon Stanhope’s commitment to seek the community’s views on how to achieve a better library service. And what does Mr Hargreaves say? In the section entitled “Recommendations regarding time frames” he says:

It is strongly recommended that the absolute minimum for any community engagement activity be six weeks.

Six weeks! But what was set aside in the contract that the government set up so that they could get away with the closing of the Griffith library without talking to the community? Consultation in the signed legal contract—consultation that was not done with the community—of half a day. There is the government’s manual with Mr Hargreaves’s shiny picture in the front, saying:

For large projects, policies and strategies seeking comprehensive feedback, twelve weeks is recommended.

What a sham, what a shock, what a shame, what arrogance!

The ACT government community service charter has wonderful words in it. It is about “acting within an environment of mutual courtesy, respect and ethical behaviour”. Well, the minister is being censured today by the community and by us because there is no mutual courtesy, there is no respect, and there is no ethical behaviour. The service charter goes on to say that all should have an opportunity to be heard on issues that affect them. Were they heard? No. Were they even asked? No. Should he be censured? Absolutely. It then goes on to say that sufficient time and resources will be allocated to engagement activities. We are going to talk to the community and we are going to make sure there is time and resources. Were time and resources put into allowing the engagement of the community on the closure of the Griffith library? Absolutely not. Deserving of censure? Absolutely so.

Then it goes on to say that high-quality, accurate and timely information to the community for each engagement activity will be provided. Was anything at all provided to the community about the Griffith library closure? Absolutely not. Should he be censured? Absolutely. And then it goes on to say, “Engagement activity and processes will be regularly evaluated to identify areas for improvement.” Well, I hope they take that one to heart. The start of the evaluation should be that you have got to talk to the community first before you could have an evaluation.

But then it goes on. We have the Department of Territory and Municipal Services community engagement policy. This is the minister’s own special one; not content with the government one, he decided that TAMS should have its own. TAMS has a checklist, a set of guiding principles. There are seven guiding principles for TAMS community engagement. And how many of these principles does the minister pass? Let us read them. The first is “set clear and reasonable timeframes.” He fails that one; there were no time frames at all. The second one is “shared learning and obligation”. What does that mean? It means:

Accept that government and the community can learn from each other during the process and that it is important to make an effort to exchange views.

It is important to make an effort to exchange views—“We did not do that, we just told them what we were going to do.” The document goes on:

Continuous improvement. Constantly seek ways to improve community engagement processes and maintain the two-way flow of information.

There is no two-way in this; this is just a one-way street and John Hargreaves is driving the bus. It goes on:

Simplicity, accessibility and openness. Keep the processes transparent—

Transparent!—

and ensure that complex and technical concepts are relayed in uncomplicated, clear language.

Maybe he got that one half right, because he said, “No, it is gone; don’t want to listen; totally closed; predetermined.” The document goes on:

Collaborative and cooperative process ...

Now this is a beauty. This is the No 5 guiding principle from John Hargreaves, Department of Territory and Municipal Services:

Accept that agreement cannot always be reached and work with disagreements to achieve a consensus wherever possible, using respectful listening, understanding and negotiation processes.

Well, he fails on that one. He didn’t try any of those; it must have been too hard. Then we get to No 6:

Avoid duplication ... avoid over-consultation ...

Maybe they passed that one, because they had no consultation at all. The last principle states:

Value contributions of all. Enhance democratic processes and value diversity in the community as an asset that provides a balance of different perspectives and strengths with respect for all human differences.

What did we do? We just said no. We trampled on them; we crushed a community. We said, “We don’t care what you want.” And it is there; Mr Hargreaves said, “I know they’re going to say no, so I can’t be bothered”. It is for these reasons: set clear and reasonable time frames, failed; shared learning and obligations, failed; continuous improvement, failed; simplicity, accessibility and openness, failed; collaborative and cooperative process, failed; and avoid duplication, failed.

Government members interjecting—

Mr Mulcahy: I raise a point of order, Madam Temporary Deputy Speaker. I understand it is disorderly for a member to interject from a standing position in the chamber.

MADAM TEMPORARY DEPUTY SPEAKER (Mrs Dunne): You have a good point. It is also disorderly, Mr Mulcahy, for a member to interject at the best of times.

MR SMYTH: Finally: value contributions of all, failed. So there it is, he failed on all seven accounts. Failure. Mr Hargreaves, as the minister for libraries, is a failure.

Mr Hargreaves: I raise a point of order, Madam Temporary Deputy Speaker.

MADAM TEMPORARY DEPUTY SPEAKER: Point of order, Mr Hargreaves?

Mr Hargreaves: I can tell by the look on your face it is a waste of my time.

MADAM TEMPORARY DEPUTY SPEAKER: Mr Hargreaves, that really is exceedingly disorderly.

MR SMYTH: And with failure comes censure, because in this he has betrayed the Chief Minister and the policy and the principles they set out in the election, and for that reason the minister should be censured. (*Time expired.*)

MR PRATT (Brindabella) (4.08): The minister is being censured today because of his disgraceful performance that we have seen here today, on the back of a very, shoddy and sham-packed plan—

Members interjecting—

MR PRATT: Yes, indeed; the way that he has managed this whole exercise. Again, for the record I would like to note that the minister has left the chamber; so again during a motion of censure he has gone and clearly does not want to face the music.

The minister has today shown in this place, by gagging the debate this morning and the language that he used in trying to justify his decision to close the library, just how he had trampled over the sensibilities and the rights of the Griffith community. It is because of that attitude as well that the opposition has determined that a censure motion had to be moved. So it is for a combination of examples of arrogance: the failure to consult, the disdain about even thinking about consulting, and the way that he ridiculed the letters that he had received—and he did that here in this place in front of visitors in the gallery. All of these reasons justify this minister being censured for his total approach to this particular issue.

I want to pick up a couple of points that he had made today. We have asked about the terms of reference and, indeed, the community had sought to make FOI applications. Where were the terms of reference for the government's review of the library service and for their decision making about Griffith library in particular? Where were the terms of reference? The terms of reference should be made public.

Why does the minister say that confidentiality issues impeded the publication of the terms of reference? Surely, if there had been commercial-in-confidence issues in any terms of reference underpinning an investigation or a review of the library services, those elements could have been blacked out. If the minister had publicised his terms of reference, he might have brought the community along with him. But the mere fact that he did not publicise those terms of reference and did not want to talk about them again underlines the minister's arrogant approach to managing this particular issue.

When a government is going to make a monumental decision which will impact severely on the community, as has happened with the Griffith library, the government has a duty to consult well before the decision is taken, to promulgate the terms of reference well in advance and to publicise any reports well before a decision is taken. So if there is a report on the review which may form the basis of a government

decision, that report should be publicised to the community in sufficient time to allow the community to comment. That is what consultation means.

But here today we have seen this minister say, “Hang on, I responded to emails last week. I turned up at the rally on Saturday. I told them I was going to shut their library and they did not like that. That is consultation.” Surely the procedural definition of consultation around a government decision means dialogue with a community well in advance of a first or second draft decision being taken. Is that not what consultation means? Consultation simply does not mean communicating to the community after the event why you have taken a decision. Yes, that is an important communication exercise, but that is not consultation in the sense of an assessment that a government must take to undertake a particular decision which will impact on a component of the community. The minister today has shown that he has no idea what consultation means. Perhaps he has shown that because he does not give a toss about proper consultation with the community.

It is for all those reasons that the opposition sees fit to censure this minister today. He has shown his arrogance in the lead-up to the decision to close the library and certainly in the way that he treated the subject here today—in the full view and hearing, I might add, of the Griffith library action group. He would prefer to tread upon their sensibilities. He would prefer to trample them in the rush to decision making. That is why he deserves to be censured.

Let me go to another issue: the flawed Lunn report. If you look at the comparison activities, we have a very telling statistic: 77 per cent of the Griffith catchment area use the Griffith library. That in fact rates Griffith library at about No 2 on the list of communities and community participation in a local library. Now why would that factor not be a major determining factor in the future of that library? It should have been but it clearly was not. Let me make a comparison with Dickson library: 107 per cent of the catchment area. But again that statistic is flawed; it includes Gungahlin, which has, or is getting, its own library.

So what we see here is a load of spin and misleading statistics to underpin a flawed decision. Why was that decision taken? Merely because a decision was taken that a library had to be shut—not because that library should be shut, but a library had to be shut. How the hell for the inner south community—they are five, six, seven and, in some cases, eight kilometres from either the Woden or Civic libraries—can that be sensible planning? How is that community planning? How is that good governance in terms of providing those essential decentralised community services that a government has a responsibility to provide? As we have heard, in terms of the Chief Minister’s election 2004 campaign promise, libraries are the cornerstones of community life. Well, that particular principle has been shot down in flames.

The minister talked about wastage and about how we, the opposition, do not recognise the moves that he has taken to cut wastage in urban services. In urban services so far most of the wastage that we have seen is not simply the cuts in senior public service numbers in urban services; it has included a cut in the fire maintenance unit, the threat to cut the parks fire brigade, the cut of the ACT shopfront and now the Griffith library. So what we are seeing really are more cuts in front-line services than at the tail end of the functionality of urban services. What we want to see is a lot more cutting of the

bureaucracy and the tail end and less cutting of the front line. The decision to close Griffith library really smacks of that. The priorities are going to cutting front-line services, not to cutting bureaucratic waste. So the minister is quite wrong when he says that he is taking gigantic steps to cut bureaucratic waste. He is not doing that. We are seeing front-line services cut instead.

The community's anger about this matter has been clearly demonstrated by the 3,500 signatories distributed in this place through three petitions. The government is going to have to wear a particularly heavy load in terms of community concern about this, and this may blow back into this government's face. The minister accuses us of grandstanding. We are not doing that. We are defending the community's right to have a library and we are defending a community that has been trodden upon. That is why we have decided here today that this minister deserves censure. (*Time expired.*)

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs and Minister for the Arts) (4.19): The government does not support this motion. In government from time to time the most unpalatable and difficult decisions must be made. This is a decision that I am sure the minister and every member of the government would wish had not been made, would wish was not necessary, and would wish that they did not need to be associated with. It is a difficult, unpalatable decision, but in the view of the government it is a necessary and right decision.

I think every member of this place and every member of the Canberra community is aware of a range of very difficult decisions that the government has made in the context of the most recent budget—a range of difficult decisions that are a reflection of the infrastructure and the structures which we, as a government and as a community, inherited from the commonwealth when we achieved self-government in 1989. Over that period since 1989 we have sought to maintain an infrastructure that was provided by the commonwealth at a time when it had no mind to the implications in terms of maintenance and the cost of maintaining that infrastructure and the range of services of a self-governing territory.

The decisions that were made, the structures that were put in place and the infrastructure and its design which we inherited on self-government were not designed or constructed by a commonwealth government with a view to potential future self-government and the implications on a future self-governing territory of those structures and of that infrastructure. That has led successive governments over that period to seek with the best will in the world to maintain a range and level of government services or community services. With our narrow revenue base and our other priorities we have each, as governments, struggled to maintain those services—to the point where, as of June this year, the ACT government, in delivering services to the people of Canberra, was delivering those services at a cost of the order across the board of 20 per cent above the national average.

That was in the context of a government which, in its revenue raising, was charging at a level on average with Australian levels of taxation charging. The situation which persists is that our taxation effort is of the order of the national average but our expenditure on the delivery of government services persists and continues to be significantly above national benchmarking and national averages. Of course, the

equation is there for all to see, and it just does not meld. It is just not possible for any government in the ACT to continue to provide government services at the level and extent that we do with our revenue base.

It is a simple equation. The simple question is: where does the money come from to continue, year after year, to provide services at the level which we have traditionally provided them? It cannot be done. We must show the maturity, leadership and courage that are necessary to restructure systems such as our public education system and our public library system. They must be restructured. They must be clarified. They must be rejigged and they must be made more efficient. We have seen it in relation to education, a debate we have been having for the last six months, and the situation in relation to libraries is no different.

We simply do not have the luxury of providing suburban libraries or one suburban library. Of course it is a wrench for members of that particular library who have relied on that library. Of course it causes and creates grief for those people directly affected. We have one suburban library in the ACT. The people of Charnwood would love a library. The people of Kaleen would love a library. The people of Weston Creek would love a library.

Mr Hargreaves: The 30,000.

MR STANHOPE: The 30,000 residents of Weston Creek would love to have a library. The 30,000 residents of the Lanyon Valley would love to have a library. The people of Kaleen would love to have a library. The people of Charnwood would love to have a library. We have one suburban library.

In the space of three years, as part of a process of renewing public libraries and library services within the ACT, which have been in a significantly run-down and neglected state, we have invested \$19 million in library infrastructure. In the last three years \$19 million has been invested by this government in libraries. This government recognise, support and invest in public libraries because we know how important they are to the community and we are prepared to invest in them. We are prepared to invest in them to the tune of \$19 million. We have invested, in the last three years, more in public libraries than had probably been invested in the previous 10 years. That is the level of investment in libraries by this government. That is the level of our support. We have invested \$19 million in public libraries and we are concerned that we deliver library services equitably to all the people of the ACT.

As with every government, the primary obligation is to all residents of the territory, and we are seeking to meet that obligation by ensuring that we deliver library services equitably. That is what this minister is doing. That is the task which his cabinet set him and that is the task that he has pursued. The minister is doing what any good minister would do, no matter how difficult the task, no matter how unpalatable, no matter how politically damaging. He has, in the decision to close the Griffith library, implemented a difficult decision which I and his cabinet colleagues asked of him. For him to be censured for doing what is required of him by his cabinet or by the government which he serves really is a bit rich.

We could go around censuring any minister charged with responsibility for the implementation of any unpopular government decision. It is a government decision. It is a decision of mine, it is a decision of my cabinet colleagues and it is a decision of my colleagues within the government. It is a decision of all of us, and the minister has been asked to implement it. To seek to censure him really is just a stunt. It is just a stunt. It is a stunt designed to create some political capital. It is a stunt designed to damage or injure a minister implementing a difficult decision and, in that context, a decision and a role that requires very significant political courage. There is nobody here that would deny that.

It is not easy to implement difficult decisions. It is not easy to look a disgruntled and distressed community in the eye and to tell them that you have taken a difficult and hard decision. But when you believe, as I believe, and as I know the minister believes, that the decision is right and appropriate, no matter that it is unpalatable, no matter that it is unpopular, no matter that it will cause the minister personally as well as the government significant political damage, it is a sign of good government, a sign of a courageous government.

At the end of the day, I and my colleagues do have faith in the people of Canberra, do invest in them our trust that they expect to have a government that is prepared to take the hard decisions, a government that will not wobble at the first sign of some expression of concern around the hard decisions that need to be made to ensure a better future for all of us and an equitable distribution of community funds. It really is just populist politics to say, "We are concerned about good economic management; we will reopen schools that are closed and we will reopen libraries that are closed. We will not impose the water abstraction charge. We will not impose the fire levy." You go through the list now. We are up to \$150 million of costs that will not be imposed or collected by this government and you claim to be economic managers. What a joke!

MR MULCAHY (Molonglo) (4.29), in reply: Mr Speaker, I listened very carefully to the words of the Chief Minister. It was interesting that he really sidestepped the motion before the Assembly and attempted to debate the appropriateness or otherwise of the decision to close the library. The motion before us is a motion to censure the Minister for Territory and Municipal Services "for his handling of the closure of the Griffith library". We are not debating the economic appropriateness of the library or whether that was a valid argument to close the library. This motion is about the way the minister handled the process, and it was the way he handled this process, capped this morning by his conduct, that took me to the view that I should initiate this motion.

