



Debates

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Thursday, 22 November 2007

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Thursday, 22 November 2007

The Assembly met at 10.30 am.

(Quorum formed.)

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

Road Transport (Third-Party Insurance) Bill 2007

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, Minister for the Environment, Water and Climate Change, Minister for the Arts) (10.32): I move:

That this bill be agreed to in principle.

I present the Road Transport (Third-Party Insurance) Bill 2007. Sixty years ago this month, on 14 November 1947, Herbert Johnson, minister of state for the interior in Ben Chifley's government, signed a notice pursuant to section 2 of the Motor Traffic Ordinance 1947. That notice fixed 2 February 1948 as the date on which the ordinance was to commence and, with it, the present third-party insurance scheme for the Australian Capital Territory.

By February 1948, when the ordinance commenced, a total of 16 insurers were touting for business. So competition among insurers offering compulsory third-party insurance, or CTP as it is generally abbreviated, was very much a reality in the ACT in 1948.

Among the original insurers was NRMA Insurance Ltd, which has offered CTP insurance in the territory from then to this day. Today it is our only authorised CTP insurer. In fact, for the 27 years since 1980, NRMA Insurance has held a de facto monopoly due to the fact that the legislation governing the scheme has not changed with the times.

Australia and the Australian Capital Territory—and, indeed, the world—were very different places 60 years ago. Nevertheless, 1947 was the right time to formalise arrangements for compulsory third-party insurance because no fewer than 1,269 people were killed on Australian roads in that year. By 1965 the road toll exceeded 3,000 and in 1970 the number of road fatalities peaked at just under 3,800. The exact number was 3,798 Australia-wide.

From the early 1970s forward, governments across Australia took action to limit the road toll. Some examples are:

- the mandating of seatbelts;
- random breath tests, blood alcohol and saliva testing;
- police radar and associated enforcement and investigative technology;
- red light and speed cameras; and
- graduated licensing and innovative programs for young drivers such as the ACT's road ready and road ready plus that focus on the overrepresentation of young people in the accident statistics.

Advances in vehicle safety, such as airbags, antilock braking systems and, now, electronic stability control, have also played and will continue to play a part, along with incremental improvements in road engineering.

As a result, in 2006 the number of road fatalities in Australia was 1,601—in other words, 2,197 fatalities or 58 per cent fewer than in 1970, and that is without taking into account the increase in Australia's population or the even greater increase in the number of motor vehicles and kilometres travelled since then.

Last year, 13 people were killed on ACT roads. By any measure, that is the lowest fatality figure for any state or territory in Australia. However, that is no cause for satisfaction. Typically, every year as many ACT residents die in crashes interstate as die on our own roads. We cannot forget any of these people.

On the other hand, a much larger number of people are seriously injured on Australian roads and it is with rehabilitating and compensating these people, who are often forgotten when we talk about the road toll, that CTP schemes are principally concerned.

In 2006 there were approximately 7,350 on-road crashes in the ACT. The exact number is not yet confirmed. Of these, 12 were fatal crashes and a further 430 or thereabouts resulted in injury. Our statistics predict that some 1,100 third-party insurance claims will eventually be lodged with the current authorised CTP insurer, NRMA Insurance, or with the nominal defendant.

I mentioned at the beginning of the speech that the legislation underpinning our existing CTP insurance scheme goes back 60 years. Other jurisdictions have undertaken extensive reform agendas in support of changes in vehicle safety and technology and as the common law, insurance law and administration developed and modernised. The ACT has not, until today, been a part of the change process.

For some, change is uncomfortable. It could be argued, wrongly I would contend, and possibly due to vested interests in the current scheme, that it continues to serve us well.

By any measure, the ACT has the safest roads, the youngest vehicles, arguably the highest level of CTP insurance compliance, at about 98 per cent, and a lower fatality

and injury rate than any other Australian state or territory. On the other hand, our premiums are higher than anywhere else except the Northern Territory. The Northern Territory, I have to remind members, is a place where until recently there was no speed limit on the open road. It is also a place where some less than satisfactory driving conditions exist.

Third-party insurance is a grudge purchase imposed by governments: insurance that you buy to protect yourself against claims from other people in case you negligently injure them. It is compulsory in every country with a developed economy and legal system. So, despite significant differences of detail in design of schemes, the need for a regulated scheme to provide compensation for people injured in motor vehicle accidents is almost universally accepted.

In Australia every jurisdiction has its own, unique CTP scheme that differs in detail from every other scheme. However, there are two main types of schemes: no-fault compensation schemes, such as in Victoria and Tasmania, and fault-based common law schemes. The existing ACT scheme is a fault-based scheme, meaning that it is necessary to prove that someone else has been negligent in order to receive compensation.

The ACT scheme is also privately underwritten, as is the case in Queensland and New South Wales. In the other states and the Northern Territory, CTP is provided by a statutory monopoly. However, whereas the motorist has the choice of six insurance brands in Queensland, and seven in New South Wales, there is just one insurer, NRMA Insurance, operating in the ACT. This is despite the legislation allowing for competition and there being, as I mentioned earlier, 16 insurers when the scheme commenced in February 1948.

When there is no competition, or prospect of competition, it is natural to be suspicious of the monopolist, even if the monopoly is accidental. CTP insurance premiums in the ACT are relatively high; therefore it is natural to assume that the insurer, with or without the connivance of government, is charging excessive premiums and making excessive profits at the motorist's expense.

I would like to put on the record that NRMA Insurance has not abused the accidental monopoly which it has held since 1980. In fact, it is not the NRMA but the existing 60-year-old legislation that has inhibited competition and kept insurance costs high. In recent years, for instance, premiums for a private car have been nudging \$400. And, of course, some classes of vehicle owners, including many operators of goods vehicles used for private purposes as well as for business, pay premiums in excess of \$1,600 and naturally wonder why they should not register their vehicles illegally across the border. This will be addressed by regulations under the new legislation.

This bill does three fundamental things, and in so doing draws upon the most modern statutory provisions available:

- Chapter 2 of the bill, derived from equivalent New South Wales and Queensland provisions, establishes a new basic structure for the CTP scheme, including provisions regulating CTP insurance premiums that are very familiar to the seven

insurers selling CTP in New South Wales, six of whom also offer CTP insurance in Queensland.

- Chapter 3 of the bill, derived from equivalent Queensland provisions, coupled with provisions from the Civil Law (Wrongs) Act 2002, provides a new structure for dealing with CTP insurance claims.
- Chapter 4 of the bill, derived from chapter 7 of its New South Wales counterpart, provides a new mechanism for managing the licensing and regulation of CTP insurers. This chapter also requires ACT CTP insurers to provide claims and related information in the same format as they do in both Queensland and New South Wales.

These three key elements represent the foundation of the new CTP scheme. They provide NRMA and, indeed, any of the insurers offering CTP insurance in New South Wales and Queensland with an efficient, standardised platform for licensing, regulation and claims procedures.

The government expects that this bill will also:

- firstly, make it easier for NRMA to administer its responsibilities in the ACT and encourage other insurers to recognise the ACT as a compatible, open market jurisdiction; and
- secondly, modernise claims handling and procedures so that there is primary emphasis on health outcomes, as opposed to inordinately extended processes, leading to lump sum compensation, ground out over a number years.

Thus the intention is to improve health outcomes for those injured as a result of motor vehicle accidents, to foster competition, and to reduce CTP premiums.

Lest there be any misunderstanding, the problem with the existing ACT scheme is not the existence of common law rights. Such rights exemplified the principle which the ACT government defended in the wake of the 2001-02 insurance crisis, when the Insurance Council of Australia was telling us that public liability insurance would not be available in the ACT unless we savagely curtailed the rights of negligently injured persons to pursue compensation. The ACT government stood firm and has been vindicated. Public liability insurance is readily available in the ACT and, thanks to the risk management initiatives which the government has sponsored, it is affordable even for the smallest of businesses and community organisations.

The essential problem with the existing 1947 legislation is not that it preserves common law rights but that it does not require efficiency from the service providers who subsist from the scheme. My concern is directed principally at elements of the legal profession, both plaintiff and defence, who retain the habits of lawyers from a bygone era.

As a lawyer myself, it pains me to say it, but I cannot defend a system where \$80, or 20 per cent out of the premium—twice the level obtained anywhere else in

Australia—goes to lawyers. Or where, despite the procedural reforms enacted by the Civil Law (Wrongs) Act 2002, the average cost of claims in the three following years increased by more than 50 per cent, and the average length of time between claim and settlement of a CTP case not only did not decrease, but actually increased, by nearly 20 per cent, to a staggering 1,161 days.

There are lawyers in this town who are efficient, and enjoying the procedural advantages presented by the Civil Law (Wrongs) Act 2002, so one can ask: what does this say about the rest of them?

In Queensland the average duration of a CTP claim against NRMA is half what it is in the ACT. Justice delayed is justice denied, particularly when it means that your client's mental and physical condition deteriorates while he or she is strung along. This bill therefore proposes to adopt the Queensland procedural provisions. Efficient lawyers, who put the interests of their clients first, will, I think, thrive under it.

I should add that the proposed claims procedural provisions were discussed with local senior practitioners and workshopped with the scheme actuary and the present and immediate past presidents of the Australian Lawyers Alliance, formerly the Australian Plaintiff Lawyers Association.

Consequently, there are some necessary changes incorporated in the provisions. The provisions are now equally demanding of both plaintiffs and insurance companies as defendants. The ALA was concerned that open disclosure in certain Queensland provisions was not fair to plaintiffs.

In addition, following consultation with plaintiff lawyers, a new part 3.10 has been introduced, permitting applications for judgement on account of violations in time limits. The government understands that insurers will also embrace these provisions.

Finally the Queensland legal fee limitations have been adopted. However, there is an important difference. The regulations will make provision for uplift fees to be available to plaintiff lawyers in certain circumstances. This has been done in consultation with local senior practitioners.

The purpose of civil compensation, statutory or otherwise, is to put negligently injured persons back in the position they were in before the injury. The essence of a modern CTP scheme is to provide efficient pathways to treatment, rehabilitation, and compensation that meet the expectations of those who pay premiums and those who suffer negligent motor vehicle injury. To deliver that outcome efficiently without imposing injury scales or thresholds or general damages caps requires a significant improvement across the board in the delivery of services and the administration of CTP claims.

Compensation is but part of the equation. Ask just about anyone injured in a car accident whether they would rather have their health or financial compensation, and nine times out of 10 you will be told that they would gladly forgo the money if they could have their health back.

Rehabilitation works. Ask almost any professional footballer or elite athlete. Players with what would once have been seen as career-ending injuries can be back on the field in six to eight weeks, whereas previously they would have been hobbling around with a limp for life, eking out their testimonial money. Rehabilitation is available under the existing CTP scheme. However, ask almost any claimant and they would not know or they will tell you that their lawyer has expressed concern about it.

The cost of claims where rehabilitation is late or not engaged is ultimately higher than it should be. The Queensland Motor Accident Insurance Commission, together with both plaintiff and defence lawyers in Brisbane, spoke very highly of the rehabilitation available under the Queensland scheme and how insurers were well geared up to meet their responsibilities.