It has become painfully apparent through these debates how this government is approaching its responsibility to the people of Canberra. Quite simply, it makes community-altering decisions with precious little regard for the communities that are affected and believes that its majority gives it *carte blanche* to do what it pleases, whether it is closing 39 schools or arbitrarily deciding that Griffith library has outlived its usefulness. This decision is wrong and the multitude of constituent complaints to my office, to other opposition MLAs and to the minister's own office are proof of this. I just wonder how this government can repeatedly fail to listen to constituents who, in fact, elect them to this place.

The government's arrogance is what prompted this motion today. It was not the opportunity to debate the economic merit of the decision. It was not the appropriateness or otherwise of whether the government was within its mandate to do this. It was the arrogance of the minister, not only in the period leading up to my moving the motion but also throughout the entire debate. We saw the contemptuous attitude of the minister—standing and engaging in discussion, sitting in the gallery, turning his back on Mr Smyth and leaving the chamber. It is very important to have a high standard of conduct in this chamber. If a member considers a matter serious enough to move a motion of censure, it behoves a minister to have the courtesy to listen to the issues raised and treat the matter with the seriousness that attaches to a motion of this kind.

I made it very clear earlier that I am not fond of motions of censure, except in unusual circumstances. I certainly believed on this occasion that the minister's approach warranted this particular motion and I am disappointed that the Chief Minister sidestepped the minister's conduct, which I suggest might be causing him a measure of embarrassment. I am quite sure it is causing some of his colleagues a measure of embarrassment. This morning we heard a contemptuous dissertation by a minister who threw around the place letters from people who had written in good faith. People in the gallery who had come here in good faith were dismissed as irrelevant.

The minister's arrogance is exemplified by his attitude to questions on planning and environment in the annual report hearings. Imagine how the Griffith community would react to a minister saying to them, and I am quoting him, "Suppose I had a consultation process with you and said, 'I am going to close Griffith Library; what do you think?' I know roughly what you are going to say. I have got that worked out."

It is this extraordinary, dismissive attitude that suggests a government that no longer feels accountable or, at the very least, a minister that no longer feels accountable for his conduct. It is the real danger of majority government, which I have always thought is a preferable aspect of our democracy. It is obviously not one that Dr Foskey thinks is particularly palatable. But I must say it gives cause for concern when this sort of conduct is seen as appropriate in respect of an issue that is causing a flood of communications into the offices of members, especially, no doubt, members for Molonglo.

Perhaps the last two years have lulled this government, now in its second term in government, into a false sense of security. Perhaps government members have decided to cocoon themselves in a world where they are answerable only unto themselves and their preselectors and where they can make decisions that impact on the lives of the hundreds of residents living in Griffith. If this is the case, they are due for a very rude awakening in 2008. The people of Canberra have had to endure increased rates and charges, pumped up public service numbers, 39 school closures and repeated budget deficits. Surely this is the last straw!

I think I have canvassed the issue, but I must say I took very strong exception to the minister saying this morning that this was some conspiracy and that I carried this motion in my back pocket. In fact, the motion was based on the words I used and then

signed by me. The handwriting is different. The minister justified his conduct by saying that it was all a conspiracy; it was all planned out.

The truth of the matter, Mr Speaker, is that you and your parliamentary colleagues from the Labor Party know that the minister has made a fair hash of this effort. He has inflicted electoral damage on three ministerial colleagues who are no doubt cringing with embarrassment and concern at the damage this has caused. In contrast, I have never seen Mr Barr conduct himself with discourtesy in the interesting debate on the school closures. People have been treated with absolute contempt.

The minister talked about the constituents. He said that the children were “spiked by their parents”. What a contemptuous term to use when people from the Griffith community and their families express a concern. Does the minister honestly think that people’s children do not read books and do not have a view about the importance of libraries?

In conclusion, I did not intend to speak on this matter until about 9.30 this morning. I certainly did not plan to move a censure motion. It was the remarkable behaviour of the minister, capped by his performance this morning and backed up by what I see as a growing disregard for the people in my electorate that led me to the view that we just have to bring the sort of behaviour to the attention of the Assembly and the people of Canberra.

I mentioned the Italian collection of literature. The minister said that it is going to Woden. Again I ask: what consultations occurred with the Italian community, who have a particular interest in that collection of work? There was no reference to that. If you can support that decision, I will be very pleased to know that that has occurred. I am pleased that for the first time Dr Foskey has supported a motion of censure, because I think Dr Foskey is coming from the same perspective as I am on this matter in that she is very disturbed about the dismissive nature of the minister’s response to constituents.

On that note I will conclude my remarks. Although government members have declared they will not support this motion, I hope they will heed the fact that this sort of conduct does not enhance the standing of the minister or the government.

Question put:

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

The Assembly voted—

Ayes 7

Mrs Dunne
Dr Foskey
Mr Mulcahy
Mr Pratt

Mr Seselja
Mr Smyth
Mr Stefaniak

Noes 8

Mr Barr
Mr Berry
Ms Gallagher
Mr Gentleman

Mr Hargreaves
Ms MacDonald
Ms Porter
Mr Stanhope

Question so resolved in the negative.

Standing orders—suspension

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

That so much of the standing orders be suspended as would prevent order of the day, Assembly business relating to the proposed reference of the closure of the Griffith library to the Standing Committee on Planning and Environment, being called on forthwith.

Griffith library

Debate resumed.

MR MULCAHY (Molonglo) (4.41): The Griffith library site is easily accessible and there are no parking problems. I have spoken about some of the issues raised by constituents. According to another constituent who has contacted me, this ease of access is especially appreciated by disabled residents. I contrast this to parking in Civic. Members should be aware of the recent ACT Property Council analysis that suggests that, unless short-term remedies are found as soon as possible, there will be a shortfall of some 5,000 spaces in 2007 and a shortage of 9,500 spaces in 2009.

There is limited free parking in the city. Thus, for those who have in the past used the Griffith library but must now drive to the Civic library, there will be an associated cost with every book borrowed, newspaper read or internet site visited. Of course, with the legislation today, the internet sites might also have an extra charge.

But what will the extra cost be for those in Griffith who will now have to travel by bus or car to the new Civic library? How will these people be compensated for this extra inconvenience and expense? The appeal of the Griffith library lies in its accessibility and position away from the bustle of Civic, and this is particularly important for mothers with small children, schoolchildren and elderly residents from the inner south.

This government purports to represent those in the community who are disadvantaged and underprivileged, and the decision to close the Griffith library is very much a kick in the teeth for those people. Many of them, in fact, are avid users of the library services, and that is coming through in the representations that are being made to my office. Griffith library contributes to the development of relationships within the inner south community, a fact that has not been considered by this government.

I appreciated Mr Barr's admission this morning that the government may have overspent in the first four and a half years in office. On a side note, I hope that he is not contemplating taking over the role of Mr Quinlan as Treasurer. If he does, I would certainly urge him to keep his faith when his colleagues ignore his views over the next two years. He, as an economic rationalist, of course, would find that enormously frustrating. Mr Quinlan might have a bowls partner, Mr Speaker, if he becomes equally frustrated.

The people of the ACT should not suffer for the overspending, but this is, in fact, what is happening. The people are suffering on two fronts. Firstly, services and facilities are being scrapped. Secondly, they are being scrapped arbitrarily without consultation by a government that believes it knows best. That is the abiding feature of the approach that is coming through more and more often. Surely there is a way forward in which the minister can take the advice of individuals or groups who actually use the Griffith library so that the issue can be solved without necessarily closing the library completely.

The government has begun to accumulate a notorious record of taking specialist advice from people who are otherwise unaccountable and who recommend drastic cuts to services or unfair boosts to taxes and charges. You only have to look at the last specialist that this government consulted for its 2006-07 budget. Michael Costello's name will go down in territory history as the man who recommended the horror budget this year. Unfortunately, now Dr Veronica Lunn may well be the latest name to be added to the lengthening list of specialists who have given this government the analytical justification to inflict further pain on the Canberra community.

The public outcry—and the reason my colleagues and I have listed this item today—should show the government the danger of failing to consult. The people of Canberra will not accept continually being presented with government decisions as faits accomplis. This is a community that is used to being consulted and expects to be consulted. It is not going to sit back and see its services ripped away in a high-handed fashion. It has happened with the school closures and now it is happening with the Griffith library.

Could the Griffith library, for example, have stayed open if funds had not been spent on the arboretum? Which facility does the government believe the people of Canberra want more? The government has taken reaction to this decision head-on and is suffering electoral damage. One would like to believe that the Chief Minister would have enough sense to step in here and fix up the mess that has been created by his ministerial colleague, even if it was at cabinet direction. I do not think they estimated the backlash they are now experiencing. Certainly, as far as the Liberal opposition is concerned, we are hearing the message loud and clear from the community, and the message is that this government has taken one step too far in terms of overriding constituent interest.

Motion (by **Ms MacDonald**) proposed:

That the question be now put.

The Assembly voted—

Ayes 8

Mr Barr
Mr Berry
Ms Gallagher
Mr Gentleman
Mr Hargreaves
Ms MacDonald
Ms Porter
Mr Stanhope

Noes 7

Mrs Dunne
Dr Foskey
Mr Mulcahy
Mr Pratt
Mr Seselja
Mr Smyth
Mr Stefaniak

Question so resolved in the affirmative.

Question put:

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

The Assembly voted—

Ayes 7

Noes 8

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

Question so resolved in the negative.

Schools—environmental sustainability

Discussion of matter of public importance

MR SPEAKER: I have received letters from Dr Foskey, Mr Gentleman, Ms Porter 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 Dr Foskey be submitted to the Assembly, namely:

The vital role played by local schools and neighbourhood centres in environmental sustainability and community development and cohesion.

DR FOSKEY (Molonglo) (4.52): I chose to talk about this topic because the issue of climate change as well as other environment issues, most of which have been rolled into the one heading of climate change in this current political climate, demand local as well as global solutions. I think we need to start thinking through ways of approaching this very serious problem.

At the global level there is work to be done in developing international conventions, agreements and negotiations, and we know from the progress of the Kyoto protocol that that is no easy thing. The Kyoto protocol was developed in the early 1990s at a very early stage of the understanding of the science of climate change and is considered now by most scientists and environmentalists to be quite inadequate to tackle the problem. Nonetheless, as we all know, global negotiations, as with other negotiations, often end up in a less than perfect agreement, and, for better or worse, the Kyoto protocol is what we have until we have something better.

At the government level there is the job of setting a policy framework for action, for gathering data and for setting time lines and targets for emission reductions. Had there been time yesterday, I would have moved a motion in those terms. Of course, if the federal government had signed up to the Kyoto protocol, it would have been mandatory upon the ACT government to do just that. But, as we know, the federal government has not done that, which makes it a voluntary thing for this government and something it could do in the spirit of concern about the issue.

The government has the important role of implementing across the jurisdiction the larger policy decisions related to transport, urban planning, the design of public buildings and so on. In that way it can directly impact on the amount of greenhouse gases we produce. But it is really at the local level that the actions that involve everyday people occur and there is really no way of avoiding this intermediate step between the government and the household.

We talk about the things that individuals can do. They can change their light globes and they can leave the car at home. But those actions need to be socially acceptable so that they are not forced. We all know that human beings on the whole have a herd mentality. We do not like to admit it, but we do like to do pretty much what the Joneses next door do. That is why it is important at the neighbourhood level that we look at ways in which people can live more ecologically sustainable lives with fewer carbon emissions.

While climate change may be the pre-eminent environmental problem of our time, it is also an economic problem with social implications. I believe that the solutions are social and economic and that there need be no conflict between all these aims of government. As I said, the Kyoto levels are only a start. The new science is indicating that a 90 per cent reduction by 2050 is realistic if we actually are determined to do something about climate change, something that will make the world liveable for our children's children and for all the many other species that we share the earth with.

Unlike Mr Howard, I do not believe we can put it off until 2050—he seems to have got the wrong message—because there is at least a 30-year lag in terms of climate change. The atmosphere we are experiencing today was actually set in place by emissions that were produced some decades ago. That is what I mean. We have to act.

How can the neighbourhood that we live in facilitate or hamper efforts to reduce greenhouse gas emissions? For a start let us look at the environmental setting. The way that suburbs are designed often disguises the fact that we live in a bioregion. More specifically, we live in a water catchment, an ecosystem. A computerised model is then applied to the landscape to set out the suburb. We have had the Radburn model and a number of other models. We know that since about the 1950s suburbs have been designed to facilitate cars moving around our cities. At that time they really could not see that there would be an end to that. Oil looked like it would go forever and the car brought so much freedom. We would all love to keep doing that because it has opened up our lives, but the fact is that we cannot.

Watercourses were turned into drains and gutters and roads defined unnatural barriers compared to the ridgelines and drainage lines that would have formed the boundaries of an ecosystem. Paradoxically, while all this design was meant to facilitate movement, it also impeded movement—what I call the moat effect—on major roads that divide suburbs. For instance, I live in Narrabundah and I find Sturt Avenue, which separates my suburb from Griffith, very difficult to cross on foot because no-one thought that people might do that. In fact, for the whole of that road, from Jerrabomberra Drive to Canberra Avenue, there is no safe crossing. To me that is a traffic moat.

The street settings often prevent buildings from exploiting the potential for solar passive design, for retention of water on the block and environmentally sensitive urban design. We know how to do it. I think the message is that every new development must integrate this knowledge, and I think Forde will be the big test.

The social setting is also important. Apart from our homes, the most important feature in determining our sense of belonging is the place where our home is set, and one way that we tell our life story to anyone else is in terms of the journey we have taken through places where we have lived. The ability to move far from home in cars, planes and other transportation has weakened that attachment to place for some people. But even world travellers need to spend time at home and most people have an address. Of course, some groups spend more time in their neighbourhood—the elderly and the less mobile, children, parents at home with children, the unemployed and the ill and otherwise disabled. So there is already every good reason for our suburbs to be good places for them to live.

That has been recognised by ACT planners, from Griffin to the National Capital Development Commission, which ensured that every suburb who had a shopping centre, a primary school and usually a preschool, although, as we heard yesterday, they have a different history. They came from parent initiative, not planning. Some suburbs—for example, Giralang—were designed so that children could walk to school and residents to the shops without ever crossing a busy road. Sadly, we have seen a deterioration of this amenity over time as shopping centres have become unviable due to planning, segregation of sectors, hierarchy of intermediate and town centres and, of course, that ease of driving in our cars past local amenities.

Schools have closed, often as a response to demographic change, and we have the impacts of globalisation where mobility of labour has required people to move. I believe that people move, on average, every three to five years. That is quite astounding to me! Meanwhile, we know that communities are strengthened by the links made between parents of school-aged cohorts by people running into each other at local supermarkets, local events and coffee shops, and we know the term for that is social capital.

Climate change and peak oil are relevant issues. We hear a lot about climate change these days. We hear less about the peaking of oil supplies, the subsequent increased cost of keeping cars on the road and the possibility that we may not be able to do that for very much longer. We will have to make decisions between the various uses we put our oil to. Urban design, however, can tackle both climate change and peak oil at once. It seems that the early planners had it right about that.

There are new principles of planning to respond to these issues, and sometimes I hear Mr Corbell talk about them and sometimes I hear Mr Savery talk about them. I believe that ACTPLA and the minister have integrated a lot of aspects of the new planning, which recognises the importance of the neighbourhood at a time when we see so many things spinning out to decrease the amenity of local centres. We see local schools closing. In many cases it would probably be better for the social capital if they did not. These kinds of planning are variously termed new urbanism, smart growth,

new community design, traditional neighbourhood development, neotraditional neighbourhood development, transit oriented development and the creative city.

A feature of neighbourhood design is that it has to have a discernible activity centre, whether it is a plaza, a square or a park—a place where people can encounter each other, either intentionally or accidentally. It has got to have quality public spaces, footpaths, streetscapes and easily accessible public buildings. It has to have shops, a library, schools and resource centres. It has got to have people living in the centre to keep it alive. It has got to have all the necessary retail outlets. It has to have a variety of dwelling types.