Without getting into specifics, I think there will be continued alignment of the schemes in the ACT, New South Wales and Queensland, based on the efficiency and fairness of the Queensland scheme.

Yes, it will save insurers money. So what—if the injured people, the people for whom the CTP scheme exists, physically recover to the maximum extent possible, and receive the financial compensation to which they are entitled, much sooner? It will lower the premiums motorists pay, as will the reduction in legal costs due to mandating a more efficient legal process. Yes, it opens the door to competition by rewarding insurers with efficient claims handling systems, instead of taking a costs-plus approach.

Genuine reform of the ACT compulsory third-party insurance scheme is a reform that is long overdue. This government has bitten the bullet. We have acted decisively through this bill and I commend it to the Assembly.

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

Territory-Owned Corporations Amendment Bill 2007

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, Minister for the Environment, Water and Climate Change, Minister for the Arts) (10.48): I move:

That this bill be agreed to in principle.

Today I present the Territory-Owned Corporations Amendment Bill 2007. The main purpose of this bill is to extend the default commencement date of the Territory-Owned Corporations Amendment Act 2006 by six months.

The bill also provides for any further delays in the commencement of the Territory-Owned Corporations Amendment Act 2006 to be made by regulation. The Territory-Owned Corporations Act 1990 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.

As members of this Assembly would recall, the Territory-Owned Corporations Amendment Act 2006 was passed in the Assembly in December last year and was notified on 20 December 2006. This act provides for Rhodium Asset Solutions to be removed from schedule 1 of the Territory-Owned Corporations Act 1990 on a date to be fixed by the minister or 12 months after the date of notification.

Since then the government has undertaken a two-stage procurement process to sell Rhodium Asset Solutions. As part of the sale, the buyer will also manage the ACT government fleet contract for an initial term of three years.

It was originally expected that the sale would be completed before December 2007. However, the sale process has been longer than originally anticipated. To ensure that the territory obtains the best possible financial outcome it has been necessary to extend the procurement process. In particular, the due diligence verification process has been lengthy. Rhodium's poor IT infrastructure has made it difficult to extract and authenticate information relating to Rhodium's past transactions. This has meant that the negotiations with the preferred respondent have taken longer than expected when the open tender process commenced earlier in the year.

The government is expecting that the final negotiations with the preferred respondent will soon be completed although it is doubtful if the sale will occur before the Territory-Owned Corporations Amendment Act 2006 is scheduled to take effect on 20 December 2007.

It is for this reason that the Territory-Owned Corporations Amendment Bill will extend the start date of the Territory-Owned Corporations Amendment Act 2006 for a further six months to 20 June 2008 or at a date advised by the minister.

This extension will allow the preferred respondent to complete the confirmatory due diligence and will ensure that Rhodium is not prematurely removed from schedule 1 of the Territory-Owned Corporations Act 1990 before the company has been sold.

As previously announced by the government, the sale of Rhodium will save taxpayers' money which can be used for higher priority purposes for the benefit of the ACT community.

I commend this bill to the Assembly.

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

Mental Health (Treatment and Care) Amendment Bill 2007

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

Title read by Clerk.

MS GALLAGHER (Molonglo—Minister for Health, Minister for Children and Young People, Minister for Disability and Community Services, Minister for Women) (10.52): I move:

That this bill be agreed to in principle.

The objective of the Mental Health (Treatment and Care) Amendment Bill 2007 is to make technical amendments to the Mental Health (Treatment and Care) Act 1994 that will better express the intention of the act in several sections where some confusion as to the intention has arisen.

The title of section 5 of the act currently reads “Persons not to be regarded as mentally dysfunctional”. While the 1994 explanatory memorandum for the act makes it clear that “mental dysfunction” is defined to include “mental illnesses” and hence technically “mental illness” is encompassed in the section, the intention is not clearly expressed in the wording of the act.

Clauses 6 and 7 of the amendment bill remove any doubt that section 5 applies to persons who are mentally ill. I propose that the section 5 heading and the first paragraph be amended to read “Persons not to be regarded as mentally dysfunctional or mentally ill”. This clarifies the intent of the section.

Clauses 8 to 14 address the intention of the act to provide for ministerial agreements to be made between the ACT and other states and territories regarding the interstate application of mental health laws.

On 18 November 2003, the then minister for health for the ACT, Mr Corbell, and the New South Wales minister for health, Mr Iemma, signed the ACT-NSW ministerial interstate mental health agreement. The agreement enables various parts of the ACT and New South Wales mental health acts to operate across the border, particularly to allow the transfer of people on involuntary orders back to their home areas or for transfers to inpatient facilities for specific treatments not available where they live. The agreement is intended to give effect to part 5A, “Interstate application of mental health laws”, of the act.

The agreement with New South Wales also allows for a person subject to an involuntary mental health community order and living in one jurisdiction who moves to the other jurisdiction to be followed up by the mental health service of their state of origin. For example, a person on an ACT psychiatric treatment order and living in Canberra who decides to move to reside in Queanbeyan can be followed up in Queanbeyan by ACT mental health staff while the transfer of the mental health care to New South Wales mental health services is finalised.

Generally, mental health services would provide mental health treatment and care across the border for a person on a community-based mental health order to provide continuity of care while negotiating the transfer of care to the local mental health

service. On occasion an ACT mental health order may be appropriate for a New South Wales resident where the person has long-term and regular engagements in the ACT. For example, it may be appropriate for the ACT to provide mental health services to a forensic mental health consumer who moves residence from the ACT to nearby New South Wales and returns regularly to the ACT for court-related purposes and who warranted an ACT community-based psychiatric treatment order while residing in the ACT.

The government recently received legal advice that the psychiatric treatment order is defined as a custodial order in part 5A of the act, “Interstate application of mental health laws”. The advice means that a PTO is not a “community” mental health order the tribunal can make for this part of the act.

In the ACT, psychiatric treatment orders provide the functions of both the custodial inpatient orders and the non-custodial community treatment orders of other jurisdictions.

The 1997 explanatory memorandum states:

... the phrases “custodial order” and “non-custodial order” are general terms intended to ensure recognition of interstate orders, where there may be specific differences between the ACT and other States/Territories in the names and coverage of some orders.

The amending clauses remove reference to custodial and non-custodial ACT mental health orders and replace them with the term “psychiatric treatment order”. This makes the original intention clear and enables the community treatment order section of the ACT-NSW mental health interstate agreement to be used. Without the amendments, section 48M of the act and the community treatment section of the interstate agreement are unusable.

The titles of sections 55C and 55J read “Offence—electroconvulsive therapy on more than 10 occasions ...”. These sections internally read “on 10 or more occasions”. Clauses 15 and 16 of the amendment bill amend the headings of the sections so that the headings match the content of the sections and the clear intent of the act.

I recommend to the Assembly that the titles of sections 55C and 55J are amended to read “Offence—electroconvulsive therapy on 10 or more occasions ...”. These amendments will align the headings with the content of the sections.

Section 119 (2) reads “A person is not eligible for appointment as a mental health officer unless the person is a mental health nurse, authorised nurse practitioner, psychologist or social worker”.

Dr Peggy Brown, the ACT’s chief psychiatrist, advises that occupational therapists are employed as mental health clinicians working in the community and on occasion in the mental health crisis assessment and treatment team. Occupational therapists are currently not able to be appointed as mental health officers under the act. This limits the ability of occupational therapists to fully exercise clinical mental health

responsibilities. Clause 17 of the bill amends section 119 (2) of the act to include occupational therapists as clinicians able to be appointed as mental health officers.

These are very minor amendments of the Mental Health (Treatment and Care) Act and do not alter the intent of the act at all.

The review of the broader act is continuing. This week, Mr Corbell and I have agreed to release the mental health act review options paper. The release of the options paper continues the review of the act begun in August 2006. The options paper will be made available to state colleagues and the public prior to formal consultations in early February 2008.

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

Regulatory Services Legislation Amendment Bill 2007

Mr Barr, on behalf of **Mr Corbell**, 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) (10.59): I move:

That this bill be agreed to in principle.

The Regulatory Services Legislation Amendment Bill 2007 amends legislation governing the operation of the Office of Regulatory Services. The amendments will improve the legislation governing the operations of the office; they will increase the efficiency of the office; and they will provide benefits to business and better protection for consumers.

The establishment of a single, coordinated office was announced in last year's budget and brought together the regulatory activities associated with ACT WorkCover, the Office of Fair Trading, the Registrar-General's Office, parking operations, tobacco licensing, charitable collections, outdoor cafes and the Independent Competition and Regulatory Commission, to achieve economies of scale and to remove unnecessary duplication of administrative costs to government.

This bill includes amendments to the following acts governing the operations of the office: the Agents Act 2003; the Births, Deaths and Marriages Registration Act 1997; the Business Names Act 1963; the Door-to-Door Trading Act 1991; the Liquor Act 1975; the Security Industry Act 2003; and the Sale of Motor Vehicles Act 1975.

The Agents Act 2003 provides for the Commissioner for Fair Trading to apply to the Consumer and Trader Tribunal for disciplinary action to be taken against a licensed agent. The act presently contains no provision for the Commissioner for Fair Trading to apply to the tribunal for a licence to be suspended or revoked or conditions imposed until a licensee has been convicted of an offence. Given the possibility of protracted

legal action, this creates a large window of opportunity for an agent to continue to trade which may expose the community to further loss from agents who are breaching the act.

The bill deals with this issue by providing that disciplinary action can be taken against a licensee if the licensee contravenes the act. A licensee will still have an opportunity to present their case to the independent Consumer and Trader Tribunal before any disciplinary action is taken.

Section 43 of the Agents Act 2003 specifies the disciplinary action that the Consumer and Trader Tribunal can take against an agent. There is some uncertainty as to whether the tribunal has the power to disqualify a person whose licence expires before the hearing occurs or where a person hands their licence back to the regulator. This bill removes any uncertainty in this provision.

Section 139 of the Agents Act 2003 allows an administrator to be appointed where an agent's licence has been suspended or cancelled. Currently, an administrator cannot be appointed if the agent hands in their licence, if an agent dies, if an agent's licence is not renewed, for unlicensed traders, or if an agent disappears, without there being grounds for disciplinary action. The bill rectifies this and ensures that the decision to appoint an administrator can be appealed.

Sections 18 and 19 of the Births, Deaths and Marriages Registration Act 1997 provide for the Registrar-General to change a person's name if the applicant is a resident of the ACT or was born in the ACT.

Currently, where a person was not born in the ACT, but as an ACT resident applies for a name change, the Registrar-General is only required to notify the original registering authority if there is a request in writing to do so by the applicant. This arrangement may allow for a person to be issued with a birth certificate or extract from the original registering authority that does not reflect their change of name as registered in the ACT.

The bill provides that a change in a person's name must be linked with their birth registration. This will address the current disconnect between a person's name that was registered at birth and a subsequent change of name. This will also ensure that any birth certificate or extract that is issued will show the person's new name and should decrease the opportunity for identity fraud.

In the last financial year, the office processed 3,093 applications for registration of a new business name and 3,614 renewals of a business name. A business name registration currently lasts for three years. The bill provides businesses with the choice of having a three or five-year business name registration. This will assist business and will reduce the work of the office in processing over 3,000 business name renewals each year.

The Door-to-Door Trading Act 1991 protects consumers in their dealings with traders who sell goods or services from door to door or over the telephone without being requested to by the consumer. In particular, the act sets hours of permitted trade and

allows a 10-day cooling-off period for any contract with a value greater than \$50 entered into as a result of the direct approach by the trader or their representative.

The act clearly states that it applies to trade over the telephone. However, there are some inconsistencies in how the act applies to sales by telephone rather than in person. In particular, section 4 of the act states that the act only applies to contracts if the negotiations leading to formation of the contract take place between the consumer and the trader in each other's presence in the ACT. This excludes all phone call sales where the trader is calling from outside the ACT and this section raises doubt about the extent to which a consumer and trader are in each other's presence during a phone call. The bill remedies this issue.

The act provides in section 7 (1) (d) that a trader must give the consumer a duplicate of a contract immediately after it is made. This is not possible over the telephone. The bill remedies this issue by providing that a copy of the contract must be provided as soon as possible after the contract is made and provides that the cooling-off period commences on the day the contract is received by the consumer.

Section 91 of the Liquor Act 1975 provides for disciplinary action to be taken against a licensee if they are no longer a fit and proper person. In determining whether a person is a fit and proper person, the Liquor Board can consider defined offences, which include offences under the ACT Crimes Act 1900 and the commonwealth Crimes Act 1914. Section 91 of the act does not refer to the ACT or commonwealth criminal codes, which include many offences that were previously located in the crimes acts. The bill rectifies this.

The office currently processes over 6,000 licence and registration applications a year, not including certification and licences under workplace safety legislation and business name registrations. Most applications require the office to consider the criminal record of the applicant before issuing a licence or registration.

Some of the acts governing licensing and registration require the applicant to provide the criminal record check, whereas the Security Industry Act 2003, the Agents Act 2003 and the Sale of Motor Vehicles Act 1975 require the office to apply for a criminal record check on the applicant's behalf. This process is time consuming and inefficient. It requires the office to accept forms and money for the criminal record check, forward the forms and money to the Australian Federal Police, field calls from the applicant about the progress of their police record check and audit the payment of fees.

The bill amends these acts to remove the obligation on the office to obtain criminal record checks. The act will instead provide for the applicant to obtain a criminal record check and to provide this to the office as part of their application for a licence or registration.

The Sale of Motor Vehicles Act 1975 regulates the sale of motor vehicles in the territory. The act requires an applicant for a licence or a renewal to obtain a statement from the ACT Planning and Land Authority about the land use of the block. The purpose of this provision is to ensure that the land use for the block is consistent with

using the land for a car dealership. The bill removes the requirement for a statement to accompany a renewal if the application relates to the same block as under the previous licence.

The act includes a requirement to notify on the legislation register a list of licensees after 30 June each year. The bill replaces this with the requirement to keep a public register. This register would be updated on a regular basis and would be similar to registers kept by the office for other industries, such as the security industry.

The act provides for inspectors to enter the premises of a licensed car dealer to inspect documents and the like for the purposes of the act. There is, however, no provision that permits an inspector to enter the premises of an unlicensed dealer. The bill rectifies this omission and permits inspectors to properly investigate unlicensed dealers. In correcting this omission, it was opportune to amend the inspectors' powers to replace them with powers that are consistent with the Human Rights Act 2004.

The bill also includes some minor amendments to bring provisions of the legislation into line with the terminology changes in the Bankruptcy Act 1966. I commend the Regulatory Services Legislation Amendment Bill 2007 to the Assembly.

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

Health and Disability—Standing Committee

Report 4

[Cognate report:

Report 4—government response]

Debate resumed from 7 June 2007, on motion by **Ms MacDonald**:

That the report be noted.

MR SPEAKER: I understand that it is the wish of the Assembly to debate this order of the day concurrently with order of the day No 2. There being no objection, that course is to be followed. I remind members that in debating order of the day No 1, Assembly business, they may also address their remarks to order of the day No 2, Assembly business.

DR FOSKEY (Molonglo) (11.10): This was a very important inquiry. It is very appropriate for us to talk about this report in the Assembly because some important issues were raised and the government's response is now before us. I appreciate the fact that we are discussing these two orders of the day cognately.

Most people are aware of the importance of secure and comfortable housing for everybody, but in the case of people with a mental health issue it is perhaps even more so. Home, at its ideal, is a sanctuary and a place where people feel safe. That is, of course, the overwhelming issue for people with a mental health issue in regard to housing. Most of this report is of a very high standard and many of the recommendations seem appropriate, as does the government's response. It is interesting that, with respect to the tone of the government's tabled response, many

parts of it appear to be more progressive than the committee's report, and that is quite unusual.

MR SPEAKER: Dr Foskey, can I intrude for a moment. There may be some confusion about time limits for this debate.

DR FOSKEY: I have 15 minutes.

MR SPEAKER: In fact, two other people have already spoken for 15 minutes, so the limit for those speaking in this part of the debate would be 10 minutes.

Ms MacDonald: Mr Speaker, could I suggest that, as we are having a cognate debate, and normally Dr Foskey would be able to make two 10-minute speeches, the government would be quite happy for Dr Foskey to take 15 minutes.

MR SPEAKER: Well, the time limits still apply. That will be up to Dr Foskey.

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

MR SPEAKER: There is no point of order.

Mr Hargreaves: On the point, I signal to Dr Foskey, so as not to interrupt her contribution, that this was an honest misinterpretation, I believe, by a number of us, including Dr Foskey. If, at an appropriate time, Dr Foskey seeks an extension of time so that she can speak for a further five minutes, the government will support it.

DR FOSKEY: It actually says 15 minutes on my cheat sheet, so—

MR SPEAKER: I think we have had enough discussion about this, Dr Foskey.

DR FOSKEY: Yes, time is ticking away. I am quite sure that Dr Peggy Brown, who is the Director of Mental Health ACT and the ACT Chief Psychiatrist, would have been involved in preparing the government's response. Last night I attended a Mental Health Consumer Network meeting at which Dr Brown gave a very detailed outline of her idea of a perfect and appropriate mental health system.

Certainly, after hearing that, I believe that Dr Peggy Brown has a very strong vision of where mental health in the ACT should go. At the moment it is limited primarily by a lack of resources, but I am hopeful that, with the government's increase in funding, so that 12 per cent of the health budget is going to mental health, a lot of the things that she has on her list—both clinical and community-based mental health services—will proceed. That is certainly something that I will be watching with great interest.

I recognise that the government has made significant commitments via the 2007-08 budget, including the 24-hour "step-up and step-down" facility—which the mental health community has been asking for and welcomes—and outreach program as an alternative to hospitalisation and the design of an adult mental health acute in-patient unit. Community health consumers emphasise the need for community-based care over clinical care. I think they would like to have both, but they would like to see

more resources going to community care. I believe that makes housing a more important issue than it would be if we were totally focused on acute care.

However, some important aspects of this debate were either missed or somehow misconstrued in the committee's report, and this has a tendency to let the government off the hook. For example, the report strongly recognised the need for early intervention but then argued that, if more money went to this service area, money would have to be taken out of acute care, rather than advocating for an increase in overall spending on mental health. Also, certain statements made in the report lay a light hand on government service standards. The first is this assertion in paragraph 1.36:

... although there is always scope for improvement in any area of service provision, a degree of uncertainty and less than optimal responses by the health and related systems are inevitable.

Paragraph 1.40 states:

The inability to provide assistance in the first instance should not be taken as evidence of system failure but more as a reflection of the inherent complexity of the issue.

Paragraph 2.18 states:

... it must be acknowledged that in an environment of limited funding, financial support for community based programs will have to compete with the already committed programs.

In other words, this is a report that does not go the full distance. It excuses the government in its recommendations by saying that, due to competing resources and the complexity of the issues, the government cannot be expected to cover all the services that make for an optimum situation in regard to mental health and housing. The only group that benefits from these assertions is the government, not the mental health community organisations or mental health consumers. Yes, problems do occur, but we should be emphasising the need for an optimal standard; we should have that as our aim.

The government has invested strongly in community housing properties, mostly through its grant to Community Housing Canberra, but the real issue discussed in this report is: who should manage those properties so that they best benefit the dwellers, particularly those who are members of the mental health community?

One section of the report deals with the question: are there too many non-government organisations? But it is not clear if it is talking about mental health services, community housing or both. The paragraphs talk about community housing but the recommendation refers to mental health services. This chapter repeatedly states that we have too many organisations providing community services but makes limited reference to who made those claims, apart from a person from South Australia, and someone from the Richmond Fellowship who also works with Havelock Housing—and Havelock Housing has an interest in acquiring more community housing.

We also know that the Minister for Housing has a keen interest in seeing community housing organisations amalgamate. While such amalgamations might be of great assistance to the ACT government, how do they assist community organisations? Most importantly, are amalgamations of more assistance to the people living with a mental illness who are in housing crisis? Who are we trying to serve here? And why not also discuss quality as opposed to just quantity? By providing extra beds but fewer support services, more people are off the street, but what are the chances of keeping them off the street? The minister likes to tell us that no beds have been lost through the cuts to SAAP services, but important targeted services have been lost, such as Canberra Community Housing for Young People and its special attention to young people's needs.

I was pleased that the committee recognised, in paragraph 3.78, that amalgamations may be counterproductive and that we should tread carefully in this field. I would have liked to see a recommendation to that effect, but the observation was made. Consequently, it would be advisable for the government to carefully assess the impacts of the post-Costello review changes to community housing. Who misses out?

The committee report and government response compare ACT government spending on mental health and housing to that of other states and territories. Canberra's poor people who also suffer from a mental illness are just as poor as those elsewhere, but because we have a high average standard of living there is further distance between those in poverty and those living in the median in the ACT. On mental illness and housing, our government should see it as appropriate to do more for each client, given the larger gap.

This point was not mentioned in the report, but should be mentioned when we discuss how the ACT compares with national averages. We must also be careful when governments quote how they compare with national averages on spending. While it can be a useful figure in knowing whether we are spending enough, we can get caught up in a race to the bottom. If national averages are falling, as in the case of public housing, to compare ourselves against the national average is to accept a falling level of services. So we must ask the question: do we—a rich city—also want to run to the bottom or do we want to provide the level of services that our community needs? (*Extension of time granted.*)

One of the key points arising from this report, the government's response to it and the national action plan on mental health is the need for coordinated care. Mental health consumers need a holistic response that incorporates mental health services, accommodation, education and employment—the full range. I am pleased to see that the ACT government is committed to improving this aspect of its service provision.