Every medium and high density development must have a community space, be energy and water efficient, be designed to make cycling and walking safe, should have a primary school less than 1.6 kilometres from most homes to reduce unsustainable travel and to allow children to walk to school and should have a community building which can serve as a meeting place. It also should have community policing, job creation schemes and a degree of community governance over matters connected to sustainability, community safety and physical evolution.

Projects that the government can model, assist and initiate include ecovillages, community housing and co-housing. Recycling services exist. We know people are interested in those. But there are other community building activities, for instance, community gardens, community composting—because recycling needs to go that extra step to include our green wastes—community tree planting and care. It was found in America that suburbs with trees actually are carbon sinks that sequester carbon. They give off carbon in winter and actually take it in in summer, when they have foliage.

Imagine if communities were given a ration of carbon, as individuals might be as time goes on. Nobody can avoid the fact that climate change requires action. Imagine if communities had to work out themselves how to reduce their carbon footprint. That would lead to car pooling, more tree planting and lots of other measures to reduce carbon emissions. They might share washing machines and share the bills, because bills would be higher. We might have mini libraries and resource centres so that people can work at home. There would be fewer obese adolescents. It has been found that adolescents living in close-knit households are less likely to be obese because neighbourhoods are safer to play in.

We have one initiative happening in the ACT. A group called Concerned Residents of West Kambah are working in their bioregion. They have got money from Healthpact because their initiative is recognised as a health measure and they want to participate in the social and ecological development of their sub region. There are people who want to do these things. There are residents organisations that could assist and be resourced to help to build sustainability in their suburbs.

MRS DUNNE (Ginninderra) (5.07): I must say I was perplexed as to what Dr Foskey meant with her MPI—“the vital role played by local schools and neighbourhood centres in environmental sustainability and community development and cohesion”—and after her having spoken for 15 minutes I am still perplexed.

Dr Foskey: Come and talk to me.

MRS DUNNE: I think I get the general gist. Dr Foskey is concerned about global warming and would like to see more activity centred at a local centre which provides walkability and rideability rather than driveability, which is a laudable thing, I suppose, for us to aim for. I am not quite sure whether as a community we are ready to take many of those steps, and the planning of Canberra, particularly in the sixties, seventies and eighties that brought about the Y plan, makes it fairly difficult for us to have a city that is walkable. We may have suburbs that are walkable and parts of areas that are walkable but, for those of us who have to go outside our immediate neighbourhood for employment or education, walkability and easy access in an environmentally sustainable way are a bit of a problem.

We talk about a renewed endeavour to provide services within a local context. This is certainly the case for many cities in Europe. Those that are more densely populated, especially small cities in countries like Switzerland and Austria, spend a lot of time creating cities and neighbourhoods that are more easily accessible on foot or by bike—and significant contributors to that accessibility are, of course, neighbourhood centres and local schools.

With the development of the Y plan and the increasing dependence of Canberrans on their cars, we have broken down some of that local coherence. Over the last two years, however, we have seen a bit of a resurgence. When I first came to work in this place in about 1996, one of the big things was the demise of the local shops. Many of those shopping centres that were on the way out in 1996 are seeing a resurgence now—Griffith is a classic example; we have talked about Griffith a lot today—and even ones that were almost on their last legs, like Melba, which was a burnt-out hulk with one shop remaining, is now a vibrant shopping centre; the owner has in fact extended the shopping centre and built more shops.

Another contributor to a vibrant locality like Melba or other suburbs is the school. There has been an increasing emphasis amongst school organisations to create the school as a centre of the community. One of the great initiatives to do that and to reinforce an environmentally sensitive approach to getting to and from school is the walking school bus, which has taken off in my electorate quite substantially. My children, when they are organised enough, participate in the walking school bus; otherwise they walk to school anyway, as it is not too far. The walking school bus means that children have to be ready to go to school at a particular time—and it does require some organisation. My daughter's primary school has two or three routes going for the walking school bus.

The big standout in my electorate for participation in the walking school bus is Giralang, which Dr Foskey spoke about. Giralang school has been a huge supporter of the walking school bus and it is a great tragedy that if the government closes Giralang school at the end of this year most of the children who now walk to school will have to be driven to school because the distances they will then have to travel are well in excess of two kilometres, which is a pretty hard ask even for 11 and 12-year-olds, and an impossible ask for five and six-year-olds.

In addition to that, they will be going from a perfectly designed suburb with aid for walking about and a very legible suburb for walking about. They will have to cross two major roads, one of which does not have any pedestrian traffic management on it. So children attending school will have to travel a considerable distance from Giralang, and if they travel on foot they will confront considerable problems, unless, of course, the government is going to spend some of its \$90 million on traffic management on Maribyrnong Avenue.

I suppose this is at the heart of what Dr Foskey was talking about. People are trying to build up their neighbourhoods and make them a place where there is social cohesion, where there is social capital. The programs of the previous Liberal government in relation to social capital, and especially the schools as communities program, have gone a long way to building up those sorts of levels of cohesion in the suburb. Developments in the last few years have been brought about by a whole lot of exigencies. In the case of my daughter's school, one of the reasons why they introduced the walking school bus was the location of the school and the propensity for parents to drop children off on the way to school. There was too much traffic congestion. It became, and still is, profoundly unsafe around the school early in the morning and so we tried to alleviate this problem by encouraging as many children as possible to walk or ride to school rather than have their parents drop them off. That has been successful, but there are still problems there.

People have adopted this approach for a variety of reasons, some of them because of their concern about peak oil production. Like global warming, people come to the realisation gradually, and we should not be absolutely alarmist. People talk about us achieving our peak oil production and there are various views that we have already achieved it or that we might do it in the next 10 to 13 years. But what that means is that when we reach peak oil production—not that oil will suddenly run out; that is certainly not the case—it becomes increasingly more difficult and therefore more expensive to extract oil and that will drive up the cost of transport.

We need to look for better ways of transporting ourselves and find alternatives. One alternative is to not travel so far, which is why the neighbourhood school becomes an important element in an environmentally sustainable and conscious community. We talk about greenhouse gas emissions, and perhaps all of us who travel long distances to send our children to school expend too many greenhouse gas emissions getting them there. My family is as guilty as anybody else's in that regard, but it is something that as a community we may have to look at.

The process of looking at this has not been enhanced in any way by the approach of the Stanhope government on school closures. The debate that we had earlier today about the Griffith library is significant. The government think it is fine to close the Griffith library and that all those people who once walked to the Griffith library can now get in their car and drive to Civic—or Woden if they are Italian or want to access the Italian collection. They can burn up a whole lot of fossil fuels and emit greenhouse gas, and then when they get to Civic or Woden they can pay to park, if they can find somewhere to park. And this is all in the aim of building the community in a sustainable way.

Dr Foskey's dissertation rather strayed from what was stated in the motion, but I think that much of what she says should be taken notice of. Local schools and neighbourhood centres play a vital role in sustaining environmentally the community, and community development and cohesion are important elements of maintaining local schools and local centres. These are messages that the Stanhope government need to take on board, and I am sure that now we will hear from the minister about what wonderful things they are doing in education to make schools more sustainable. I look forward once again to hearing about thermal mass at Harrison.

MR BARR (Molonglo—Minister for Education and Training, Minister for Tourism, Sport and Recreation and Minister for Industrial Relations) (5.17): I would like to thank Dr Foskey for raising this matter of public importance today and I put on the record that, like Dr Foskey, I too believe that schools play a vital role in the Canberra community.

However, in acknowledging the many roles that schools play, we cannot forget that the primary role of schools is the provision of education. Whilst that might seem like an obvious statement, in our busy and complex society schools are often under pressure to be all things to all people. It cannot be forgotten that education is the principal determinant of people's economic prospects and life chances and it is the means by which people acquire and renew skills that are needed for work and for life.

This is even more critical in today's society, with fewer manual labour jobs and the likelihood that people will have to change careers a number of times in their lifetime. We are also facing a future where with an ageing population and consequential skill shortages we will need to make the most of the productive capacity of those people in the labour force.

Access Economics in 2005 estimated that increasing the proportion of young people acquiring a year 12 or equivalent qualification by 10 percentage points would have a major long-term impact on both productivity and participation, raising national income by 1.1 per cent by 2040. This is one of the reasons why we have set a target within the Canberra social plan of increasing to 95 per cent by 2013 the proportion of 19-year-olds with a year 12 certificate or equivalent.

If health provides the foundation for an active and productive working life, education and training provide the tools that enable people to realise their potential. We know, for example, that literacy and numeracy are core skills for success in school and working life and that poor literacy and numeracy performance is closely linked with lower rates of school completion, lower rates of further study, an increased chance of unemployment and, just as significantly, is likely to lead to social exclusion and disengagement from the community.

To be an active and full participant in the community today requires the skills and capacities that are engendered through a quality education system, just as much as it is necessary for our future economic prosperity. Schools are increasingly called on not just to educate but to give our children good manners, a well-balanced breakfast, after-school activities and even spiritual guidance.

Of course our schools do a great deal more for students than instruction in the three Rs. As Mrs Dunne has mentioned, initiatives such as the schools as communities program are worthy of support—a program that enhances educational and social outcomes for children and young people at risk by creating strong and effective working relationships between families, communities and their schools. The program assists schools and families to tap into the vast network of health and community services that exists in the ACT. This is made possible through a team of community outreach professionals who have a dual role, working with both families and the broader community as a whole.

I understand that in 2005-06 there were 350 separate community capacity-building events across 12 school communities under this program. In practice this means home visiting, providing information about parenting, local health and community services, arranging appointments and assisting with transport where necessary. These workers also engage with parent bodies and communities to develop local initiatives that care for children, reduce parental isolation and provide parents with new knowledge and skills. I am sure few would deny the value of this work in creating sustainable communities and building a cohesive society.

Yet the key focus of our education system is and must be on providing the best possible, highest quality education to all students and giving them the best possible pathways for the future. This is the purpose of the government's education reforms and is the imperative of creating a truly sustainable education system—a system that helps students access the educational resources they need. To that end, schools are building educational networks—communities of learning that reach far beyond local streets.

In many ways these educational communities are made possible by the technological advances that we enjoy today. Students can use the internet to research their assignments in libraries, not just perhaps in Griffith but across the world, to share lessons with students in other continents or simply to learn about places, lives and opportunities far beyond what they experience in their local neighbourhood. As well as having access to other communities through technology, Canberrans enjoy the benefits of living in a diverse and modern city contained within a relatively small geographic area. This, of course, means that schools and families are able to make choices and access educational resources based on the needs of students, not simply physical location.

An example of this is the government's partnership with the Australian National University, which has resulted in the establishment of the ANU Secondary College. This educational collaboration means that students from across the ACT—from government and non-government schools—can access mathematics, chemistry and physics courses that will give them the challenge and development that they need. It is just one example of a successful educational community that is based on maximising student outcomes regardless of where they live.

ACT families are also making their own choices according to their needs and aspirations. They choose the educational community best suited to their child or children, whether that community is based on a school's spiritual instruction,

curriculum choices, a focus on extracurricular activities or a particular peer group. And it is worth noting that fewer than 40 per cent of Canberra students attend their local neighbourhood school.

When students and families exercise that choice, I believe they need to know, regardless of where they live and their financial situation, that the school they choose will provide the best possible education for that student, and that means ensuring that all our schools are part of a well-resourced and innovative network of learning. The government is meeting this challenge by providing the largest ever capital injection for education in the history of ACT self-government, with \$90 million provided over the next four years for school infrastructure upgrades, along with our investment of \$20 million on information technology in schools over the next four years. This funding will ensure that ACT schools continue to provide excellent outcomes for all our students now and into the future.

MR GENTLEMAN (Brindabella) (5.24): As my colleague has said, the primary role of schools is to provide excellent education. But, whilst it is not their key function, the government also recognises the role schools play in community development and cohesion.

However, research suggests other factors also play stronger roles in developing and strengthening community development and cohesion. The Community Inclusion Board commissioned an innovative study into neighbourhood and belonging, looking into the attitudes of Canberrans about what makes the Canberra community work for them in terms of feeling connected with each other. This neighbourhood and belonging study is still being considered by the board. However, some preliminary findings are indicating that by and large there is a generally positive picture of the opportunities within the Canberra community for interaction. This includes a high level of satisfaction with local neighbourhoods and the view that no specific groups or parts of Canberra appear to experience high levels of social exclusion.

However, the research supports one of the key tenets of the social plan—that some people are at risk of social exclusion. These include late teens, particularly those from a lower socioeconomic background, young adults who are new to Canberra, elderly people, and migrant contact outside their ethnic communities. Public events and celebrations were seen as a key to developing a sense of community and people thought that Canberra is a great place for young children and families, although stay-at-home parents were at risk of exclusion. The services provided by government through community health centres and playgroups were viewed as important in addressing such exclusion.

The study has also pointed to other aspects that Canberrans value, such as multiculturalism and tolerance. The report's preliminary findings and conclusions, which are still to be considered in detail by the board, help one come to the conclusion that the Canberra community is a strong one by Australian standards.

Cultural funding and activity play a significant role in creating community cohesion. The ACT government spent \$55.5 million on cultural activities during 2004-05, and ABS figures show that in 2003-04 the level of cultural funding per person was \$141 compared to the national average of only \$118 per person and a low of \$89 per person

in Victoria. Again according to the ABS, per person Canberra's libraries and archives received more than three times the national funding levels, with \$13.6 million being spent on nature parks and reserves, \$3 million for other museums and \$1.8 million on art museums. These are all important focal points in which communities come together.

The arts similarly play a vital role in creating a sense of community. In total the ACT government has contributed \$15.7 million for arts activities in 2004-05. Performing arts venues received \$5 million and the performing arts themselves \$3.4 million. The level of arts funding per Canberran stands at \$48.38—significantly higher than the rest of Australia, with the exception of the Northern Territory.

Involvement in organised sport and physical activity is another way in which community cohesion is created, and I understand there is a match coming up this Sunday between the politicians and the *Canberra Times* and media in the ACT. Mr Stefaniak, I understand, is playing on Sunday afternoon. In April 2004 the rate of regular participation in organised sports in the ACT was 32 per cent and well above the national rate of 27 per cent.

Volunteering, too, is both a strong indicator of commitment to a community and a means by which new communities, friendships and bonds are created. The ACT leads the way in the willingness of its people to undertake volunteer work, helping out their less fortunate neighbours. According to the ABS, 41.4 per cent of Canberrans regularly engage in volunteer work compared to 34 per cent nationally.

This government also funds a diverse community sector through a variety of funding programs. These include the community services program, the Canberra community grants program, the financial and material aid grants program and the community inclusion fund. The Canberra community grants program, in particular, funds community networking activities to enable neighbourhoods and groups in the community to get together and share common interests. \$500,000 is provided annually for this program.

Neighbourhood centres play a critical role in helping the ACT government to implement its commitments, including its social policy agenda, which is incorporated in the Canberra plan. They provide a focus in the community for people to meet and develop networks as well as an opportunity to participate in activities of their own choice. Neighbourhood centres usually provide for occasional childcare and playgroups, vacation and after-school care, but also offer aid programs, support for families and seniors, and leisure activities.

Through building a number of partnerships with ACT government agencies and other service providers, neighbourhood centres build individual and community capacity to the extent that they help foster a safe, strong and cohesive community. They do this by responding to the causes and effects of social and financial disadvantage. Neighbourhood centres also play a critical role in building cohesion by facilitating links between individuals or groups with a broad range of community services. Support services are also provided to individuals who may require assistance in accessing a number of services, particularly women, young people and migrants.

The importance of neighbourhood centres to the viability of local shopping centres and other community groups cannot be understated. Groups that use the centres include cultural, educational, social, recreational, sporting, mental health and dance groups. As mentioned above, neighbourhood centres contribute to community development and cohesion by targeting parenting and young parents, personal development, migrant settlement services, aged care and support, community aid, disability support and other life skills.