I have long been interested in the United Kingdom's idea of employing support people who can help with small daily tasks. I note from the ACT government's response to the report that the national plan for mental health includes local implementation of a personal helpers and mentors program. I know the mentor program is up and running and at this early stage it is certainly worthy of more support. It is a federal government program that is administered by local organisations.

It appears to be doing just that—assisting people with a mental illness with those small logistical tasks that can really trip people up at times.

When it comes to the discussion of holistic care, the report and the government response fail to adequately address dual diagnosis. There were a few paragraphs in the report but no recommendations. It is disappointing, given that the 35-page Youth Coalition submission focused entirely on this problem. It was mentioned last night at the Mental Health Consumer Network meeting, where somebody raised the issue of accommodation and acute care for people with a dual diagnosis and how that can be problematic within the context of broader mental health services. It is definitely an area that needs addressing.

Through consultations with its sector, the Youth Coalition found that every service experiences young people presenting with co-occurring mental health and substance abuse issues. The links between homelessness, mental illness and drug and alcohol abuse are strong. While Mental Health ACT has established a co-morbidity project for young people, there is a gap between mental health and alcohol and other drug services. The Youth Coalition submission states:

In our consultations we heard about a young person who had been put on a ‘time out’ from a youth service due to their substance abuse until they went through a detoxification unit. The detoxification service refused to treat this young person as they felt that they were being affected by a mental health condition. The young person has since been in and out of crisis accommodation displaying the same behaviours due to their substance abuse, for which they have been refused treatment.

From what my office hears, despite work being done in this field, this still seems to be a common occurrence, illustrating the need for holistic services. There is also the difficult situation whereby, if a person is assumed to have dual diagnosis problems, they are also assumed to be violent, and thus refused access to emergency accommodation. One would hope that services are provided based on the client’s behaviour rather than on perceived, assumed or actual substance use.

I have commented many times on the issue of SAAP accommodation. I wonder why the committee did not think it appropriate to discuss the ACT government’s \$1 million cut to SAAP funding, and thus diminished support services provided beyond the bed. I wonder what impact the cut in funding has had on the ability of a SAAP worker to acquire mental health services for a client. Are we seeing more people get better? Is anyone documenting and reviewing the changes? Recommendation 4 states:

The Committee recommends that Housing ACT develop a strategy to ensure that workers in community organisations assisting those with a mental health illness have an awareness and understanding of all Housing ACT policies in relation to mental health issues.

Paragraphs 3.57 and 3.58 of the report note the difficulty community organisations have in navigating government services. Unfortunately, the government response to this problem merely states that Housing ACT conducts quarterly information sessions

for all community service providers, and that housing policies are available on the web. It does not appear that the ACT government is taking any steps to solve this problem. What happened to the community engagement unit and the social plan?

I note and appreciate the 12 per cent budget increase, but ACTCOSS has pointed out that as the community sector is the main provider of these services, we need increased funding for that sector. A useful medium-term goal of 30 per cent of mental health funding going to the community sector, as is the case in New Zealand, should be adopted.

Finally, I believe that the committee consulted widely and did much investigation, but did all that it learnt end up in that report or did the government have any say about its content? I know committee members were deeply interested and concerned but the committee does have a government majority.

MRS BURKE (Molonglo) (11.25): Mr Speaker, I have spoken previously in the debate so I seek leave to speak again.

Leave granted.

MRS BURKE: I will be brief. I wanted to have an opportunity to respond to and thank the government for the work they have put into their response to the recommendations that have been made. Overall, it is a positive move. The government's response certainly has been welcomed by the committee. I will go through the response to the recommendations and make a couple of comments on each aspect. The government's response states:

The report identifies that access to and maintenance of suitable accommodation and mental health support services are interrelated for people with mental illness. The stability of one can directly determine a person's ability to access and manage the other.

Of course, this is a key and crucial area for people with mental health problems. It is also centred around appropriate support for those people. Once the accommodation side is fixed, it is important to make sure that appropriate and strong support is available to those people. Sometimes, that is where we can, as a community, do much better. We have moved away from the days of institutions, but in the wake of all of that, it has left some people in our community very vulnerable because we do not provide them with the level of support they need.

I note that the government disagreed with there being less provision of mental health services, but I think what the committee was trying to say there centred around services. The key word was "services" and that is what we were emphasising. When the committee visited Victoria, we saw some outstanding programs in operation. I think we can learn some things from those programs and transport them back to the ACT. Again, we talk about the service side of it being centred around that, and the need for appropriate and direct targeting of funding to meet the needs of the community. It is not just about money; it is about how we use that money.

Recommendation 2 deals with privacy. That will be an ongoing issue for any of us in the community: where do we draw the line? It is very difficult for the government, and I do acknowledge that. But it can be an issue in giving help and support to those people who need it so desperately. We need a bipartisan approach to how we can better refine that. Often, things like obtaining mental health orders can be time consuming. We need to be able to act there and then. We need to be able to give people the immediate authority, be they housing officials or people from Mental Health ACT, to be able to help that person, and to seek the records they need in order to give that appropriate help. Recommendation 4 states:

The Committee recommends that Housing ACT develop a strategy to ensure that workers in community organisations assisting those with a mental health illness have an awareness and understanding of all Housing ACT policies in relation to mental health issues.

I note that the minister has said Housing ACT will provide opportunities for joint training. I would love to know more about that, when the minister is able to give further detail. It is very important that people are fully across it and that we have a much more streamlined and cohesive system involving Mental Health, the police and Housing. So I acknowledge that and thank the government, but I look forward to receiving more detail.

The “step-up and step-down” facility is mentioned in recommendation 7. The government have allocated \$800,000 in funding for 24-hour “step-up and step-down”, but that represents support for young people of five places and adults of five places. Again, there is probably more that we need to do in terms of support for both age groups, but particularly for adults, from what I am hearing from the community.

With respect to recommendation 8, I think there has been a lot of crossover of information. Often people do not know where to go for that information. I note that the government has agreed to this recommendation, which states:

The Committee recommends that all relevant government agencies ensure that details of their full range of services and relevant contacts are available to the community in a readily accessible form.

I think that is the key. We have the wonderful contact book, which I fully support and use very often. We have the hotline, telephone information services, Parentline, Healthline and Lifeline. It seems to me that there are so many things happening and often people do not know quite where to go and who to talk to. I think we can somewhat refine that, and I am happy to work with the government on that as well.

With respect to recommendation 9, the government is going to get advice from the Government Solicitor’s office to progress the recommendation in regard to privacy issues. I am very pleased that the government is going to try and look at that issue in a more robust way.

With respect to recommendation 10, in terms of facilitating an amenable living environment for clients with a mental illness and their neighbours, who may be

affected during an episode of poor mental health, the government's response involves talking to neighbours. What I am picking up from the community is that the time for talking is over; they have done a lot of talking and they have been listening, but a lot of the issues are still not being resolved. That then leads on to further antisocial behaviour, which then tends to spin out of control. So it is an issue; it is something we need to be more determined to fix. As I said, it sounds good on paper, but in practice, there are still many problems associated with people who have a mental health condition and who have been housed in the wider community.

With respect to reviewing its Managing Disruptive Neighbours policy introduced in 2005-06, I would like to know where that review is up to now. More broadly, antisocial behaviour seems to be creeping all too much into complaints to my office, and to the minister's office, I know, because we pass them on. There may need to be a bipartisan approach about people who have tenancy agreements, particularly in public housing.

The response to recommendation 11 talks about the provision of joint training for Housing ACT, Mental Health ACT and community service providers. I would add Policing ACT to that list. I think it is critical that the police are involved and not sidelined as some adjunct to any discussions that take place in regard to episodes that people with a mental health condition may have and/or antisocial behaviour. I have been calling for quite some time for a better working relationship between all relevant departments and organisations involved with problem tenants, so I welcome that.

With respect to recommendation 13—that Housing ACT examine the ratio of specialist housing managers to clientele to ensure the right balance is met, and assesses this need on a periodic basis—the government maintains that a recent review of client support coordinator positions found the number to be adequate. I would have to question that because of the number of complaints to my office. Maybe there is a better way of doing that. Maybe, from where I sit, there is a different perspective. I keep trying to pass the information on to the minister where I can.

The government has referred to training courses. Again, what are they? I would like more details about how it is going to do that. That sounds positive. How effective is the training and equipping of staff to deal with the highly complex needs of those in our community with mental health issues? It is pleasing to see that the government agrees in principle with the halfway house concept.

We welcome the government's response. I am happy to talk further with the minister about my perspective of public housing. I am happy to give any further help that I can on that, and work with him. I thank the government for their response.

MR HARGREAVES (Brindabella—Minister for Territory and Municipal Services, Minister for Housing, Minister for Multicultural Affairs) (11.34): I am pleased to have the opportunity today to debate in further detail the ACT government's response to Standing Committee on Health and Disability Report 4, *Appropriate housing for people living with mental illness*.

The standing committee resolved in March 2005 to inquire into, and report on, the current levels of safe, secure and affordable housing for people with mental illness,

with particular reference to the flexibility of criteria in gaining access to public housing; support mechanisms for people who currently live in public housing; opportunities to involve non-government stakeholders in the provision of appropriate housing; the feasibility of alternate support-based housing models and any other matter. The standing committee's report was tabled in the Legislative Assembly on 7 June 2007.

The government's response to this report was tabled in the Assembly on 18 October 2007. It makes 15 recommendations and the government agrees, or agrees in principle, to seven of those recommendations. The government noted eight recommendations as there is a range of program and policy initiatives already underway which meet the terms of these recommendations. The government did not disagree with any of the recommendations. Mrs Burke suggested that the government did disagree with one, but she is mistaken—and not for the first time.

At that time I commended the standing committee for its consideration of the complex and challenging issues of identifying appropriate accommodation options for people living with mental illness and their families. I would like once again to acknowledge the work of the committee and, of course, the range of stakeholders who provided input into the inquiry process. In doing this, I give particular thanks to the mental health consumers and their carers who participated in the inquiry.

The standing committee report identifies three classifications of people with mental illness: those who manage their condition and accommodation without formal assistance; those who require ongoing institutional care; and those who can live and work within the community with the appropriate support mechanisms. In its response the government has recognised children and young people who may have a mental illness or an intellectual disability or be living with parents that have a mental illness as particularly vulnerable community members.

People who do not require formal support to live and manage within the community are the majority of people with mental illness, although we must acknowledge that their lives would benefit from more community based supports to assist them to manage their illness and accommodation. The standing committee report and, as a consequence, the government's response focuses on people who are able to live and work with proper support in the community but are unable to obtain accommodation, either through the social or private housing markets or via home ownership. For these people, finding suitable accommodation becomes a critical component of managing their mental illness. Equally important to maintaining their wellbeing is access to the necessary support to maintain their individual wellbeing, thus allowing them to live, contribute and participate fully within their community.

The ACT government's response to the standing committee report confirms its commitment to the delivery of effective, efficient and responsive health and support services. These services play a vital role in maintaining the fabric of our community and in supporting people who experience mental illness. Access to, and maintenance of, suitable accommodation, and mental health support services are interrelated for people with mental illness. The stability of one can directly determine a person's ability to access and manage the other. Appropriate support to assist people to manage

their mental illness plays a critical role in maintaining housing stability, which in turn provides greater personal stability and contributes to people's capacity to self-manage their mental illness.

As Minister for Housing, I am proud of the range of public housing reform detailed in the government's response to the standing committee report. These reforms have delivered a more effective, timely housing response to those most in need in the community, including people with mental illness. Considerable reform has been implemented to public housing to ensure that it is targeted to those most in need in the ACT community following the introduction of the new public rental housing assistance program—PRHAP—in July 2006.

These reforms commenced on 1 October 2006 and included a reduction in the qualifying income criteria, a tightening of the ACT residency requirements and major changes to the priority allocation system moving to a needs-based allocation system which recognises complex needs in the assessment and allocation processes. Complex needs will include: homelessness; mental health or medical issues; disability, including frail aged; women and children escaping domestic violence; Indigenous people facing complex issues; and children at risk, including their parents and carers.

Priority housing status may be granted to an applicant who has a range of complex needs. This qualifies people for immediate housing assistance and people granted this status will be housed within three months. No more than 150 applicants will be placed in this category at any one time, and to date the number has not exceeded 50 applicants at any one time. Applicants are to be allocated assistance from this category on a needs basis rather than a chronological basis, and to date all applicants in this category have been housed within three months.

This work has been supported by the establishment of a multidisciplinary panel from across ACT government and the community sector which draws together experts from across relevant portfolios to assist in determining the comparative need of applicants and making appropriate property allocation. Housing ACT has also implemented additional measures to ensure that it remains as the post-crisis response for people who require housing assistance and that appropriate community based support services are available to assist tenants to achieve and maintain sustainable housing outcomes. This includes forging stronger partnerships with community service providers and Mental Health ACT.

An example of these mechanisms is the introduction of a pre-allocation case conferencing mechanism. This process involves Housing ACT, applicants for housing and support agencies involved in this person's life meeting to discuss the needs of the applicant. It also identifies any agencies that currently are providing support and may also assist in referring people to other agencies who may be of assistance in the future.

This information and the early identification of support services assist Housing ACT to make appropriate allocations to its applicants. The consequence of this is that people with mental illness or other complex needs are more likely to maintain successful tenancies. Housing ACT's commitment to work with both applicants and Mental Health and other relevant support services also ensures that people have the supports to enable them to live and contribute positively within the community.

There is increasing effort to strengthen the working relationship between Housing ACT and Mental Health ACT, as discussed in the government's response to the report. This is driven by the understanding that security of accommodation is one of the social support issues contributing to recovery and maintenance of wellbeing for people who have experienced mental illness.

In July 2006 a joint services meeting was established between the two agencies to address the overall working relationship, referral and assessment processes and the roles and responsibilities in the joint provision of services to a consumer. The meetings are held every four months and hosted alternately by each agency. A signed protocol has also been developed between the two agencies and incorporated into the new service level agreement between ACT Health and the Department of Disability, Housing and Community Services.

Features of the agreement include revised responsibilities, processes and procedures for each agency, joint care responsibilities, including the coordination and ongoing monitoring of care, and improved communication strategies, including both management and regional levels of liaison, dispute resolution mechanisms, cooperative referral and support processes, and the development and monitoring of joint client plans.

Through their joint services meeting, Mental Health ACT and Housing ACT have engaged in reciprocal training opportunities to increase the capacity of frontline staff in both agencies. Mental health has also been identified as a priority for consideration in the allocation of housing tenancies and Mental Health ACT now contributes to this process. Special provisions for rent reduction have also been implemented to support consumers who are admitted to inpatient facilities for treatment.

The ACT government has also made a considerable commitment to increasing the availability and supply of social housing stock. This includes initiatives announced in the 2006-07 budget, which committed \$10 million per annum over three years for public housing, with an additional \$4.3 million provided in the 2007-08 ACT budget for capital purchase. The affordable housing action plan 2007 also involves a multimillion dollar investment in the not-for-profit community housing sector by enhancing its capacity to deliver innovative, affordable housing solutions.

Mr Deputy Speaker, I would again like to thank the officers of my department who contributed to the government's response. I applaud the standing committee's report. I am sure that we will be working together particularly well to improve the lives of people with a mental illness and making sure that they are a valued and integral part of our community.

MR GENTLEMAN (Brindabella) (11.44): Mr Deputy Speaker, thank you for the opportunity to endorse the words of the Minister for Housing and to comment further on the merits of the government's response to the Standing Committee on Health and Disability Report 4, *Appropriate housing for people living with mental illness*.

Minister Hargreaves discussed reforms to public housing to ensure that it is more targeted to those most in need and the government's commitment to increasing the

supply of social housing. He also discussed the need for a coordinated service delivery outlining Housing ACT's improved response to people with mental illness and complex needs and its commitment to working with agencies such as Mental Health ACT and community based support services to identify and respond to tenants with mental illness.

However, it is not possible, nor is it desirable, for the ACT to expect that the housing needs of all people with mental illness will be met through new initiatives or through an increase in public or community housing stock numbers. It is simply not feasible. Nor does it address the ongoing support needs of people as they currently live within the community. Nor does it recognise the often cyclical and episodic nature of mental illness.

It is far more reasonable an approach to understand that the provision of appropriate housing for people with mental illness is achieved via an increase in the skills and capacity of housing providers to understand the impacts and effects of mental illness and to improve their tenancy management and housing services accordingly. In short, sensitive and responsive housing services will provide far more responsive and far-reaching services to these members of the community.

Minister Hargreaves discussed the introduction of pre-allocation case conferencing and a joint appraisal mechanism to determine and assess relative need. He also referred to the multidisciplinary panel, which comprises expertise from across the ACT government and the community sector. These are great initiatives and have already had a positive impact on people coming into public housing. Reforms to the public housing allocation system have resulted in significantly reduced waiting times for those most in need and an improved understanding of, and response to, the issues they may face, such as mental illness.

In June 2007, the average waiting time for priority housing applicants reduced from nine to 12 months to 51 days, and the number of people on the waiting list for public housing was 1,203. By way of comparison, there were almost 2,500 applicants on the public housing waiting list in June 2006 and over 3,000 in June 2005. Applicants in the top priority category waited up to 12 months to be housed.

These new measures complement the role and function of Housing ACT's three client support coordinators, or CSCs. The role of the client support coordinator is to identify and assist tenants to access appropriate supports and to provide a mentoring and coaching role to housing managers to improve their skills in identifying and responding to the range of client issues. I have been a Housing ACT tenant. I look back at that time and remember how much Housing ACT helped me and my family during our early years.

One of Housing ACT's roles is to be a post-crisis housing response. As such, it works closely with a range of community agencies to identify the support requirements of tenants at both the allocation and assessment stages and to provide ongoing support to assist people to maintain their tenancy and live independently in the community. Initiatives such as the pre-allocation case conference assist in the identification of client need and enlisting appropriate support agencies.

Housing ACT continues to provide a range of training courses to equip staff with the skills to assist clients, identify needs and refer clients to appropriate external specialist services. The role of the client support coordinators and team leader is to work alongside staff and to coach and mentor staff to assist clients with complex needs. The housing manager duty statement has recently been revised to capture skills, knowledge and experience that staff require to work with clients with complex needs. These skills are important in the day-to-day work of housing providers in being responsive to the needs of people with mental illness.

Appropriate housing responses for these people require an understanding of their needs and how these may arise differently throughout the course of their tenancy. For example, a person living with a mental illness may require increasing security measures to ensure peace of mind and personal safety. Housing ACT provides a range of staff training and development activities which aim to improve understanding of the issues facing Housing ACT tenants, including mental health first aid training.

The ACT government already supports a range of innovative housing models through the provision of head leased properties and is committed to establishing innovative and flexible housing solutions for people with a range of support requirements. Centacare's LINC project, which supports people with a disability, and the partnership between Richmond Fellowship and Havelock Housing Association are successful community housing models that assist people with complex needs to gain and maintain stable housing within the community.

These models provide a more supportive tenancy management. However, models of supportive housing can span public housing, as well as community housing. Housing ACT, in consultation with Mental Health ACT, is also currently examining options where intensive support can be provided to residents of public housing. This gives consumers greater choice. Where a person or family has specific and/or complex support requirements to enable them to live within the community, Housing ACT seeks to identify an appropriate community service provider to assume head lease of the property and undertake a supportive tenancy management arrangement.

This approach has delivered some innovative community development responses to the management of neighbourhood complaints which may arise when a person has a mental health crisis. This involves talking to the neighbours of the head leased property, with consent from the client, about the issues facing the tenant and/or their family and providing neighbours with information on what to do and who to contact in the event of a crisis. Brokerage funding can be used flexibly in these cases and has on occasion been used to provide respite to neighbours in the event of a particularly prolonged period of crisis.

The government acknowledges that the housing needs of children and young people are not necessarily the same as the housing needs of adults. Children and young people who develop mental illness or whose parents have a mental illness may be at risk of homelessness, housing instability or poor social outcomes without appropriate housing and support. The government recently commissioned research from the

Institute of Child Protection Studies at the Australian Catholic University to examine children's experiences of homelessness to inform policy and practice and improve service responses and outcomes for children and families across its service portfolios, including Housing ACT, homelessness services and the Office for Children Youth and Family Services.

The Department of Disability, Housing and Community Services will work with the supported accommodation assistance program and other services to implement responses to the findings of the report throughout 2007-08. Responses will include the development of a toolkit for service delivery staff to provide advice on how to talk to and support children about sensitive and complex issues, including a referral guide to mainstream and specialist children's services. The toolkit will be developed in collaboration with the Institute of Child Protection Studies and its implementation will be accompanied by a further training and awareness raising program to be provided across departmental and community service agencies.

Recent initiatives established by the Department of Disability, Housing and Community Services have increased options for young people, including the establishment of a pilot project through the supported accommodation assistance program innovation and investment fund to provide, exit planning, transitional housing and support to five young people exiting the justice system. These young people may have a mental illness.

Disability ACT has also established an intensive treatment and support program in coordination with Mental Health ACT to provide a range of support services for young people with a dual disability who are at risk of criminally offending or re-offending. Whilst not an accommodation service, intensive treatment and support focuses on increasing consumers' independence and living skills and strengthening support networks to reduce entry or re-entry into the criminal justice system.

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

Motion (by **Mr Smyth**) put:

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

The Assembly voted—

Ayes 5

Noes 6

Dr Foskey	Mr Seselja	Mr Barr	Mr Hargreaves
Mr Mulcahy	Mr Smyth	Ms Gallagher	Ms MacDonald
Mr Pratt		Mr Gentleman	Mr Stanhope

Question so resolved in the negative.

Gaming Machine Amendment Bill 2007 (No 2)

Debate resumed from 18 October 2007, on motion by **Mr Stanhope**:

That this bill be agreed to in principle.