Though not specifically implied in their lease conditions and memorandum of provisions, neighbourhood centres nevertheless play a key role in environmental sustainability. For instance, they may take part in tree-planting activities to offset vehicle greenhouse emissions, or forest renewal and, through the renew community infrastructure and facilities program, educate the community to more efficiently use energy and water consumption.

Another example of successful community building is the 'round town program. It has targeted events and has a program reaching a broad range of Canberra residents, from youth to senior citizens, over a wide number of locations in the territory that other events may miss. The events are therefore accessible to everyone in the community. The program aims to promote and maximise the use of the Department of Territory and Municipal Services parks and public places. It provides free entertainment for the population of Canberra, with an emphasis on families and young people. It enlivens the city centre and it enhances community access to and participation in the arts and other cultural activities.

Consequently, 'round town events address several of the government's social priorities as outlined in the Canberra plan. Some events are also timed to celebrate major events in the community such as the New Year's Eve, Father's Day and Mother's Day activities. The 'round town program has gone from strength to strength. It has grown in scope and attracted interested participation from across the community.

The government is committed to implementing the strategic direction of the spatial plan to create a sustainable pattern of urban settlement in the ACT and region. A well-planned city reduces the ecological footprint of urban settlements, reducing the impact of urban activities on our climate and at the same time allowing the city to adapt to altered climates.

The ACT government is committed to the revitalisation of local centres, as they are seen as an essential community infrastructure, in particular catering for groups with low mobility such as the old and the young. Traditionally, the shops consisted of a small supermarket and functions such as butchers, greengrocers, bakers, hairdressers and chemists. They have been susceptible to the changing demographics of suburbs—older and smaller households have lower expenditure—as well as the changing shopping pattern brought about by longer trading hours at larger centres, increased car usage and increasing participation of women in the work force.

In response to the socioeconomic conditions and to facilitate change at local centres, the range of uses permitted was increased and incentives in the form of reduced change of use charges were introduced to help revitalise these local centres. Some

improvement has occurred, particularly at centres near major employment centres where there has been a growth in functions such as cafes and restaurants. Local centres perform well against equity, accessibility and sustainability objectives. (*Time expired.*)

MR SPEAKER: The discussion on the matter of public importance is concluded.

Order of the day—postponement

Ordered that order of the day No 1, executive business, be postponed until a later hour.

Long Service Leave (Contract Cleaning Industry) Amendment Bill 2006

Debate resumed from 16 November 2006, on motion by **Mr Barr:**

That this bill be agreed to in principle.

MR STEFANIAK (Ginninderra—Leader of the Opposition) (5.35): This is a relatively simple bill, although we have a number of issues in relation to it. Firstly, might I express a little bit of disappointment in relation to the lack of detail in the explanatory memorandum about the proposed change. The issue is actually about removing a sunset clause linked to section 64 of the Long Service Leave (Contract Cleaning Industry) Act. The amendment will keep section 64 (6) of that act operating beyond 31 December 2006; hence the fact that the minister wants it debated and passed now.

We would have liked some more assessment in the explanatory memorandum and statement in relation to the implications of that step. There may be implications for pro rata long service leave to apply after a period. Again, there is no discussion about that.

Under this particular section of the bill it seems that, if workers are covered by both the Long Service Leave Act and the Long Service Leave (Contract Cleaning Industry) Act, they can opt to take long service leave under the Long Service Leave Act after seven years as opposed to 10 years. They take that at a pro rata rate, which I understand is 6.7 weeks as opposed to the 10 weeks or so they would get if they waited the full 10 years. That is the effect of section 64 (6). That is what has been occurring, as I understand it, for the last couple of years, and that would continue to occur.

There is another disturbing factor in relation to this bill. I was surprised to find out, when we did the check with the major employer group—that is, the chamber of commerce—that they had not been consulted at all. It might seem small beer to remove a sunset clause and continue a bill, but I would have thought, as a common courtesy, a government that supposedly prides itself on consultation—not that we have seen too much of that around here recently—would have consulted.

They omitted to consult with the largest employer representative group in the territory. I hope that was just an inadvertent omission—or is that in fact indicative of perhaps

no-one being consulted much in relation to this bill? The act states that the costs of long service leave are met by contributions made by employers for each employee to the Cleaning Long Service Leave Board. Employers and their representatives should certainly be consulted about any proposed changes, even taking out the sunset clause.

There are some real problems in the very nature of the cleaning industry. I have mentioned this privately to the minister and would like to have received more information as to how it is going. I think everyone now is effectively entitled to some form of long service leave. With the transient and part-time nature of this industry, a lot of workers will come into it and work part time. Then they might move off and do something else. They may never, for whatever reason, be in a position where they can actually take their long service leave entitlements. They might move into another industry; they might be unaware of it; they might forget about it; they might not worry about it.

I would be interested to see how it is going. I would be interested to see whether there is any indication that workers who have been in the industry for a while are accessing any entitlements. They probably would not have too much entitlement yet because the scheme has only been going a little while. That in itself is an interesting point. I would like to see just how much money is in the scheme, how it is working, how it is accumulating and what plans there are for it in the future.

This scheme caused a fair bit of angst when it was put in. I recall the debates in the last Assembly and the debates around long service leave generally. Long service leave has been a factor in the public service for many years. In many ways it was almost confined to that particular body; it was not a feature in the private sector. The private sector is very different from the government sector. There are benefits in being in the government sector and there are benefits in being in the private sector. Hence, I suppose you ask yourself, "Is there any real need to extend schemes like long service schemes right across the board?" It is, however, history. Whilst industry groups are not happy at all with this particular scheme—they have fought the battle and lost it—given that it is law, it needs to operate effectively and properly.

We need to be given some indication of how the scheme is operating, what problems there are with it, whether this particular change will lead to any potential problems, and if it is going to make a big difference in terms of people opting to take leave after seven years. We need to know whether there are any indications one way or the other in relation to that.

In relation to costs, employers put money into the scheme. I would be very interested to see how all that is panning out—how much money there is in the scheme, whether people are accessing it, and what the signs are there.

Let me conclude by again reprimanding the minister for not consulting with the chamber of commerce. I would be interested to see who he did consult with, if anyone. I certainly hope he does not make that mistake again, even with legislation like this. Whilst removing sunset clauses is a very simple mechanism in legislation, it has very big implications. Obviously, the scheme that operates, which could have ceased in December, is an important one. That scheme is set to continue ad infinitum as a result

of the sunset clause being removed. Removal of the sunset clause is a very important issue in any legislation, especially in legislation such as this.

DR FOSKEY (Molonglo) (5.41): The Long Service Leave (Contract Cleaning Industry) Act came into force on 24 July 2000. The Greens supported the act in 1999, when it was debated in the Assembly. We continue to support it now through this amendment which will see the sunset clause removed. I note Mr Stefaniak's concern about consultation. Of course, the Greens believe that employers, as well as employees, should be consulted with. I look forward to hearing the government's explanation for that.

I assume subsection (6) of section 64 was designed to ensure a review of the section could be conducted. I am not sure that the government has conducted any type of formal review but, given the importance and success of this section of the act, I cannot see any reason for the Greens to ensure that one has been formally conducted. I note Mr Stefaniak's mention of a lack of information, a lack of data. I agree that that would have been a useful supplement to this amendment.

As we know, cleaners are low-paid workers. Many of them are women from non-English-speaking backgrounds who work part time. In 1999 Kerrie Tucker, in response to the initial bill, said:

Under the brave new world of Liberal Party industrial relations, this group is not well supported and will be even less so with Reith's new initiatives.

I wonder how they will fare under Andrews's initiatives. I think the implications for workers are greater than the implications for employers. According to the recent *Clean Start* LHMU publication, the average annual income for a cleaner is \$14,360, while the Australian poverty line stands at \$15,288. Meanwhile, the average income for a full-time worker is \$56,087. Under these circumstances, and in such a casualised industry, I do not know how many workers would qualify to accumulate and take long service leave. Perhaps the minister can tell me in his closing speech whether long service leave is portable and whether or not workers experience it as an extra dollar or two in their pay packet if they do not take it.

With the introduction of WorkChoices, low-skilled workers are threatened with lower wages and a loss of entitlements. Legislative assurance for their access to long service leave hopefully provides some light to these difficult conditions. As those of us who clean our houses know, and as we know from other aspects of our lives, cleaners' work is unforgiving; it is perpetual; it is there to be done every day. And, of course, the cleaner's job usually involves an awful lot more than we expect of ourselves in our houses. Many workers are dependent on the job, as they are low skilled and thus are unlikely to complain about unfair employment conditions. That is why their union is so important and why programs like this and the union campaign are crucial.

Finally, I reiterate the importance of the government implementing a similar program for community service employees. The community sector has been campaigning on this issue for several years. I believe this is a recommendation of the community sector task force report that has been with Minister Barr for about six months. I look

forward to the government response to this report. I hope to see portable long service leave introduced to the community sector in the near future.

MR BARR (Molonglo—Minister for Education and Training, Minister for Tourism, Sport and Recreation and Minister for Industrial Relations) (5.45), in reply: In closing debate I would like to thank members for their support. I seek to respond to a couple of the issues that have been raised in the debate. On the issue of consultation, my understanding is that the request for this legislation came from the registrar of the Cleaning Long Service Leave Board following an assessment of the operation of section 64 of the act. The board, I understand, contains representatives from both employer and employee groups.

It should be remembered, of course, that the impact of the bill, simply from a worker's perspective, is that it will ensure that workers continue to enjoy the choice between accessing long service leave either under the cleaning long service leave act or the general Long Service Leave Act, but not both. It ensures that employers are only required to pay for long service leave under one of the acts.

Dr Foskey sought some further information in relation to how the scheme works. I can advise that, under the scheme, workers are entitled to take long service leave after 10 years of service. Payments for leave are financed by contributions made by employers on behalf of their employees. There are also some contractors who make contributions 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. I thank members again for their support of the bill.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Building and Construction Industry Training Levy Amendment Bill 2006

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

That this bill be agreed to in principle.

MRS DUNNE (Ginninderra) (5.48): The Liberal opposition will be supporting this bill. It is a straightforward amendment to the Building and Construction Industry Training Levy Act, to bring it into line with some changes made to the Building Act and the building regulations. The principal issue is that it now has the same definition of "exempt work" as in the Building Act, so exempt work for the purpose of the training levy under the Building and Construction Training Levy Act is the same. There are a few little fix-up things in relation to who is responsible for paying the levy and who is, in fact, a project owner for the purposes of the levy.

There is one other change. I am unsure whether it is a substantial change. The time frame in which the Building and Construction Industry Training Levy Board is required to bring forward its training program for the following calendar year has moved from 30 June in the previous calendar year to 31 October. This may be a reasonable change. I have not had anyone question this, but I note a word of caution that with the roll-out of the following year's training program not necessarily available until 30 October that may cause problems of compliance. If it does, I will be quite happy to come back and revisit that.

My consultations with members of the building industry are that they are happy with this, that they have been consulted with by the government, and that it reflects the needs and desires of the building industry. Therefore, the opposition is prepared to support this essentially machinery piece of legislation.

DR FOSKEY (Molonglo) (5.50): It is fascinating how matters of concern can be swept under the carpet year after year when it does not suit the agenda of governments or media and then, at the drop of a hat, they can become crucial to our economic development. The federal government ran a strong industry-based training agenda in the early 1990s, but after John Howard's election as Prime Minister in 1996 that commitment was abandoned. Now a skills crisis has emerged dramatically as a problem that needs government attention. I think it is fair to say that Australian industry, particularly in the context of changing structures of work, have not contributed a lot to training over the past 15 to 20 years, except where and when it has been required of them by government or their organised work force.

All this is a roundabout way of saying that the ACT Greens recognise the value of industry-based training and continue to support the building and construction industry training fund as an appropriate local approach. It works with the CIT, business training groups and ACT government agencies and has as stakeholders all major relevant business associations in the ACT. This bill simply plugs a loophole which presently allows project owners to avoid paying the training levy that was intended to apply to building and construction operations. It also brings the act up to date on the practice of appointing valuers when there are disagreements, and changes dates and definitions to allow the authority to operate more effectively.

MR BARR (Molonglo—Minister for Education and Training, Minister for Tourism, Sport and Recreation and Minister for Industrial Relations) (5.52), in reply: I again thank members for their support. Mrs Dunne raised one issue. I am happy to be able to provide some information to the Assembly in relation to the change of date from 30 June to the end of October. I advise Mrs Dunne that this will enable a better alignment with the timing of the annual territory negotiations with the commonwealth regarding vocational and technical education funding. It will also enable the determination between the ACT government and the local industry for training priorities for the following year. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Adjournment

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

That the Assembly do now adjourn.

Tobacco products

MS MacDONALD (Brindabella) (5.53): Mr Speaker, I want to speak this evening about the use of tobacco products. As we all know, smoking kills and is still the single largest preventable cause of premature death in Australia. Tobacco has no safe level of consumption and every year more than 19,000 die due to tobacco-related illnesses.

The ACT government has been comprehensive in its approach to tobacco control and has introduced a number of measures intended to reduce demand, control supply and protect non-smokers. On 1 September 2006, the sale of tobacco from vending machines was prohibited and in October the Tobacco (Compliance Testing) Amendment Act 2006 was passed, enabling the territory to implement safeguards to prevent tobacco sales to minors.

Perhaps the most significant measure in reducing the community's exposure to environmental tobacco smoke was the passing of the Smoking (Prohibition in Enclosed Public Places) Act 2003. This act will come into effect on 1 December, next week, and will prohibit smoking in all enclosed public places. That will make a major difference to those working in the hospitality industry and will ensure that they are able to work in a safe, smoke-free environment.

It is hoped that this ban will have the flow-on effect of reducing the number of youths currently taking up the habit. For too long, smoking has been seen as the social norm. When someone turns 18, they are able to go to a club or pub for a drink and a smoke with their peers. By banning smoking in pubs, clubs and other public venues, people will be forced to go outside to smoke, therefore removing the notion that smoking is the norm for adults.

Most members of this place will know of my stance on smoking. Mr Speaker, I acknowledge your efforts in the past on this issue as well. But some newer members may not be aware that at least two of my relatives have died as a result of smoking-related causes and earlier this year a very close friend of mine almost died and had to have major surgery as a result of her long habit of smoking. As a result, I am very much opposed to smoking. In fact, I believe that a motion moved by me and passed by the Assembly in 2002 started the ball rolling on smoke-free pubs and clubs. I know that the bill that was finally passed was not mine and I know that Mrs Cross contributed to that debate as well, but I like to think that I played a small part in it.

I am pleased to see that the right to have a smoke-free environment has been recognised, but believe that there is still much that needs to be done to further reduce the levels of smoking in our community and stop our youth taking up the habit. I ask members to look next time they are at their local shopping centres at how tobacco products are displayed. In many retail outlets, large and small, tobacco products are located at the front of the store, surrounded by impulse items such as chocolates, drinks, flowers, toys and newspapers. It is said that this is an effort to normalise tobacco products and is known as the halo effect.

There are more than 35,000 outlets in Australia which sell tobacco products, the majority of which have visible displays advertising the products that are for sale. When children see such displays, and at the moment it is impossible for them not to, they come to believe that cigarettes are just another normal item that can be purchased. I believe that the tobacco displays should be put out of sight and I am aware that some major retailers, such as Coles supermarkets in Tasmania, have already taken steps to store cigarettes out of the sight of customers. Whilst some businesses may claim that that will have a major effect on sales, research undertaken by the Cancer Council of Victoria has shown that 80 per cent of smokers already know their brand without relying on the display. The displays only advertise the products that are available and therefore help new smokers, most of whom are our youth, choose a brand.