MR SMYTH (Brindabella) (11.59): The opposition will be supporting this bill. I thank the Treasurer for providing my office with a detailed briefing on the bill and I also want to commend the ACT Gambling and Racing Commission for the explanatory statement. It is a pleasure to read a statement that actually explains the rationale for changes proposed in the bill instead of simply listing the changes but not providing any explanation.

The purposes of this bill are to facilitate the management of the cap on gaming machines, especially in circumstances where an existing licensee either hands back some machines or ceases to be a licensee; to provide an increased incentive for licensees to provide funds to respond to the issues related to problem gambling; to ensure that people applying to work as technicians and in other capacities in the gaming industry are suitably qualified; to provide the commission with appropriate authority to take action against people who do not satisfy the criteria necessary to apply for a licence or to work in specialised positions within the industry; and to clarify and simplify the provisions relating to the advertising of premises where gambling takes place with gaming machines.

These amendments are relatively minor and essentially are technical amendments to the Gaming Machine Act. Nevertheless, these amendments will enable the gambling and racing commission to operate their supervision of gaming machine activities more effectively than currently exists. This bill will provide the commission with greater flexibility in managing gaming machines in situations where some machines are handed back to the commission or where a licensee hands back a licence to operate gaming machines.

Essentially what this means is that, if a person applies for some or for additional gaming machines, the commission will now be able to assess the merits of applicants as a first stage process and then at a later point when gaming machines become available the commission will be able to determine the allocation of those machines. This will permit the commission to follow this process in an orderly and equitable manner. The bill will implement an incentive arrangement to encourage gaming machine licensees to increase funding to provide for a response to problem gamblers. This comprises an incentive arrangement whereby a donation of \$3 to deal with problem gamblers will result in a licensee being able to claim \$4 as their annual community contribution.

The commission will now be able to ensure that people seeking to apply for a licence or to work in specialist positions in the industry are of good character. Where people are determined by the commission not to be suitable they will be prohibited from applying for a licence or from working in this industry for at least 12 months. And the Chief Minister, when he speaks to close the bill, might tell us how that will be achieved. What are the criteria that would determine that somebody is unsuitable and how will that decision be made?

This bill makes the provisions relating to the advertising of gaming premises less onerous. A provision whereby a licensee might have "caused" an external advertising

sign to be displayed will be removed and it will no longer be an offence for a licensee to “cause” a sign to be displayed. I would like to draw the Assembly’s attention to a drafting error in clause 14 on page 9, line 3. In proposed section 75 (1) (c) the bill refers to “either” then it lists three actions. Clearly that is not correct and I am sure the government will take appropriate amending action to remove the word “either” and replace it with “any of”. I commend the bill to the Assembly.

MR DEPUTY SPEAKER: Dr Foskey, just before you commence, I would like to bring to the attention of members that we have in the gallery 30 years 9 and 10 students from Burgmann Anglican School. We welcome them.

DR FOSKEY (Molonglo) (12.03): In light of the recent report on community contributions from the ACT Gambling and Racing Commission, which showed a 22 per cent reduction in the amount of money going to the charitable and social welfare category, I would like to applaud the government for this attempt to improve the situation. I must say that I would do it differently; nevertheless I am going to support the amendments. I am always happy to support measures aimed at reducing the harm caused by problem gambling and to help those organisations that offer welfare services for problem gamblers.

In my remarks on the bill I will just mention what I see as the three main elements. The first set of amendments to the licensing requirements and the factors to be considered by the commission are sensible and worthwhile changes. It would certainly appear logical that the commission assess the licences at the time the machines become available and that a licensee’s past conduct in relation to gaming machines be considered when they seek to continue or expand their involvement in the industry.

The second group of amendments relates to the signage and advertising changes in clauses 16 and 17. The Greens have consistently advocated a harm minimisation position. We respect people’s right to choose how they entertain themselves, although we do recognise that there is significant social harm that comes about as well and therefore governments must be in the business of trying to balance competing interests. In clause 16 the government is proposing to clarify the prohibition on external signs advertising gaming machines or gambling activities.

While I do appreciate the intent of the provision and can see that for organisations such as ACTTAB there was an issue with the current provision, I must say that I do not feel that the proposed change is the most effective way of rectifying the problem. The use of the word “mainly” I think does create some ambiguity. Due to my office’s concern about this issue they initiated a discussion with the Chief Minister’s office, the Chief Minister’s office contacted the gaming and racing authority and subsequently there was a meeting with both the ministerial adviser and a representative of the gaming and racing authority.

I thank the Chief Minister’s office for arranging that because we were able to be persuaded, to some extent, to their opinion that the wording does achieve the intention stated in the explanatory memorandum. I am happy to accept that advice but I would urge the minister to ensure that he has general counsel level sign-off that this

amendment does achieve its intended purpose. My office is happy to be consulted should any further clarification of our concerns be required. I understand this is a legalistic concern but we know that it is best to make sure that legislation is cut and dried and lacks ambiguity, because loopholes can be exploited.

The provisions preventing the external visibility of gaming machines is a positive measure that I wholeheartedly support. The final issue that I would like to discuss is the new incentives for community contributions. Again I reiterate my support for any measures that aim to help community welfare organisations to continue and, hopefully, to expand the terrific work that they do.

I am disappointed that in trying to encourage licensees to give more money to the problem gambling organisations these provisions are potentially reducing the amount of money that goes back to the community; there is that potential. I think a better solution would be to mandate a minimum contribution to problem gambling service providers and then let individual licensees choose where the rest of their contribution goes. Nevertheless, I will be supporting the bill and I would like to recognise and acknowledge the government's quick response to the problems that were highlighted by the gaming and racing commission report.

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts) (12.08), in reply: As members have indicated, this bill makes a number of small but important changes to the Gaming Machine Act. Some of the proposed changes are minor, technical corrections, some clarify existing provisions, while others enhance the overall operation of the Gaming Machine Act. I will just briefly outline the main changes that have been introduced.

Firstly, and most significantly, this bill introduces an incentive scheme for gaming machine licensees to increase their contributions to problem gambling initiatives. Licensees will be able to claim \$4 for every \$3 spent on eligible contributions to assist problem gamblers. As I previously said when introducing the bill, this incentive scheme will encourage gaming machine licensees to take a more focused look at problem gambling issues in the territory and, hopefully, increase community contributions from clubs to services that deal with the effects of problem gambling.

The new incentive scheme provides that clubs continue to make their own decisions on their allocations to community projects or schemes. This bill preserves this important right for clubs. It also provides encouragement for licensees to increase their contributions to the area of problem gambling prevention. It will, hopefully, provide for increased industry funding to such areas as problem gambling counselling, awareness training for staff or patrons and possibly research or data collection.

Secondly, since the new Gaming Machine Act commenced in late 2004 and now that the maximum number of gaming machines allowed in the ACT has been reached, it has become clear that a number of technical matters need to be addressed. Currently the act does not provide for when the gambling and racing commission is to decide on the number of machines to be allocated to an approved applicant when there are no

machines available. Consequently, when machines do become available, possibly months or even years after the commission's consideration of such an application, the applicant's circumstances may have changed considerably.

The amendments to section 10 of the act provide that when there are no gaming machines available for allocation the commission decides on the number of machines to allocate when machines become available. The commission is also provided with the explicit power to base its decision on updated information from the applicant. This will be a fairer and more equitable system that will improve the operations of this section of the act.

A further issue addressed in the bill is the clarification that the commission, in considering an application for additional gaming machines, should consider the actual use of gaming machines in the club as well as the number of club members. This will ensure that machines are allocated only where there is sufficient demand or need and not just on member numbers.

The bill also enhances the eligibility criteria for gaming machine attendants, technicians and suppliers of gaming machines. If an applicant has been refused an approval because they provided false or misleading information, or if someone has had their approval cancelled under the act's disciplinary provisions, the person cannot reapply for their licence for a period of 12 months. These amendments protect the integrity of the licensing system and ensure that only eligible persons are approved.

Finally, the bill introduces a new section that prohibits gaming machines from being visible outside club premises. This enhances existing provisions that prevent external signage from advertising gaming machines. It makes sense to also prohibit gaming machines themselves from being visible from outside the licensed premises. This will prevent people making a spur-of-the-moment decision to gamble when they see machines. Importantly, it will also prevent persons under the age of 18 from seeing gaming machines and being encouraged to undertake the activity.

This amendment bill provides a number of small but significant changes to the Gaming Machine Act which will enhance its operation and clarify a number of issues for licensees and the gaming machine regulator. I thank members for their contributions to the debate.

There are a couple of issues relevant to this bill or to this area of policy that I might just touch on before concluding. One is to acknowledge that this bill quite patently and deliberately seeks to encourage further contributions by the ACT club industry to problem gambling initiatives to deal with harm minimisation, education and other policies, mechanisms, proposals or projects that might deal in the first instance with education around the impacts of problem gambling—things that clubs themselves can do or other providers of gambling across the board might do to address issues around the attractiveness of gambling, education around the dangers and, of course, at the end of the day, assistance in dealing with an addiction to gambling.

There is no doubt that those people within our community that identify, or we identify, as having a major gambling problem or addiction do for themselves, and in many

instances for their families, create significant problems in their lives. Their capacity to continue to contribute to gambling or a gambling addiction can be very, very corrosive of individuals, their health and welfare and, very particularly tellingly and sadly, of their families. We need to do everything we can in the first place to prevent it and, in the event that there are people with a gambling problem, seek, as a compassionate society, to assist them. This bill seeks to address that in one small way by encouraging clubs.

The point that I am trying to make is that the clubs, very pleasingly, just in the last little while have energised their response to issues around problem gambling. I was very pleased that just this week the President of Clubs ACT, David Lalor, announced that 25 clubs had combined to commit in excess of \$800,000—\$830,000 I believe—each year for the next three years to the Clubcare program. I wish to acknowledge that very, very significant contribution by a significant number of licensed clubs within the ACT to re-energise the Clubcare program, which in the last year or two, I believe, was being supported only by 11 clubs and to the tune of only a couple of hundred thousand dollars.

So this is a very significant expression of commitment by the club industry to the issue of problem gambling and a very significant recognition by Clubs ACT and the clubs that as the providers of gaming machines or poker machines they do accept a responsibility to seek to address some of the negative outcomes or aspects of gambling for some people. I recognise that and wish to recognise that, in tandem with the passage of this bill, the industry itself has responded unilaterally and separately to increase its level of commitment to problem gambling initiatives. I think it is \$830,000; that is a very significant contribution, particularly in that the commitment is for more than a single year. These were issues that were raised and discussed by both the Leader of the Opposition Mr Stefaniak and me at the Clubs ACT annual conference in Narooma on the weekend. Indeed, at that conference Mr Lalor signalled that he would be making that announcement this week.

A further issue that I will touch on, because it is very relevant to other minor objective amendments that have been made in this bill today, is considerations that the gaming and racing commission will make in relation to the allocation of excess machines. As members know, the ACT has a cap on the number of poker machines that can be licensed within the territory—5,200. The cap has been reached during this year. The arrangements that are in place are that, where poker machines are surrendered—where a club determines for whatever reason that it no longer wishes to maintain a licence, or indeed where it wishes to reduce the number of poker machines for which it has a licence—those poker machines are returned to a pool and are available for redistribution.