I believe it is also necessary to make the sale of tobacco products by minors illegal. You need to be over 18 to purchase cigarettes, so it is logical that you should be over 18 to sell them. Finally, I believe that we should also be trying to stop people smoking in cars when there are children in the cars. Whilst this may prove difficult, I think that we could do so by having an opportunistic effect, such as not wearing a seatbelt. Public pressure will also play a big part in making sure that that occurs, but there is more to be done. (*Time expired.*)

West Belconnen Health Cooperative

MRS DUNNE (Ginninderra) (5.58): Mr Speaker, like you and Ms Porter, last week I had the privilege of being present at Charnwood primary school when the community formed the West Belconnen Health Cooperative. The West Belconnen Health Cooperative is something that I find quite inspirational, being the work of members of a community getting together to solve a real problem that they saw in their community.

For those members who are not aware of this project, it came about essentially from groups of people involved in Neighbourhood Watch discussing the fact that there were no doctors, especially no bulk-billing doctors, in the area around Charnwood and the adverse effects that that was having on the operation of the local pharmacy, whose pharmacist was essentially being called in to act as medical adviser, and the knock-on effects that that was having on accident and emergency whereby people were going to Calvary Hospital instead of going to a doctor. There was a reasonable number of doctors in the west Belconnen area, but all of them were full-fee-paying and none of them were bulk-billing.

What we saw over the course of probably 2½ to 3 years was the development of a quite fantastic program, all essentially run by the community. The five Ginninderra members are, in fact, patrons of the organisation, but the work being done by the organisation is essentially the work of the constituents. I think that all the members for Ginninderra should be proud of the fantastic work. We have got to the situation now where, hopefully, within four or five months we will have a fully operational but small health cooperative situated in Charnwood providing bulk-billing services to some of the most disadvantaged people in my electorate.

I think that the work that has been done to solve a substantial social problem in west Belconnen has been fantastic and the people involved—Roger Nicoll, Michael Pilbrow and many others—deserve the congratulations of this Assembly. They have done so with very little support outside their group. They have had a small grant through the social inclusion board. I am a little unhappy that there has been so little government help. I hope that, now that they have proved their capacity, there will be more assistance through the department of health to ensure that it will be an ongoing and successful operation that has the capacity to expand.

The original plans were much more adventurous, but the organisation has cut its cloth according to its budget. We will, I hope, see about three full-time doctors in operation in Belconnen in the very near future. I encourage all members for Ginninderra to get on board in support, join up with the cooperative, even if they never use it themselves, and support the cooperative in the great work that it does. I recommend it to other communities as a model for addressing serious deficiencies in the health system.

One of the problems that we still have to overcome is that there are not all that many doctors in practice in Belconnen and Canberra generally, and this is one of the issues that need to be taken up with the commonwealth so that we can get more provider numbers in the ACT. There has been some progress there, but I hope that there will be more in the future.

But, most importantly, I would like to commend the people who formed and steered the West Belconnen Health Cooperative to its birth last week and also to pay tribute to the registrar of cooperatives in the Department of Justice and Community Safety who, I understand, was of significant help in the formulation of this great community endeavour.

Art exhibition Youth unemployment

DR FOSKEY (Molonglo) (6.03): Initially, I want to alert members to the Can Do Studio Exhibition which is on in the exhibition room upstairs. I do so because usually exhibitions are here for a week or so, but this one will be here only until 3.00 pm tomorrow. I recommend that you make the effort to take a look. It is part of the community development work of the Bega-Allawah-Currong art group through the YWCA.

For the bulk of the time I want to talk about youth unemployment. In October 2005, I successfully moved a motion requesting the ACT government to look into

unemployment, underemployment and low-skilled entry level employment and their relationship with poverty. The government is due to report to the Assembly in December and I look forward to seeing the results of its analysis.

I was reminded this morning to look forward to this report when listening to an ABC Radio National interview with Mission Australia about a three-year report regarding youth unemployment and participation in the labour force. The report found that the employment, education and social pathways of young people have changed enormously over the last 20 years. Young people now face a complex landscape due to a breakdown in the predictable pathways and secure foundations of the past. Attempts to respond to these changes have largely tinkered with a system established to meet the needs of the 1970s and 1980s, based on assumptions of a linear pathway from childhood to adulthood.

The report also found that in Australia, despite our record low unemployment rates, young people aged between 15 and 24 comprise 19 per cent of the labour force aged 15 to 64 but make up 40 per cent of the unemployed. This rate is virtually equal to that experienced at the height of the 1992 recession. Times have not got better for this portion of society. There are 160,000 people under the age of 25 who are not in the labour force, are not registered as unemployed and are not engaged in education. These 160,000 young people do not receive Newstart, the youth allowance, a parenting payment or a disability pension. That is surprising and alarming, given the current skills shortage and the fact that all governments are marketing their cities and workplaces to overseas workers in the hope of increasing the level of skilled migrants in Australia.

The factors found to contribute to this lack of participation or long-term unemployment for young people are poor educational outcomes; poor health, both physical and mental, noting that three-quarters of mental illnesses begin between the ages of 15 and 25; and lack of family support, location, housing and finances. The disappearance of low-skilled entry level jobs from the market also compounds this problem. If you look at the public service, ASO or APS 1s and 2s have virtually become extinct and APS 3s are a threatened species.

The Mission Australia report found that government programs aimed at increasing the labour force participation rate among young people often only deal with the workplace. Successful non-government programs, however, deal with this issue by taking a comprehensive approach so as to consider a young person's housing, family support, education and health, aspirations, self-esteem and self-confidence. Their responses are flexible and meet the multiple needs of young people.

There are currently three programs available in the ACT to young people facing difficulties with employment and participation. YARDS, facilitated by the CIT, provides marginalised young people with individual support as they prepare for and enter vocational or educational placements. The school-based new apprenticeship program involves employment of a young person who is undertaking a traineeship part time while still at school. Finally, the training pathway guarantee provides training for school leavers who have missed out on other training opportunities.

Whilst these programs are important and ACT government funding and commitment to them are excellent, we must reflect on the ACT portion of those 160,000 young people who are not at school and leaving school and who cannot enter the last two programs. The only one they could enter would seem to be YARDS. So, whilst I look forward to the ACT government tabling its report in December, I also hope that as part of this discussion we can consider the methods by which to tackle youth unemployment and participation rates in a manner that addresses their multiple needs.

Mrs Stasia Dabrowski
Poverty

MR GENTLEMAN (Brindabella) (6.07): Today, I would like to talk about an upstanding citizen of our community, Polish immigrant Mrs Stasia Dabrowski. Most women of 80 years of age, one would think, would be happy to be retired and taking life at a leisurely, easygoing pace. However, Mrs Dabrowski is defying the trends of her peers and is still providing a service that she has been providing since 1976; that is, serving soup and bread from her mobile soup kitchen to Canberra's hungry and homeless.

In order to carry out her work, she must rely on the generosity of financial sponsors. However, the *Canberra Times* reported recently that her major financial sponsor had withdrawn its support after an unsubstantiated allegation that she had tampered with food that she had been serving. To demonstrate the truly magnanimous nature of this woman, she said in the *Canberra Times* that rumours were spread by one of the people she used to feed, whom she described as a poor soul who is unwell, and she held no grudges against this person. However, with the withdrawal of the financial sponsorship, she was left in a difficult situation.

This financial void needed to be filled in order for her to carry out her important work to the most vulnerable in our community. Last week, this void was filled by the Construction, Forestry, Mining and Energy Union. I would like to commend the CFMEU, which has donated \$20,000 to Mrs Dabrowski so that she can continue her invaluable service to the Canberra community.

The altruism of people such as Mrs Dabrowski and of community organisations is being relied upon more and more. Unfortunately, the gap between the rich and poor in Australia is widening. Over the past 10 years, the Howard government has steadily cut back funding to welfare and curtailed the rights and conditions of workers, placing more strain on those vulnerable people in our community who struggle to make ends meet.

Compared with other OECD countries, Australia has a relatively high poverty rate. The key factors influencing our high rates of poverty are high levels of unemployment and joblessness, low social security payments and a high number of sole-parent families. The Australian Council of Social Service has estimated that two million people live in poverty today; that is, one in 10 Australians. Many Australians struggle to grapple with what it means to live in poverty in a relatively wealthy nation such as ours and it is easy to ignore the increasing number of people who simply do not have the means to live at the standards experienced by most Australians.

Indeed, we are fortunate enough as a society that most people can enjoy a reasonably comfortable standard of living. However, once we look beyond the traditional concept of what constitutes poverty, we see that there is an increasing number of Australians who struggle to meet the bare necessities of life, such as having adequate amounts of food, adequate standards of housing, the ability to pay amenities bills and the ability to afford basic medical and dental treatment. Indeed, tackling poverty in a constructive and sustainable way will be challenging.

The Australian Council of Social Service made a number of recommendations on reducing poverty and addressing its causes: firstly, the development of a national antipoverty plan to take coordinated action across all levels of government to meet targets which reduce poverty and alleviate the causes of poverty; secondly, increasing the rate of the lowest social security payments to pension levels, with added supplements for the costs of disability and working for unemployed people; thirdly, additional employment assistance for the long-term unemployed to help them become ready for work; fourthly, maintenance of the minimum wage to reduce poverty of working households; fifthly, increased access to affordable housing and rent assistance; and, sixthly, improved affordability of essential health and community services such as dental care, childcare, disability services and respite care.

Mr Speaker, clearly there is much to be done in Australia to tackle poverty and develop sustainable improvements in the standard of living of Australians, all of whom are entitled to have access to adequate levels of food, shelter, education and medical treatments. I commend all those volunteers in our community, particularly Mrs Stasia Dabrowski, who work tirelessly to help the most vulnerable in our society.

Griffith library

MR PRATT (Brindabella) (6.12): I rise to highlight an ironic twist in one of the major subjects of debate here today. I am looking at a newspaper article in the good old *Canberra Times* about a couple of young Red Hill primary school kids, Nicole Armstrong and her sister, who are absolute bookworms. In fact, 10-year-old Nicole was today awarded second prize in the Chief Minister's reading challenge for 2006. She is a prolific reader and is well known for that. From where did she borrow most of her books? Griffith library. Here we are looking at yet another impact of the decision by this government regarding this very precious little community centre.

I would like to pick up on a couple of points made today. We had the minister saying, "Look, it is okay. In the major cities the communities do not have this sort of library service, a four or five-kilometre radius service. They are getting bigger and bigger." I take offence at that. What are we doing? Are we dumbing down our own standards because the standards in other capital cities are sliding away? Of course they would be sliding away because they are all subject to Labor government governance. It is about time we started rating our standards against our own benchmark, rather than simply collapsing along with the rest of the communities around the country which are badly governed by Labor governments and are seeing their fundamental services decaying.

Mr Speaker, I thought that in the various debates today we had the absolute pickle: two gags on one subject on one day. I would have to say that that probably qualifies

this government as a gaggle. If you gag twice in the same day on the same subject, I reckon you get the gaggle award. So I congratulate the government on having picked up the gaggle award for being too frightened to face the truth in the various debates that were running today. Well done! I do not quite know what the gaggle award will look like but I shall think of something clever.

Environment—landkeepers program

MS PORTER (Ginninderra) (6.15): Last Saturday afternoon I joined well over 100 Canberrans in participating in the annual superseeder propagation exercise held at this time of the year at the Australian National Botanic Gardens. Many of the volunteers were family groups, with children joining their parents in propagating 26,000 tube stock to be used in the revegetation of key areas of the lower Cotter catchment during the 2007 planting season as part of the ACT landkeepers program.

The ACT landkeepers program is about a partnership between Greening Australia and Environment ACT and is jointly funded by the ACT and Australian governments. The program seeks to work with landholders in a strategic way on all ACT non-urban land to address remnant native vegetation conservation to enhance, protect and restore stream banks. Greening Australia plays a significant role in the program and is responsible for a number of specific components. One of those is the ACT river rescue program for implementing riparian habitat recovery along priority streams in the ACT to address biodiversity and water quality. Work includes fencing, erosion control, provision of alternative stock water, weed control, willow control and revegetation. Another is about biodiversity incentives and on-ground conservation work on rural land and non-urban land.

VegLink funded Saturday's propagation and engages ACT volunteers, businesses, scientific agencies and schools in a wide range of on-ground activities, such as seed collection, propagation, vegetation works, monitoring and weed control. Also, there is the greening industry component, which is about engaging in on-ground conservation work and encouraging awareness of environmental pressures of agricultural and horticultural enterprises such as grapes, olives and lavender.

Mr Speaker, we often stand in this place and talk about what should be done in respect of conserving, preserving and regenerating our natural environment, but the work undertaken by Greening Australia gives each of us an opportunity to make a very real and practical contribution. Participating in such activity is not only good for our environment but also good for community spirit. Among the people I spoke to last Saturday were a young couple who had recently moved to Canberra and were using the afternoon as a way of meeting people who may have similar interests to their own. Volunteering does not have to be all about altruism. Indeed, if we are not getting personal benefit from volunteering, it is unlikely we will continue to do it long term.

Speaking at a function after the propagation, Greening Australia's capital region chief executive, Toby Jones, said that the volunteers' energetic efforts on the weekend were a vital part of the overall community effort to regreen the ACT. Toby said that over the last two years Greening Australia had witnessed a growing tide of episodic environmental volunteering in the ACT. There are now over 2,000 active volunteers on the local Greening Australia database and these people have planted 60,000 native

trees and shrubs, mostly in difficult conditions. The volunteers keep fronting up to events, motivated by a desire to do more than just talk about the environment. Toby also said that 2007 is set to be a real challenge for community volunteering in key areas such as the lower Cotter catchment to protect and preserve the future water quality of Canberra. Even more volunteers will be needed to get involved.

Volunteering with Greening Australia is a very practical response to environmental issues such as climate change, water quality and loss of biodiversity. It is socially rewarding and good fun. That is one reason that many volunteers keep coming back. I am sure that, like Mr Gentleman and I, other members here will want to get involved in Greening Australia. Members can do so by going to the Greening Australia website. I encourage members to do that and I congratulate Toby Jones and his dedicated team on the manner in which they coordinate these diverse programs.

Environment—government fleet

MR SESELJA (Molonglo) (6.19): I want to raise briefly the issue that Mr Stanhope raised yesterday in his press release about his four-cylinder vehicle policy to stop the emission of thousands of tonnes of carbon dioxide and save thousands of dollars. Obviously, I commend the intent behind that policy, but I do want to raise a couple of issues in terms of the way that it is being implemented and the effect on public servants, particularly public servants with families. One of the issues I would like to address is the blunt four cylinders versus six cylinders rating. Mr Gentleman, being a car man, as opposed to the Chief Minister, might understand what I am talking about.

Let's look at some of the issues. Obviously, there are many four-cylinder cars which rate much better concerning greenhouse emissions than six-cylinder cars but, if you look at the Australian government's green vehicle guide, you will see that it has a three-star rating for cars such as the Ford Falcon Futura wagon, the VE and VZ Commodores and the Mitsubishi 380, which are all six-cylinder cars, and that there are many four-cylinder cars, such as the Holden Astra, the Honda Accord, the Honda CRV and the Honda Odyssey, which essentially have a three-star rating, the same as many of the Commodores and Falcons, and have a greenhouse rating of 5.5 and an air pollution rating of five out of 10. For the Commodore and Falcon models that I raised and the Mitsubishi 380 we are talking about the same ratings, a greenhouse rating of five and an air pollution rating of five.

The reason I raise this issue is that, because of this blunt instrument, we are having this cut-off at four cylinders, which in many cases will be good, but for those who need a bit more space, those with a few young kids, the family car is very important and the issues around safety are very important. The RACV and the NRMA have done some comprehensive studies of the relative safety of people movers versus big family cars, and the Commodores and the Falcons traditionally do much better in terms of safety than many of the people movers. In fact, to get to the people movers that have very good safety, you are talking about the very expensive people movers, ones in the \$50,000 and \$60,000 range.

The policy will be of concern to some of the public servants who will be affected by it, particularly the ones with families who are looking for a safe car that is spacious enough for them. Anyone with young kids would know that if you need to put three of

them in a sedan and you are dealing with, say, a capsule, a car seat and a booster seat, only a couple of the bigger family cars give you the space that you need. I am concerned about the effect that this blunt approach will have on families. The number one consideration I have when I choose a car is safety. I always try to get the extra airbags and stuff. The studies bear out that the traditional six-cylinder Australian-made cars perform very well and provide the kind of safety and space that families need. I hope that the Chief Minister will take note of the concern I have raised. His policy is a blunt instrument. At this point, it only applies to—

MR SPEAKER: Order! The time for the debate has concluded.

Question resolved in the affirmative.

The Assembly adjourned at 6.23 pm until Tuesday, 12 December 2006, at 10.30 am.

Answers to questions

Water—strategy (Question No 1249)

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 20 September 2006:

- (1) In relation to Action 1 in the Economic White Paper, what action has been taken to implement a water resource strategy under the *Water Resources Act 1998*;
- (2) What outcomes have been achieved to date from implementing this strategy;
- (3) If this strategy has not been implemented fully at this time, when will this complete implementation be achieved.

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

- (1) *Think water, act water: A strategy for sustainable water resource management in the ACT* was released in April 2004. *Think water, act water* includes an Implementation Plan setting out a range of actions. Implementation of *Think water, act water* commenced in 2004-05.
- (2) Outcomes achieved from implementing this strategy are detailed in the *Think water, act water 2004-05 Progress Report*, released to the public in January 2006.
- (3) The strategy sets policy direction until 2050 and is being implemented as a long-term strategy.

Economy—risk management (Question No 1252)

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 20 September 2006:

- (1) In relation to Action 4 in the *Economic White Paper*, what action has been taken to develop strategies for managing risks affecting the ACT economy;
- (2) What outcomes, if any, have been generated as a result of these strategies.

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

- (1) The Government, through ACT Treasury, is focused on managing risks to the ACT economy, and its budget processes are designed to be alert to external risk factors. A consultant was engaged in early 2004 to undertake a study examining potential risk to the ACT economy. The consultant undertook extensive consultation with the business community through an email-based survey complemented by industry specific focus groups.
- (2) The review recommended the promotion of actions to increase the level of awareness about risk management and risk mitigation in the ACT community. The review also

noted the need to address risk on a sector level, lead by industry players. The findings of the review were presented at a joint forum with the Canberra Business Council in December 2005.

Economy—The Canberra Partnership (Question No 1253)

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 20 September 2006:

- (1) In relation to Action 5 in the *Economic White Paper*, what action has been taken to establish The Canberra Partnership;
- (2) Who are the members of The Canberra Partnership;
- (3) What support, including funding, does the ACT Government provide to The Canberra Partnership;
- (4) What has The Canberra Partnership achieved to date.

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

- (1) The Canberra Partnership Board was established in August 2004, and its term expired in June 2006.
 - (2) The members of the Canberra Partnership Board were:
 - Prof Ian Chubb (Chair), Vice Chancellor Australian National University;
 - Mr Michael Delaney, Executive Director Motor Trades Association of Australia;
 - Dr Ben Greene, Group Executive Chairman Electro Optic Systems Pty Ltd;
 - Prof Ann Harding, Director National Centre for Social and Economic Modelling;
 - Ms Georgina Jenkins, Principal By George Studios Pty Ltd;
 - Mr David Malloch, Director Malloch Digital Designs Pty Ltd;
 - Dr Michelle Miller, Chief Executive Officer Biotron Ltd;
 - Prof Penny Sackett, Director Research School of Astronomy and Astrophysics;
 - Mr George Wason, State Secretary Construction, Forestry, Mining and Energy Union; and
 - Mr Derek Volker (ex officio), Chair Council of Education Export
 - (3) Nil. The Canberra Partnership has ceased operating.
 - (4) The Canberra Partnership provided policy advice and direction on a number of economic development matters, specifically industry development strategy for the sports, ICT, defence, biotechnology, space science and education export sectors, innovation policy, skills shortages and marketing Canberra. The Board hosted the Skills Solutions Workshop in April 2006 and developed the concept for an *ACT Skills Commission*, subsequently announced in my Government's 2006-07 Budget.
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**BusinessACT
(Question No 1254)**

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 20 September 2006:

- (1) In relation to Action 5 in the *Economic White Paper*, how has the role of BusinessACT been enhanced;
- (2) What advice has BusinessACT provided (a) on business related issues, such as regulatory reform and the red tape reduction agenda' and (b) about the development and delivery of a suite of programs that will assist businesses to start up, grow, commercialise and export.

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

- (1) BusinessACT's roles and functions have been incorporated into the Business and Economic Development unit of Chief Minister's Department.

BusinessACT has provided advice and developed a range of programs and services designed to assist business to start-up, grow, commercialise and export. These include the Business Licence Information Service, Canberra Business Advisory Service, the ACT Exporters Network, ANU MTAA Super Venture Capital Fund, the ACT Technology Commercialisation Program, Skilled and Business Migration Program and the Industry Capability Network.

Services provided by BusinessACT will be refined and enhanced through the establishment of an Enterprise Development Centre, with a focus on providing first class information and advice to small and medium enterprises, new forms of mentoring, and entrepreneurship development.

- (2) See Question 1. In addition, BusinessACT provided support to the ACT Planning and Land Authority for its \$2 million Commonwealth Red Tape Reduction grant application for a new Development Application processing system, cutting down waiting times for approvals.

BusinessACT also provided a range of advice on small business regulation and red tape matters, including licensing and mutual recognition, for the Minister for Business and Economic Development's involvement in forums such as the Small Business Ministerial Council and the Council of Australian Governments.

**Business—policy
(Question No 1256)**

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 20 September 2006:

- (1) In relation to Action 7 in the *Economic White Paper* and following the abolition of the position of Small Business Commissioner, how will informed decision making by small businesses be promoted;

- (2) How will disputes between small and large businesses and government agencies be dealt with;
- (3) How will small business service charters within government agencies be developed, implemented and monitored;
- (4) How will information on the adverse impact of legislation or market practices on small businesses be collected, analysed and reported to the Government.

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

- (1) The 2006-07 Budget announced the refocus of government business support. The new approach will focus on providing information and advice to small and medium enterprises and support for mentoring, focusing on capability building and enterprise development. A procurement process is underway seeking proposals from non-government organisations to bring this service together.
- (2) There are currently a number of private sector dispute mediation services operating in the ACT market to facilitate dispute mediation between businesses.
- (3) The small business service charters will be self managed by agencies but monitored centrally by my Department.
- (4) The legislative and Cabinet processes involve the preparation of Business impact statements. The Government is also an active participant in the current COAG reform agenda which is focussing strongly on red tape and business regulation reduction.

Public service—electronic procurement and tendering (Question No 1257)

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 20 September 2006:

- (1) In relation to Action 8 in the *Economic White Paper*, what action has been taken to introduce a whole of government electronic procurement and tendering system;
- (2) How has information about this system been promulgated to smaller businesses in the ACT.

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

- (1) The ACT Government operates a range of on-line procurement support services which are accessible through the *basis* website (www.basis.act.gov.au). In recent years a range of activities have been pursued to enhance and better integrate existing systems such as the Central Contracts Register, the 'Pre-qualification' and the 'Supplier Performance' databases, to provide access to the systems for a wider range of ACT government officers. Following the Government's decision to consolidate most procurement activities in Procurement Solutions, further work is being undertaken to update and increase the functionality of the procurement support services managed and used by Procurement Solutions.

(2) The objective is largely being delivered through:

- the consolidation of procurement activities in Procurement Solutions;
- enhanced use of pre-qualification arrangements, panel contracts and related measures to reduce industry transaction costs;
- greater consistency in tender and contract documentation for ACT procurements;
- providing firms with advance notice of tender opportunities through the use of pre-tender consultations; and
- moves to a single tender box for lodgement of all ACT Government tenders.

**Public service—pre-tendered consultative process
(Question No 1258)**

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 20 September 2006:

- (1) In relation to Action 9 in the Economic White Paper, has a new pre-tendered consultative process been developed and implemented;
- (2) What has been the response from local industry to this new process;
- (3) Has any evaluation been undertaken of the new process to determine whether local industry has had a fair opportunity to compete for ACT Government tenders.

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

- (1) Yes. Following consultation with peak industry bodies and relevant Government agencies, the Government Procurement Board revised its procurement planning requirements and issued a circular in December 2004 to give effect to the pre-tender consultation requirements of the Economic White Paper.

The new circular was published on the *basis* website and ACT Procurement Solutions conducted information sessions to explain the process to agencies and industry.

- (2) Local industry has been fully supportive of the initiative and feedback to date has also been positive. Information provided by industry through individual PTC processes have influenced agency specifications and procurement strategies, and helped deliver better value-for-money outcomes for Government.
 - (3) In 2005, the Territory established a Procurement Consultative Committee to, among other things, enhance dialogue between government and industry. The Committee comprises representatives from major peak industry bodies, unions and agencies. The Committee is well aware of the PTC process and is fully supportive of its aims.
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**Economic White Paper—action recommendations
(Question No 1259)**

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 20 September 2006:

- (1) In relation to Action 10 in the *Economic White Paper*, what action has been taken to develop a framework to provide a vehicle for Government piloting of locally developed products and services;
- (2) What outcomes have been achieved from the development and application of this framework.

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

- (1) In September 2004 the Government Procurement Board amended its pre-existing circular on Quotation and Tender Thresholds to assist agencies to pilot locally developed innovative products and services in accordance with the Economic White Paper initiative.

ACT Procurement Solutions disseminated information on the circular through the *basis* website, which contains information on the Territory's procurement and contracting activities, and also held several forums in 2004 and 2005 to increase knowledge of the initiative and circular.

- (2) A number of potential opportunities to apply the provisions have been examined, with one significant proposal formally pursued under these arrangements. The project involved a four-month trial that enabled the (former) Emergency Services Authority to explore opportunities for data sharing and joint operational command and control between emergency-response agencies within and outside the ACT. The pilot project was completed successfully and a significant contract was ultimately awarded to the local provider.

**Canberra Connect
(Question No 1260)**

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 20 September 2006:

- (1) In relation to Action 11 in the *Economic White Paper*, what action has been taken to enhance the role of Canberra Connect as a major entry point for providing government information to smaller businesses;
- (2) What has been the response of ACT businesses to this enhancement of Canberra Connect.

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

- (1) A range of initiatives has been implemented since the release of the *Economic White Paper* to enhance the role of Canberra Connect as a major entry point for providing government information to smaller businesses. These initiatives include the following.

- Transferring the telephone answering component of the Business Licence Information Service (BLIS) from BusinessACT to Canberra Connect, using freecall number 1800 244 650. This service has been enhanced by Canberra Connect, and now operates from 7am to 8pm Monday to Friday, and from 8am to 5pm on Saturdays. Canberra Connect prepares and mails out kits containing specific licence information and application forms, tailored to the needs of each business operator. Alternatively, the call centre specialist will lead the caller through the BLIS website, where they can serve themselves if they prefer.
 - Canberra Connect provides information through the call centre on the ACT Skilled Migration Program; Enterprise Development; Trade Development; CANBAS; Federal Government Programs, and information to Tertiary Students preparing to enter small business in the Territory.
- (2) In relation to the response from small businesses to this enhancement of Canberra Connect, the overall feedback and usage of the facilities for small businesses now in place has been positive.
- Canberra Connect receives on average 210 calls per month for BLIS-related information, which results in approximately 31 BLIS packs being mailed to new or existing small business operators per month.
 - Since the introduction of the new services portal, canberraconnect.act.gov.au, on average 1,400 business related bills are paid online each month, facilitating approximately \$170,000 in payments monthly.
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BusinessACT (Question No 1261)

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 20 September 2006:

- (1) In relation to Action 12 in the Economic White Paper, how has BusinessACT been enhanced to assist smaller businesses deal with requirements relating to ACT planning and building regulation issues;
- (2) What has been the response of these businesses to this enhancement;
- (3) Have there been any further complaints from smaller businesses about these regulatory issues.

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

- (1) Following the 2006-07 Budget and the subsuming of BusinessACT's functions within the Chief Minister's Department the provision of assistance to small businesses with regard to planning and building regulation was transferred to the ACT Planning and Land Authority (ACTPLA). Reform of the ACT's planning system is continuing under a process that began in 2003 when the ACTPLA and the Land Development Agency were established.

The reform agenda was outlined in the Minister for Planning's Statement of Planning Intent of 2003, and addresses a range of matters to ensure that ACTPLA operates on 'best practice' principles in dealing with businesses.

- (2) The feedback received from industry about this action has been positive both in terms of the short-term reforms and the proposed new legislation and restructure of the Territory Plan. The exposure draft is currently subject to consultation and inquiry by the Assembly's Standing Committee on Planning and Environment.
- (3) Not applicable – see responses to parts (1) and (2) above.

Planning—requirements (Question No 1262)

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 20 September 2006:

- (1) In relation to Action 13 in the Economic White Paper, what action has been taken by the ACT Planning and Land Authority to ensure that businesses and the community are given appropriate information in relation to building and development applications and in relation to overall planning requirements;
- (2) If no action has been given about these two matters, why not.

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

- (1) The ACT Planning and Land Authority has continued to improve the information that is available on its website (www.actpla.act.gov.au) and in its shopfronts in Dickson and Mitchell. This includes a Small Business Charter, which sets out a range of services and information, including the development application process, which is aimed at making access to information simpler. The web site will shortly include an on-line Development Application form, which will make the completion and lodgement of applications on line simpler and faster. Over the next 12 months, this will extend to a wide range of development and building related applications.

ACTPLA also engages with Community Councils to provide information about specific development proposals and avenues for the community to provide comment.

As part of its communications strategy, ACTPLA participates in industry forums and events, such as the Home and Leisure Show and provides staff, fact sheets and information brochures through the MBA Information Centre, the Housing Industry Association and through Government-operated shopfronts. All sectors of the community can also receive advice on Building Approval and Development Application processes by contacting ACTPLA's Customer Services Centres in Dickson and Mitchell.

- (2) Not applicable – see response to part (1) above.

**Business—development programs
(Question No 1266)**

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 20 September 2006:

- (1) In relation to Action 17 in the *Economic White Paper*, what is the status of the eight programs, including the Knowledge Fund, the Business Licence Information Service and the Industry Capability Network, that had been implemented to support small and micro businesses in the ACT;
- (2) In the event that some of these programs have been discontinued, what alternative approaches are being implemented to facilitate the development of small and micro businesses in the ACT.

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

- (1) Programs based on discretionary grants to individual businesses and organisations (eg the Knowledge Fund) have been discontinued. The Business Licence Information Service and the national database functions of the Industry Capability Network will continue.
- (2) The Government has announced a new \$1M business information, mentoring and advisory service. A procurement process is currently under way to establish this service.

**Business—training initiatives
(Question No 1267)**

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 20 September 2006:

- (1) In relation to Action 18 in the *Economic White Paper*, what is the status of the customised business training initiative that is intended to encourage smaller businesses in the ACT to undertake relevant skills training;
- (2) If this initiative has not been implemented, why not and when will it be implemented.

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

- (1) The customised business training initiative described in the Economic White Paper was not progressed due to funding constraints. However, the Department of Education and Training (DET) is now looking at other solutions. According to recent survey of small businesses conducted by DET, the types of training required are:
 - technical training, ie Australian Apprenticeships;
 - post-trade courses that can be embedded into other business training (eg: financial or frontline management);
 - dedicated courses offered by vendors of goods and products;
 - stand alone short courses to up-skill existing employees;
 - non-accredited short courses in employability skills; and
 - just-in-time short courses.