Most significantly, that was a scheme that operated in a circumstance where the cap had never been reached or achieved. The cap has now been reached—a cap of 5,200—and the gaming and racing commission has recommended that the cap not be extended. That is a recommendation that the government is at this time inclined to accept, and will accept, on the basis that we have asked our officials to develop a new process for arranging the transfer of poker machines between clubs. This is something that has not previously been available to the club industry. We believe that there

should be a review and a rethink around the basis on which poker machines might be transferred between clubs, accepting and acknowledging that the cap has been achieved and will not be extended.

The government is mindful—and Mr Stefaniak spoke on this as well at the conference that he and I attended and we each acknowledged it—that, with a community that is at the moment growing quite rapidly and extending into new greenfields areas within Gungahlin, and we expect by the end of next year for major new town centres to be established in the Molonglo Valley, there is an issue for the club industry and for us as a community to address. There are only three licensed clubs in Gungahlin. Gungahlin has a population approaching 40,000 but will eventually achieve a population of somewhere in the order of 90,000.

Molonglo will over time achieve a population of 70,000. An absolute cap, non-reviewable, would lead to a circumstance where no more licensed clubs could be developed or established in Gungahlin and no licensed club at all could ever be established in Molonglo. That would not be fair and I do not think it would be appropriate. This is an issue that we will in time need to address, and one way of addressing it is through new arrangements that will permit the transfer of poker machines between clubs without exceeding the current or existing cap.

The final point that I will make in relation to these amendments is just to touch on the query that Mr Smyth voiced in relation to eligibility criteria. The new section 20, the provisions around the eligibility of individuals in a range of circumstances, expand only slightly on existing integrity provisions within the gaming and racing legislation to ensure that individuals who have had a licence or approval to be involved in one way or another in the management, installation or provision of poker machines and who have had that licence or approval cancelled cannot, immediately it has been cancelled, reapply.

Essentially, it goes to people who have not been forthright, who have shown a lack of integrity, who have made false or misleading statements or who have provided false or misleading information to the commission in relation to their particular area of association with gaming and racing and poker machines and who should not be allowed to participate within the industry. Disciplinary processes have been established and are a feature of the existing legislation. This is simply to be explicit that the government and the community cannot tolerate the prospect of people lacking integrity or honesty being involved in gambling or in the clubs industry or have any association with poker machines. It is really a provision that seeks to make explicit the need to protect the integrity of the act and of the act's licensing provisions.

I will conclude on that. As I indicated, these are relatively small, minor, technical amendments but they are significant. It is an important area. It is an area that attracts a lot of debate, quite rightly. Gambling and issues around gambling, most particularly problem gambling, are issues of major importance and significance. We need to do everything we can to address those. But in any debate around gambling and poker machines, and even the more difficult, distressing issue of problem gambling, we must always retain some balance around the enormous importance of the club industry to the ACT.

With a turnover of half a billion dollars a year, in addition to employing 3,000 people, clubs are very much at the heart of the social life of Canberra, of the ACT. Ours is a club town, a club city. We are not a pub town or a pub city as many other places are. Clubs are central to the social life and to the life of this community, and in any debate around some of the difficult and distressing aspects of poker machines we should always bear in mind for the sake of balance the wonderful contribution that clubs make to the ACT.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Sitting suspended from 12.23 to 2.30 pm.

Ministerial arrangements

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts): I draw the attention of members to the fact that the Attorney-General remains away on government business at a ministerial council meeting. He is therefore unavailable to take questions. If I am able to assist, I will seek to do so.

Questions without notice

Civic—petrol plume contamination

MR STEFANIAK: My question is directed to the Treasurer. Treasurer, the second appropriation bill provides funding of \$600,000 for a remediation project related to the contamination of underground water from a petrol plume in the city. Treasurer, when did you first become aware of this contamination? What is the nature and cause of this contamination?

MR STANHOPE: I thank the member for the question. I will have to take some aspects of that question on notice. At a rough guess, I would say that I first became aware of the plume in Civic at the time that I came into the Assembly when the Liberal Party were in government. I think that I became aware of it when you were a minister and I came into the Assembly.

Mr Smyth: And you've done nothing for six years.

MR STANHOPE: No, we have. I will take the question on notice. I do not have details. But this plume has been managed by territory and municipal services in its respective and various guises I think since before self-government. I think I first became aware of it in a detailed sense when I became a member of this place 10 years

ago. But I believe this plume first came to notice before self-government. As I say, I am not sure; I am going on memory.

The plume has existed for years and years. The Department of Territory and Municipal Services, the Department of Urban Services—that department in its many guises—has sought to manage this plume in all that time. The point has arrived, through the second appropriation bill, where, for the first time in all those years, we have decided to seek to deal with the plume in a concrete, significant and final way.

I do not have the dates and the time lines with me. This is an issue that every government has been aware of for well in excess of a decade; I would think since before self-government. We have now decided to fully fund the remediation of the site, even though it has been a matter of issue and concern to every government that I am aware of.

MR STEFANIAK: Mr Speaker, I have a supplementary question. I thank the Treasurer and Chief Minister for that answer. Given that this has been around for a long time—or more from what you are saying—why are you funding it now? Why have you waited until now to fund it in the second appropriation bill, rather than have it as part of the normal budget?

MR STANHOPE: I will need to get some advice on the technical aspects and detail of the management of this particular plume. I do not have those with me and I do not have them in my head. This has been an ongoing management issue for territory and municipal services. As I say—I am sorry I do not have the date with me—I know it was an issue when I came into this place 10 years ago. It predates me. I think this issue has been with us for perhaps 20 years. This is a pre-self-government issue. It has been managed by every government since it was first revealed as an issue of some concern. It has been managed I think through ventilation and other remediation.

An opportunity has arisen, through the second appropriation bill, to deal with an issue of some significance but which previously was not regarded as absolutely critical—and we are dealing with it. It is as simple as that.

Health—nurse practitioners

MS MacDONALD: My question is to Ms Gallagher in her capacity as Minister for Health. Minister, could you update the Assembly on progress with the implementation of the nurse practitioner role in our health system?

MS GALLAGHER: I thank Ms MacDonald for the question. In recent years, the ACT government has introduced the first nurse practitioners into the ACT health system. A nurse practitioner is a registered nurse educated to function autonomously and work collaboratively in an advanced and extended clinical role as an expert member of a multidisciplinary healthcare team. Their introduction is part of our commitment to continuously modernising and improving our healthcare system. In particular, it reflects our support for and encouragement of our nursing workforce.

We have 17 nurse practitioners registered with the nurses and midwives board in the ACT, with five currently practising. One works in the private aged care system; the

remaining four are in the public system, one working in sexual health, one in the Calvary emergency department, and two in the aged care and rehabilitation service at the Canberra Hospital.

The introduction of the nurse practitioner role into our health system provides an exciting opportunity to explore innovative models of service delivery across the ACT. An article on this project appeared in today's *Canberra Times*. I would like to put on the record a few corrections to the article. I understand that the errors in reporting happened in the *Australian Nursing Journal*.

The article is wrong in claiming that the patients waited two to 13 days on average for treatment. The average wait was 2.13 days in residential aged care facilities. If patients required urgent treatment, they were transferred to hospital.

Waiting times in the emergency department were not included in this finding. The emergency department nurse practitioner works as part of a team which includes doctors. So it is false to claim that the wait times for treatment in the emergency department were due to delays in treatment recommendations by nurse practitioners. In the study, delay before treatment was not a significant issue for the sexual health nurse practitioner or the emergency department nurse practitioner, and no emergency department data were included.

The larger commonwealth funded project is comprehensive and covers a longitudinal study of the role of aged care nurse practitioners. The pilot study was an ancillary project. The preliminary findings warrant further investigation and will not be published without a statistically significant sample size.

Some of the possible issues in relation to delays to treatment relate to the difficulties the nurse practitioners have in prescribing medication. This is an issue that health ministers will have to discuss with the next federal health minister once they are in place in a few weeks time.

In the ACT, nurse practitioners are legally able to prescribe certain medications as approved in their individual clinical practice guidelines. However, nurse practitioners are unable to obtain a prescriber number or a provider number under the current commonwealth legislation. So in practical terms nurse practitioners may legally prescribe medication; however, the consumer is not eligible for a rebate of the cost of the medication unless that medication is prescribed by a medical practitioner. Therefore, any medication prescribed by a nurse practitioner carries a cost impost and a disadvantage to the consumers. Nurse practitioners feel ethically responsible to ensure that their patients are not disadvantaged and refer recommended medication orders to medical practitioners so that they are able to get the rebated cost through the PBS.

This needs to be addressed, because we have to take full advantage of the benefits that the nurse practitioner can provide—not now but in the future in terms of our workforce in the health field. This is a significant barrier to the implantation and efficiency of the role of nurse practitioners. I have spoken to a number of nurse practitioners and nurses who aspire to become nurse practitioners who see this as the

major barrier to either becoming a nurse practitioner or performing their duties to the full.

Despite this issue, nurse practitioners continue to provide a safe and comprehensive service to the community. I look forward to reporting more to the community and the Assembly in future on nurse practitioners' continued contribution to the health system. I also look forward to the development of more nurse practitioners and their employment across ACT Health to support us and assist us with some of the workforce shortages that are being experienced now and that will be experienced in the future.

Family and community day

MRS BURKE: My question is to the Treasurer. The second appropriation bill provides funding of \$75,000 for family and community fun day. Treasurer, why is it necessary to expend public funds to celebrate a public holiday?

MR STANHOPE: The government also expends fund to celebrate Christmas. In order to give a full response and to put it in context, the government also provides funding to celebrate the most significant Christian holiday of the year, Christmas. Mrs Burke may have an issue with that.

Mr Hargreaves: Ramadan—we did Ramadan this year.

MR STANHOPE: We provide funds to celebrate Ramadan; we provide funds to celebrate Australia Day.

Ms Gallagher: Canberra Day.

MR STANHOPE: We provide funds to celebrate Canberra Day.

Ms Gallagher: Sunday in the park.

MR STANHOPE: We provide funds to celebrate Sunday in the park. We provide funds to celebrate the most significant Hindu religious festival of the year, Deepavali. We fund a range of public holidays, or celebrations of significance, that are not perhaps declared as public holidays, and we celebrate a community and family day.

In order to do justice to a question about why we as a government, on behalf of the community, provide support to celebrate family and community day, it probably requires a comparative analysis of why we as a community provide funds to celebrate Christmas, Mrs Burke. To the extent that the question was judgemental to a significant degree—about why we celebrate this particular public holiday—it does require that I ask, for the purposes of comparison or explanation, why do we utilise public funding, which of course includes the rates, payments, taxes and charges of many non-Christians, to celebrate Christmas? We do it because we are a diverse, inclusive, pluralistic community, and as a government we wish to celebrate that plurality, that inclusiveness and that diversity.