The Department of Education and Training is now working to:

- identify what training programs and courses are already available to meet the needs identified in the survey by each of the industry sectors;
- identify what additional training programs and courses might need to be developed to meet those needs; and
- align all these training programs and courses to units or elements of competency in the various training packages.

(2) Not applicable.

Business—incubation facilities (Question No 1268)

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 20 September 2006:

- (1) In relation to Action 19 in the Economic White Paper, what resources have been provided to support incubation facilities and services in the ACT;
- (2) Have more effective new business and employment outcomes been achieved through this activity; if so, what is the nature of these positive outcomes.

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

- (1) The Government has supported business incubation facilities and services in the ACT through the following resources:
 - i. Government owned buildings have been made available to a non-profit provider of incubation services for small and micro businesses in three locations - Downer, Narrabundah and Erindale.
 - ii. The Government provided \$1M to Epicorp, a specialist ICT industry incubator for co-investment in start up companies.
- (2) Support for business incubation is a component of the of the overall mix of development assistance provided by the Government. Good incubation environments are a proven and effective way to assist business start-ups and as a vehicle to increase the success rate of new small businesses. Support offered to small and micro businesses at these incubators enhances their sustainability and growth prospects.

Business—indigenous support (Question No 1269)

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 20 September 2006:

- (1) In relation to Action 20 in the *Economic White Paper*, has the ACT Government established an Indigenous Business Support Officer within BusinessACT; if so, how effective has this appointment been; if not, why not;

- (2) What associated activities and programs have been initiated to enhance the capability of indigenous people to undertake commercial activities.

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

- (1) An Indigenous Business Support Officer was appointed in April 2004.

The Indigenous Business Support Officer has identified 56 Indigenous businesses in the ACT, including start ups and established businesses. Of these businesses, 23 were assisted to access mainstream business assistance programs.

- (2) A strategic approach was developed to support Indigenous businesses to access mainstream programs. Each business underwent a facilitation process with the Indigenous Business Support Officer and the Canberra Business Advisory Service (CanBAS), to facilitate further applications for assistance through a BusinessACT program.

In addition, a pilot ACT Indigenous Business Website Project was undertaken to provide an E-Commerce presence for five local Indigenous businesses. Each business was also assisted to develop an E-Commerce Strategic Plan to provide direction on how to achieve business outcomes through their websites.

Business—occupational health and safety practices (Question No 1273)

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

- (1) In relation to Action 21 in the *Economic White Paper*, what action has been undertaken, in collaboration with the private sector, to assist businesses to introduce effective occupational safety and health practices;
- (2) If this action has been completed, what have been the outcomes;
- (3) If this action has not been undertaken or completed, why not.

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

- (1) ACT WorkCover provides speakers and presenters on occupational health and safety regulation at numerous seminars, workshops and training courses. Approximately 2,500 people attend ACT WorkCover presentations each year. ACT WorkCover publishes and circulates a monthly email newsletter to over 4,000 subscribers and provides educational material for publication in ACT business association and union journals and newsletters. ACT WorkCover also maintains a website containing a comprehensive range of educational materials, publishes a range of educational and guidance materials in hard copy and CD format and makes these available to clients from its counter and through Inspectors visiting ACT workplaces. ACT WorkCover also coordinates the annual Health and Safety Month and ACT OHS Awards, both of which are aimed at raising awareness and understanding of OHS issues.
- (2) This activity is ongoing.

(3) See answer to Question 2 above.

**Information technology—open source pilot program
(Question No 1275)**

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

- (1) In relation to Action 23 in the Economic White Paper, has the Open Source pilot program been established in the ACT;
- (2) If so, what have been the benefits;
- (3) if not, why not.

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

- (1) Yes.
- (2) Proof of concept work using various OSS products, including operating systems, application server platforms, database software, reporting software, and desktop software, have demonstrated the potential for use of a range of OSS products by ACT Government agencies.

Instances of OSS are now in production within ACT Government for particular applications; for example the primary website content management and hosting platform for ACT Government websites is an OSS product, which also utilises OSS operating system and database software. As a result, annual license costs are estimated to be around \$500,000 lower, as compared with using a proprietary product with similar functionality.

There are also benefits to local industry, with ACT-based ICT firms providing some consultancy and ongoing technical support services.

- (3) See above.
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**Biotechnology
(Question No 1276)**

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

- (1) In relation to Action 24 in the *Economic White Paper*, what action has been undertaken to develop biotechnology industry relationships with NSW, Queensland and Victoria;
- (2) If this action has been initiated, what have been the benefits; if not, why not;
- (3) What other initiatives have been undertaken in relation to the biotechnology industry in the ACT.

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

- (1) The ACT Government is a member of the Australian-New Zealand Biotechnology Alliance (ANZBA). ANZBA is a partnership to promote leading biotechnology R&D and business opportunities in the region. Working directly with industry and the research sector, the members of ANZBA are the Australian State and Territory Governments and the Government of New Zealand.

The ACT Government has also been a participating member on the Committee for Marketing Australian Biotechnology (CMAB) and the Biotechnology Liaison Committee (BLC) which each have representation from each State and Territory and the Commonwealth Government.

- (2) Benefits include:

- Intergovernment collaboration.
- Business to business connections.
- Coordinated Australian participation at the annual BIO Conference organised by the Biotechnology Industry Organisation of the United States.

- (3) The Government released its ACT Bio-Business Strategy endorsed by the Canberra Partnership Board in 2005. The strategy aims to position Canberra to maximise the potential of the biotechnology research and development occurring at institutions including the ANU, CSIRO and University of Canberra.

The Government has supported the establishment of the Canberra and Region Branch of Ausbiotech and has partnered with Ausbiotech to deliver the Canberra a Region Biotechnology Showcase for the past three years. The Government has also supported Trade Missions for industry and research institutions to participate at BIO in the US.

Centrelink (Question No 1277)

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

- (1) In relation to Action 25 in the *Economic White Paper*, what action has been initiated by the ACT Government with key Commonwealth Departments, such as Centrelink, the Australian Taxation Office and Defence, to develop stronger links;
- (2) If action has been taken, what have been the outcomes of this action;
- (3) If stronger links have been developed, why was the ACT Government apparently caught unawares by the announcement concerning the Centrelink IT Centre being located in Adelaide;
- (4) If action to develop stronger links has not been undertaken, why not.

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

- (1) Engagement with Commonwealth Departments has occurred across the ACT Government. Examples include: engagement with Defence to assist local business access Defence contracts; engagement between ACT Planning and Land Authority and the

National Capital Authority on planning issues; joint-funding agreements between the Commonwealth and ACT Health and the Department of Disability, Housing and Community Services; work in relation to the Centenary of Canberra; in addition to initiatives through fora such as the Council of Australian Governments.

- (2) See Question 1.
- (3) This is a question for the Commonwealth
- (4) N/A.

Economy—capability mapping (Question No 1278)

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

- (1) In relation to Action 26 in the *Economic White Paper*, has the industry and capability mapping project for the environment been undertaken; if so, what has been the result of this action; if not, why not.

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

- (1) Industry and capability mapping for the environment sector has not yet been undertaken.

Film and television (Question No 1279)

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

- (1) In relation to Action 27 in the *Economic White Paper*, what initiatives have been undertaken under the auspices of screenACTion to develop appropriate film, television and multimedia industry activities in the ACT;
- (2) What have been the outcomes of these initiatives;
- (3) If these initiatives have not been undertaken, why not.
- (4) How is it proposed that initiatives for the film, television and multimedia industry will be delivered from this point.

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

- (1) ScreenACT has supported the professional development of local industry practitioners by way of sponsorships and other subsidised activities, including assistance for local filmmakers to attend industry courses, markets and conferences.

ScreenACT has also undertaken a range of other activities designed to promote the capabilities of the ACT industry and to attract filming to the region. Activities have included:

- ScreenACT website, online industry directory, online events calendar, location contacts database and photographic library developed;
- Establishment of location liaison service, providing free location advice and assistance to local and visiting productions;
- Establishment of resources library, providing free access for local filmmakers to major industry directories and industry publications;
- Monthly e-newsletters informing the local industry of news, events and opportunities have been produced since September 2004;
- Sponsorship of key industry events aimed at promoting and supporting the development of the local screen industries, including the Canberra Games Festival, Australian International Documentary Conference and Australian Cinematographer's Society Awards;
- Assistance to local filmmakers to participate in selected professional development activities, including Australian Film Television and Radio School courses, the Australian International Documentary Conference and Electronic Entertainment Expo;
- Assistance to businesses to participate in an ACT delegation to the Asia Television Forum, November 2005;
- Assistance to 15 local teachers to participate in a Schools and Computer Games Summit, November 2005;
- Co-sponsorship of 4 places in a mid-year intensive training course in games and film with the Academy of Interactive Entertainment, June 2006.

(2) Outcomes of ScreenACT initiatives include:

- Recognition of ScreenACT as the central point of contact for all screen related enquiries in the ACT across the broader Australian screen industry and increasingly, for members of overseas industries;
- Establishment of ScreenACT as an oversight organisation promoting the whole of the ACT screen industry;
- Constantly increasing number of location enquiries received directly and as a result of Ausfilm membership, including enquiries from local, interstate and international filmmakers;
- Online industry database currently includes 85 listings across the screen industry and support industries in the ACT and Capital Region;
- Subscriber database to e-newsletter currently at approximately 300;
- Increased opportunities for local industry to promote events, jobs and announcements through free online events calendar and e-newsletter;
- Employment of local screen industry professionals and direct expenditure on support services (including accommodation and catering) by productions visiting the ACT, following location enquiries;
- Several local filmmakers provided with assistance to attend events such as the Australian International Documentary Conference and Asia Television Forum reported on deals initiated or signed as a direct result of their attendance at these events.

(3) N/A

- (4) The Government will soon be seeking expressions of interest from non-government organisations to submit proposals on developing a more innovative, industry-lead model of ScreenACT. There has been significant interest from non-government organisations involved in the film, TV and digital media industry in becoming involved in this new model of industry development. This new industry-lead model will build on the significant range of work and outcomes already achieved by ScreenACT to date.
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**Defence, Department, procurement activities
(Question No 1280)**

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

- (1) In relation to Action 28 in the *Economic White Paper*, what action has been undertaken to map ACT-specific industry capability relevant to the procurement activities of the Department of Defence;
- (2) What have been the outcomes of this action;
- (3) If this action has not been undertaken, why not.

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

- (1) The Government has worked with Australian Business Limited's Defence Industry Network to support activities within the Region.
- (2) Outcomes include:
- Stronger networks to communicate effectively with the defence industry sector.
 - Export oriented events and trade missions with a defence focus to assist local companies expand into new markets (eg participation in the Avalon Airshow in Victoria).
 - Streamlined communications with industry on new services and acquisitions contracts to be tendered by defence.
 - Coordination of industry briefings, particularly for SMEs on defence requirements for major contract work.
- (3) N/A
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**Convention facilities
(Question No 1282)**

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

- (1) In relation to Action 30 in the *Economic White Paper*, has any preliminary work been undertaken in relation to the development of new convention and exhibition facilities in the ACT; if so, what is the status of this work;
- (2) In the event that new convention and exhibition facilities are developed, what is the likely timescale for this project.

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

- (1) Yes. Ongoing.
 - (2) It is not possible to specify the time scale at this point in time as it will depend upon the Commonwealth's interest and involvement and the range of options considered in the feasibility stage of the project, including their size and scale, nature of the facilities included, location, cost and financing issues.
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**Education—information technology skills
(Question No 1283)**

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

- (1) In relation to Action 31 in the *Economic White Paper*, what resources have been provided to the public school system to deliver information and communications technologies skills to students;
- (2) What benefits have been achieved from the commitment of these resources to these schools.

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

- (1) Answers to this question may be obtained from the Department of Education and Training 2005-06 Annual Report.
 - (2) Refer to Question 1.
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**Employment—work experience
(Question No 1284)**

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

- (1) In relation to Action 32 in the *Economic White Paper*, what progress has been made in developing, in conjunction with industry, a program to link schools and industry to provide senior secondary students with opportunities to gain work experience;
- (2) What benefits have been achieved from this program;
- (3) If there has not been any progress with this program, why not.

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

- (1) Answers to this question may be obtained from the Department of Education and Training 2005-06 Annual Report.
- (2) Refer to Question 1.

(3) N/A.

**Youth—skills development
(Question No 1286)**

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

In relation to Action 34 in the *Economic White Paper*, has the *Skills Development for Young Adults at Risk* initiative been introduced; if so, what benefits have been achieved from this initiative; if not, why not.

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

- (1) *The Young Adults at Risk – Developing Skills Initiative* funds several programs, all of which have been very successful. The major program is known as *Young Adults at Risk Developing Skills* or YARDS.

Since commencement, there have been 103 participants in the YARDS program. Of these:

- 50 participants have gone on to enrol in further education
- 20 have found employment
- 23 have been referred to other agencies (such as mental health).

(Note: the other 10 participants chose not to pursue further opportunities within the YARDS program).

**Taxation—payroll tax
(Question No 1287)**

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

In relation to Action 35 in the *Economic White Paper*, have Group Training companies been exempted from payroll tax for second and third year apprentices; if not, why not

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

- (1) Legislation to provide this exemption was passed by the Assembly on 9 May 2006, with the full support of the Opposition.
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**Education—vocational education and training program
(Question No 1288)**

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

In relation to Action 36 in the *Economic White Paper*, has the vocational education and training program for people aged over 45 been introduced; if so, what have been the benefits from this program; if not, why not.

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

- (1) The Government has been working to address Action 36 by:
 - responding to Registered Training Organisations' (RTOs) requests for funding of programs for mature aged people;
 - monitoring data on participation rates of mature aged people in new apprenticeships and other targeted programs; and
 - undertaking stakeholder consultations to determine issues that can be addressed by vocational education and training within a particular industry where skills shortages have been identified. Information collected through these focus groups will assist the Department to work proactively with RTOs to ensure that programs delivered are addressing market expectations.
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Children—work-based childcare centres (Question No 1289)

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

- (1) In relation to Action 37 in the *Economic White Paper*, has a feasibility study been undertaken to evaluate the establishment of shared work-based childcare centres in the ACT; if so, what has been the outcome of this study; if not, why not.

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

- (1) A feasibility study on work based child care was conducted in the 2004-2005 financial year.

A Project Manager, based in the Office of Industrial Relations in the Chief Minister's Department, was engaged in November 2004 to undertake the feasibility study. A report on the study was prepared and provided to the then Minister for Industrial Relations, Ms Katy Gallagher MLA, in July 2005.

University of Canberra—School of Health Sciences (Question No 1290)

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

- (1) In relation to Action 38 in the *Economic White Paper*, what is the status of the proposed new capital facilities for the School of Health Sciences at the University of Canberra;
- (2) If this proposed capital investment to deliver additional facilities has not proceeded, why not.

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

- (1) The construction of new capital facilities for the School of Health Sciences at the University of Canberra commenced in February 2006. It is expected to be completed for handover in December 2006 with the first students using the new facility in semester 1 2007.
- (2) Not applicable.

Finance—venture capital fund (Question No 1291)

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

- (1) In relation to Action 39 in the *Economic White Paper*, what has been the outcome of the establishment of the venture capital fund that is being managed by the Australian National University (ANU) and the Motor Trades Association of Australia;
- (2) What has been the source of potential commercialisation projects for this fund;
- (3) Have any potential projects been sourced from outside the ANU; if so, what has been the source of these projects; if not, why not.

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

- (1) The ACT Government has provided a repayable grant of \$10 million to the Australian National University (ANU) for investment alongside private sector capital in a new joint venture ANU MTAA Super Venture Capital Partnership. This Partnership is the first dedicated ACT based commercialisation fund for investment in pre-seed, seed and start-up venture capital. The transaction involves MTAA Super investing \$20 million, the ANU providing its intellectual property (IP) assets and the ACT Government grant of \$10 million. This provides a total fund of \$30 million for investment in pre-seed, seed and start-up venture capital. The Partnership established in 2005 a company (ANU Connect Pty Ltd) operating out of the Epicorp Offices in Clunies Ross Drive. The company has reviewed approximately 30 opportunities.
- (2) I understand that approximately 45% of the opportunities that have been or are currently under review involve ANU concepts, another 10% involve ANU concepts in combination with technology from other organisations, and the remaining 45% to not involve ANU concepts.
- (3) I have been advised that several promising investment opportunities are projects including both ANU and non-ANU technology. A number of non-ANU projects are also being examined by the Partnership's Investment Committee.

Intellectual property—management policies (Question No 1292)

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

- (1) In relation to Action 40 in the *Economic White Paper*, what progress has been made in developing effective property management policies for Government-owned intellectual property;
- (2) If progress has been made with these policies, what have been the outcomes to date;
- (3) If there has not been any progress, why not.

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

- (1) This Action has not been progressed to date due to resource limitations.
- (2) See above.
- (3) See above.

**Planning—Canberra Plan
(Question No 1293)**

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

In relation to Action 41 in the *Economic White Paper*, have new co-ordination arrangements been put in place between the ACT and Commonwealth Governments to facilitate the implementation of reforms and strategies set out in the Canberra Plan; if so, how effective have they been; if not, why not.

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

- (1) The ACT Government is satisfied with existing liaison and consultation between the Commonwealth and ACT and consider those arrangements satisfactory to facilitate implementation of the Canberra Plan. Significant coordination of key aspects of the Canberra plan will be discussed through the partnership the ACT Government has entered into with the National Capital Authority (NCA). The NCA chaired committee will include representation from the ACT Planning and Land Authority, Chief Minister's Department, and the Commonwealth departments of Defence and Finance.

**Development—Civic
(Question No 1295)**

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

- (1) In relation to Action 43 in the *Economic White Paper*, what progress has been achieved in negotiating a specific land development agreement with the ANU to facilitate the redevelopment of Civic;
- (2) If no progress has been achieved to date, why not;

- (3) What planning has taken place to identify potential economic opportunities between Civic and Bruce and between Civic and the airport.

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

- (1) An agreement was signed in December 2004 with the ANU to establish the ANU Exchange precinct in City West.
- (2) An agreement is in place.
- (3) The Belconnen to City transitway work recognises the physical and economic links between Bruce and the City. Internal planning work and discussions with stakeholders also recognises the potential to enhance links between activities such as the University of Canberra, AIS, Canberra Stadium, the Transitway, potential park and ride areas, and the connections to Belconnen Town Centre and City.

Current transport planning work recognises the economic and physical relationship between the airport and Central Canberra.

Development—Civic (Question No 1296)

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

- (1) In relation to Action 44 in the *Economic White Paper*, what land has been released in Civic for residential and commercial purposes as part of the Central Area Strategic Implementation Plan;
- (2) What is the status of the development of any land that has been released under this Plan.

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

(1) Commercial

Sites have been released for some 94,000m² (Gross Floor Area) of offices in Section 88, Section 61, Section 90, Section 91 and Section 92.

In addition, Section 10 City (10,300m²) was approved for development by the National Capital Authority and approval has been given to an increase of office floorspace in the Section 84 and Section 89 development to 70,000m².

Residential

Section 30 – student housing for 450 students.

In addition Tasman House (97 dwellings) was approved as a redevelopment for Student Housing.

The *Metropolitan* and the residential component of the Section 84/89 developments (678 dwellings) were approved prior to the release of the Economic White paper.

In addition the ANU Precinct in City West, with a total commercial/residential capacity of approximately 180,000m², is in the process of being created through the Strategic Partnership between the ANU and the Territory.

- (2) Development on all the sites has commenced. Section 88 is nearing completion.
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**Planning—ACTPLA principles
(Question No 1297)**

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

- (1) In relation to Action 45 in the Economic White Paper, what action has the ACT Government implemented to ensure that ACTPLA operates on 'best practice' principles in dealing with businesses;
- (2) What feedback has been received from industry about the impact of this action;
- (3) If no action has been taken in relation to ACTPLA operating processes, why not.

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

[Note this response is similar to the response to QON 1261]

- (1) The reform of the ACT's planning system is continuing under a process that began in 2003 when the independent ACT Planning and Land Authority and the Land Development Agency were established.

The reform agenda, outlined in the Minister for Planning's Statement of Planning Intent of 2003, addresses arrange of matters to ensure that ACTPLA operates on 'best practice' principles in dealing with businesses.

- (2) The feedback received from industry about this action has been positive both in terms of the short-term reforms and the proposed new legislation and restructure of the Territory Plan. The exposure draft is currently subject to further consultation and inquiry by the Assembly's Standing Committee on Planning and Environment.
 - (3) Not applicable – see responses to parts (1) and (2) above.
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**Planning—airport transport connections
(Question No 1300)**

Mr Smyth asked the Minister for Business and Economic Development, upon notice, on 21 September 2006:

- (1) In relation to Action 47 in the *Economic White Paper*, what collaborative arrangements have been put in place between the Commonwealth Government, the management of Canberra International Airport and the ACT Government to facilitate the planning and building of transport connections to the airport, especially from Civic;

- (2) How effective have these arrangements been;
- (3) If no such collaborative arrangements have been put in place, why not.

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

- (1) John Hargreaves MLA, Minister for Territory and Municipal Services, has established a Taskforce with representatives from various Commonwealth and Territory Departments along with representatives from the Canberra International Airport to facilitate planning of transport connections within the Airport precinct.
 - (2) The effectiveness of the arrangements will become more evident once the Taskforce has concluded its work.
 - (3) Not applicable
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Land—native title (Question No 1346)

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 traditional land in the ACT, which people is the ACT Government recognising and which groups of people are being recognised as having historical connection with Ngun(n)awal land.

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

In acknowledging the Ngun(n)awal people as the 'traditional owners' of the land presently occupied by the Australian Capital Territory, the ACT Government is recognising the historical connection of that people with that land. In so doing, the ACT Government does not seek to determine any question of traditional ownership which is or could be the subject of a claim at law for native title.

Rhodium Asset Solutions Ltd (Question No 1355)

Mr Stefaniak asked the Chief Minister, upon notice, on 19 October 2006:

- (1) Who approved the remuneration package paid to the former Chief Executive Officer of Rhodium;
- (2) Did the package include the cash advance and Lexus motor vehicle;
- (3) Were (a) the Board and (b) Rhodium shareholders advised of the remuneration package; if so, how and when;
- (4) Was anyone in the ACT Government advised of the remuneration package; if so, how, when and who was advised.

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

- (1) The Rhodium Board approved the remuneration package.
 - (2) The salary package did not provide for a cash advance. The final employment contract for the former CEO, commencing 1 December 2005, provided for Rhodium to pay the lease costs for the Lexus motor vehicle. However, the vehicle was actually bought by Rhodium management without the knowledge or approval of the Board.
 - (3) The Rhodium Board approved the remuneration package. The Voting Shareholders were not advised of the remuneration package.
 - (4) The Government was not made aware of the remuneration package until details were provided in the context of the Auditor-General's Performance Audit report.
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**Rhodium Asset Solutions Ltd
(Question No 1357)**

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

- (1) When were the shareholders of Rhodium briefed about progress of the company;
- (2) How were they briefed and by whom;
- (3) Did any of the shareholders express concern about any aspects of Rhodium's operations; if so, when and where.

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

- (1) Since Rhodium was established the Voting Shareholders were briefed by the Rhodium Board and the Department of Treasury on various issues including strategic directions, working capital requirements, borrowing limits, and the Statement of Corporate Intent. In addition, commencing from 21 February 2006, the Board has provided a number of briefings in relation to its response to management deficiencies in Rhodium and concerns about the conduct of the former Chief Executive Officer.
 - (2) The Voting Shareholders were mainly provided with written briefs. Several meetings were also held with both or one of the Voting Shareholders and either the full Board or several directors.
 - (3) Yes. The former Treasurer wrote to the Board on 10 June 2005 because the initial Statement of Intent was overdue. The former Treasurer also wrote to the Board on 2 November 2005 about an interview with the former Chief Executive Officer that featured in the Canberra Times and that had contained a number of errors and assertions about Rhodium's business activities. On a number of occasions since being advised of the management deficiencies at Rhodium in February 2006, the Voting Shareholders have expressed concerns about the circumstances.
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**Rhodium Asset Solutions Ltd
(Question No 1359)**

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

- (1) Who made the decision for Rhodium to sponsor the Brumbies;
- (2) What benefit was Rhodium to obtain from this sponsorship;
- (3) What form did the sponsorship take;
- (4) If it was the CEO who decided to sponsor the Brumbies, did she advise the Board of the sponsorship; if so, how;
- (5) Did the Board advise anyone within the ACT Government of the arrangements;
- (6) Did Rhodium receive a box at Canberra Stadium for Brumbies' games resulting from the sponsorship; if so, did Rhodium host the shareholders or other figures in the ACT Government during Brumbies games;
- (7) What value did Rhodium receive from the sponsorship deal entered into with the Brumbies.

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

- (1) The Rhodium Board has advised that the decision was made by the former Chief Executive Officer, although it exceeded her financial delegation.
- (2) The Rhodium Board has advised that the sponsorship agreement was intended to provide several benefits including:
 - advertising and signage at all Brumbies home matches;
 - corporate entertainment and associated tickets to Brumbies events; and
 - a range of other marketing activities
- (3) The Rhodium Board has advised that eleven fully maintained vehicles were provided by Rhodium from January 2006, which are due to be replaced after two years.
- (4) The Rhodium Board has advised that the former Chief Executive Officer briefed the Rhodium Board about the sponsorship arrangement after it had been agreed with the Brumbies.
- (5) Advice was only provided to the Government well after the arrangements were made between the Rhodium CEO and the Brumbies in January 2006. Treasury records indicate that a copy of the March 2006 Rhodium Board Minutes (signed off by the Chair on the 5 May 2006) was received on or about 11 May 2006. The Minutes made a brief reference to the existence of the Brumbies sponsorship. Further advice was included in a letter from the Chair to the Chief Minister on 30 June 2006, which was also copied to the Chief Executive of the Chief Minister's Department, the Under Treasurer and the Auditor-General.
- (6) The Rhodium Board has advised that Rhodium received a corporate dining table, not a corporate box, as part of the sponsorship agreement. The Voting Shareholders were not

invited and did not attend any Brumbies games as guests of Rhodium. Several ACT Government client fleet management staff attended some Brumbies matches.

- (7) The Rhodium Board has advised that the Brumbies sponsorship has provided Rhodium with the opportunity to promote its brand name and reputation in Canberra, where most of its client base is located.

**Crime—assaults
(Question No 1362)**

Mr Stefaniak asked the Minister for Education and Training, upon notice, on 19 October 2006:

- (1) How many (a) assaults and (b) sexual assaults were committed by students on (i) other students and (ii) teachers at all government high schools and colleges and all non-government schools and colleges in the ACT in (A) 2005 and (B) 2006 to date;
- (2) How many other instances were there of harassment and bullying by students on other students and teachers for those schools and years listed in part (1);
- (3) What procedures and programs are in place in each school listed in part (1) to address such incidents and to seek to prevent such incidents from occurring.

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

- (1) (a) While schools are required to submit suspension reports to the department these do not provide detail about the type of act which has resulted in bodily harm to another person.

(b) All cases of alleged sexual assault require mandatory reports, and the parent or student may report to the police. Schools do not investigate alleged sexual assaults.
 - (i) There were no recorded cases of sexual assault by ACT government school students of other students in 2005 and one recorded case of alleged sexual assault by ACT government school students of other students in 2006.
 - (ii) There were no recorded cases of sexual assault by students of teachers at government high schools and colleges in 2005 or 2006.

The Department does not have access to records of assault and sexual assault incidents that may occur in non-government schools.

- (2) Schools are not required to label incidents or to report day to day management issues to the Department of Education and Training.
 - (3) Schools investigate and resolve instances of bullying in the context of their student management and welfare protocols and policies. Schools generally develop their own programs that are relevant and appropriate to their community. When bullying has been identified, schools use a range of approaches to address the situation, including restorative practices, pro-social skills programs and peer mediation.
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**Aboriginals and Torres Strait Islanders—heritage
(Question No 1365)**

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

- (1) What principles of best practice does the ACT Government utilise for the management, protection and preservation of Ngu(n)nawal culture and heritage in the ACT;
- (2) What criteria, if any, does the ACT Government apply for the determination of which indigenous groups should be consulted on matters of Ngu(n)nawal culture and heritage;
- (3) When the traditional Ngu(n)nawal owners of Canberra and the region are offered recognition at official functions, does the ACT Government recognise (a) indigenous people who have an historical connection to Canberra and the region or (b) Ngu(n)nawal people who have a genealogical connection to Canberra and the region
- (4) Is any official recognition of the traditional Ngu(n)nawal owners of this region a symbolic gesture similar to the recognition given via Namadgi Park Joint Management Agreement;
- (5) Does the Namadgi Park Joint Management Agreement hold no rights at law and no proprietary rights.

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

- (1) The ACT Government draws on consultation with the following bodies to assist it in the protection and preservation of Ngunnawal culture in the ACT: the Ngunnawal Elders Council, the interim Namadgi Advisory Board, Relative Aboriginal Organisations and the ACT Aboriginal and Torres Strait Islander Community Consultative Council.

In addition, a number of ACT laws, such as the *Heritage Act 2004*, create positions for indigenous representation of other consultative and advisory bodies.

- (2) Refer to (1) above.
- (3) Refer to answer to Question on Notice No. 1346.
- (4) 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.

The *Agreement between the Territory and ACT Native Title Claim Groups (2001)* establishes the cooperative management of Namadgi National Park. The agreement provides for these groups

- to participate in the management of Namadgi National Park;
- to be consulted on specific regional Aboriginal cultural issues; and
- to be consulted on the development of amendments to legislation that will impact on Namadgi National Park.

It is the only agreement of this type in the ACT.

(5) Refer to (4) above.

**Land—native title
(Question No 1370)**

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

What is the difference between a territorial right as acquired by the Commonwealth and a proprietary right held in sovereignty by the indigenous Ngu(n)nawal people of the region.

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

The United Kingdom acquired sovereignty over the Australian landmass by proclamation in 1788 and subsequently that sovereignty passed to the Commonwealth in 1901.

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).

To date there has been no determination that any native title rights have survived beyond that time in the area now known as the ACT.

**Tourism—festivals
(Question No 1386)**

Mr Mulcahy asked the Minister for the Arts, upon notice, on 14 November 2006:

- (1) Given that the document *A Festival Strategy for the ACT*, commissioned by Festivals ACT, reports that in 2001 there were 25 festivals and events in the ACT, how many festivals and events
 - (a) were held in the ACT throughout 2005-06, and
 - (b) are proposed to be held in the ACT throughout 2006-07
- (2) What has been the attendance levels of all festivals and events that have been held
 - (a) in 2005-06 and
 - (b) to date in 2006-07

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

- (1) *The Festivals Strategy* for the ACT was progressed through the establishment of the ACT Festival Fund to support festivals that have strong community support.
 - a) Up to 35 events that could be described as festivals were held in the ACT during 2005-06. Sixteen of these events received funding through the ACT Festival Fund.
 - b) Approximately the same number of events are planned for 2006-07, 13 of which have received funding through the ACT Festival Fund.
 - (2) Many of the festivals and events in the ACT are free to the public and un-ticketed and it is therefore not possible to determine accurate attendance levels. However, all events have anecdotally reported strong growth in attendances and popularity.
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