Mr Hargreaves: Not like Jackie Kelly's husband!

MR STANHOPE: I am sure you won't find Jackie Kelly or the Liberal Party providing public funds to celebrate Islamic holidays such as Ramadan. I find it remarkable that the Liberal Party—

Mr Pratt: You're misleading.

MR STANHOPE: would put a position through their deputy leader that family and community day is not a day worthy of celebration.

Mr Hargreaves: On a point of order, Mr Speaker: could Mr Pratt please withdraw the accusation of misleading the house.

MR SPEAKER: I did not hear it.

Mr Hargreaves: I did, very clearly.

MR SPEAKER: If you did—

Mr Pratt: I withdraw that, Mr Speaker.

MR SPEAKER: Thank you.

MRS BURKE: I ask a supplementary question. Treasurer, how many people attended this year's family and community fun day? What was the approximate cost per head?

MR STANHOPE: I understand that there were some thousands of attendees—thousands, I understand. The Deputy Chief Minister and the—

Ms Gallagher: I was there, too.

MR STANHOPE: There were a number of members of the Labor government that attended. I understand that not a single member of the Liberal Party or the opposition within the Assembly felt that the celebration of family and community was worthy of their attendance. They shunned and boycotted the formal part of the celebration. I am sure they all enjoyed the holiday. I am not quite sure that there were many—

Ms Gallagher: There were no cars in the car park.

MR STANHOPE: There were no cars in the Legislative Assembly car park at any time, particularly not in the Liberal Party part of the car park, just, of course, as there were no cars at the chamber of commerce, the major antagonist and major opponent of the event. Not only were there no cars in the chamber of commerce car park on the Tuesday; we understand that there were no cars in the chamber of commerce car park on the Monday. Chris Peters actually provided a full four-day holiday for members of the chamber of commerce and himself after roundly criticising and condemning the celebration of family and community day.

The public holiday was not compulsory. Those members of the Liberal Party or of the opposition who chose to work or who would have liked to work I am sure would have

had their usual access to this place. They could have churned through what I know for many of them would have remarkable—a seven or eight-hour working day!

My understanding is that family and community day was very successful. The celebration in Glebe Park was great fun. It served a very useful purpose in terms of the family and this community. It is a pity that the Liberal Party chose, whilst having the holiday, to actually criticise and bag and condemn it. I have a sneaking suspicion that if the Liberal Party want to campaign next October on their determination to abolish family and community day, the Labor Party—the government—will be more than willing to engage in debate on that particular piece of policy or commitment.

At one level perhaps the people of Australia might decide the issue for us tomorrow. To the extent that Kevin Rudd is elected Prime Minister and Labor is returned federally and Work Choices is abolished, then the absurdity and the ideological nonsense in the abolition of union picnic day will be a bad memory, and we can perhaps proceed from that point.

Environment—pine wildlings

DR FOSKEY: My question is to the Minister for the Environment, Water and Climate Change regarding the control of pine wildlings, which are classified as a pest weed in the territory. Has the government observed the recolonisation in former pine plantation areas and on neighbouring hills by these wildlings? Does it acknowledge that they pose a threat to both fire safety and biodiversity, and what action has been taken to control them?

MR STANHOPE: Yes, I think we have all observed the vigour with which pine wildlings are reclaiming some of their past domain in many areas of the ACT. It is a significant environmental issue, as of course is the spread through nature parks and reserves of a range of other introduced species. Anybody who walks through any of our nature parks or reserves, throughout particularly the nature reserves more closely incorporated within the urban areas or close thereto, will see a whole range of introduced species that are very happily colonising parts of nature reserves. It is a significant issue. It is a serious issue. To the extent that 12,000 to 13,000 hectares of pine have been planted throughout the ACT and that there remain still 2,000 or 3,000 hectares of pine forest within the territory, it is an issue that will continue to bedevil us for some time. We are very aware of it. We have provided some funding to deal with wildlings around the Cotter and the Cotter catchment. Most recently, I believe in the second appropriation bill, there is some funding to deal with pine wildlings on Narrabundah Hill. We have sought progressively to deal with some pine wildlings within Mount Stromlo and it is a campaign that will continue for some time.

There is a whole range of priorities within environment and within our nature reserves. For instance, in the last budget we provided significant funds to deal with another pest plant—\$300,000 to deal with willows in the Molonglo River. There is a whole range of issues around introduced species, pest plants. Pine presents a significant issue for us, essentially because we planted 13,000 hectares of them, which is an awful lot of pine trees and the wildlings are an issue that we will need to deal with for, I would suggest, decades to come.

MR SPEAKER: Supplementary question, Dr Foskey?

DR FOSKEY: What initiatives has the government put in place to control the wild pine population for this summer to prevent them being again a source of danger, through fire, to our city?

MR STANHOPE: The government has accepted the recommendation of McLeod that there be no commercial pine forests re-established to the west of the city of Canberra. In the interregnum between the fires of 2002 and 2003, which destroyed 10,000 hectares of pine forest to the west of the ACT, some, I think, two million to 2½ million pine trees were in fact replanted, a million of those on the Tuggeranong Parkway and, I believe, in excess of a million within the Cotter catchment. Strategies are in place to deal with both those plantings. At this stage the trees that were planted within the Cotter catchment are serving a very useful purpose in soil stabilisation, stabilisation of the Cotter catchment. They will, when they achieve some commercial status—not before they are mature but as they grow and there is some capacity to harvest them—be harvested and removed and the land will be allowed to regenerate to endemic species. The trees to the west of the Tuggeranong Parkway and indeed south of the zoo and aquarium will be progressively removed, beginning within the next year or two, in the same way as the pines in the Cotter catchment will be dealt with. These are proposals or projects that the government has undertaken to pursue.

So far as the wildlings are concerned, I think one needs to separate the level of danger that wildlings present from that of the plantations that have been planted. There is a significant difference between the threat that established plantations present as opposed to wildlings. Nevertheless, we are very conscious that, to the extent that some areas of wildling are quite thick, they potentially, particularly in the future, will present a risk and they will be removed. In relation to many other wildlings, we are very concerned to address them or to seek to deal with them, to kill them or to remove them, before they seed themselves and perpetuate the problem.

So there is a range of strategies in place in relation to different areas and different circumstances in relation to pines, whether it be plantation or wildling, across the ACT depending on the circumstance.

Alexander Maconochie Centre

MR SESELJA: My question is directed to the Treasurer. Treasurer, the recent second appropriation bill provided for an additional capital injection of \$2.54 million into the Alexander Maconochie Centre. This is on top of the \$128 million already appropriated on your prison—an amount that the Canberra community was told would be the absolute maximum of expenditure on this project. On 11 May 2006 the Attorney-General, Mr Corbell, said:

The bottom line is that the project will not cost more than the budget provision. That is the requirement the government has put in place, and that will be the way it is delivered.

Did Mr Corbell mislead the Assembly on 11 May 2006 when he claimed that “the project will not cost more than the budget provision”?

MR STANHOPE: Mr Corbell expressed the government's position as it presented at that time. The government's position has changed in the context of expenses, particularly cost of construction and the extent to which cost of construction of all projects in the ACT has changed dramatically over the last couple of years as a result of the level particularly of commercial activity and construction activity in the ACT. I think over this last couple of years the ACT has led the nation in not just the level of construction activity but also the extent to which that level of construction has been maintained and the extent to which construction costs have increased.

It was my position, as Attorney-General and Minister for Corrections at the time the prison project was initiated, that the project would come in at \$128 million. As a consequence of that particular policy position, as the project progressed and as costs of construction escalated for that project—as they have with every other major construction project in the ACT, private and public—we maintained that position.

As the project now enters the last six months, there are—in the context of some of the cuts made to the project—some potentially unfortunate outcomes that I and the Attorney believe will impact on our capacity to achieve the level of rehabilitation services or support that the entire philosophy underpinning the Alexander Maconochie Centre relies on.

As a result of that I, in consultation with the Attorney, resolved that, for the sake of an additional \$2.5 million, it was important that we seek to re-establish or ensure, to the extent that we could with that very minimal level of additional funding, some of the outcomes central to the philosophy or the reason for establishing the prison in the first place—namely, our capacity to deliver the level of support and rehabilitation—accepting that there are two areas in which cuts would impact on the management of the prison under the philosophy we have arranged, namely cuts to sport and recreation facilities and a gym and, more important than that, a reduction in the size of the transitional release centre.

My major concern in shearing the project in terms of its capacity to deliver what we truly hope to deliver at Alexander Maconochie Centre was a winding back of the transitional release centre. This funding will go some way to addressing both of those concerns. It is minimal funding—2.5. It is a matter of regret that we did not remain within the 128, but in the context of a project of that size, I am comfortable that, to ensure that we meet the aims that we seek for this project, we spend another \$2½ million.

MR SESELJA: Mr Speaker, I have a supplementary question. Treasurer, will you rule out any additional expenditure over and above this extra appropriation in order to complete this project?

MR STANHOPE: I have absolutely no advice to suggest or expectation that we will be providing any additional or further funds to complete the Alexander Maconochie Centre.

Schools—Harrison primary

MRS DUNNE: My question is to the Treasurer. The second appropriation bill provides funding of \$1.42 million for cost blow-outs associated with the construction of Harrison primary school. Treasurer, why have the costs of this project increased so markedly since the previous appropriation bill?

MR STANHOPE: This is a wonderful project. This question gives me an opportunity to indicate the extent to which my government's unprecedented investment in public education is being supported by the community. With respect to the Liberal Party's philosophy, as expressed by the shadow minister for education, we do not regard this additional funding for Harrison—

Mrs Dunne: On a point of order, Mr Speaker: under the standing orders, if a member asks a minister a question it does not give him the opportunity to talk about anything he wants. He was asked a specific question about the second appropriation bill and the \$1.42 million. He can't talk about anything else that he wants to talk about.

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

MR STANHOPE: I must say, Mr Speaker, that I thought I was. I was talking about the investment of \$1.4 million in Harrison primary school being part of an unprecedented investment by this government in public education—an investment now, and in the last couple of years, that has been in excess of \$350 million. I do not see how that is not relevant to the question about funding for a public primary school.

What we are doing here is consistent with our attitude to the importance of education, and particularly public education, which is the great equaliser and the single greatest illustration of a government's commitment to the good old Aussie iconic character of a fair go. There is nothing that exemplifies the spirit of a fair go more than a government's commitment to quality public education. I am not a bit embarrassed that, in order to maximise the wonderful returns that I know and the people of Gungahlin know Harrison primary school will return, we are adding an additional \$1.4 million to the already in excess of \$350 million that we have provided for public education in the last couple of years.

I know, and we all know, that Mrs Dunne regards this \$1.4 million as another \$1.4 million of good money being thrown after bad. We all know that. I can't remember a single instance when Mrs Dunne has applauded any initiative that this government has taken in relation to public education—not the establishment of a new school in Belconnen and not any aspect of this massive investment of \$350 million. Not once has there been an acknowledgement that this is good money being delivered to serve a good purpose. It is a matter of pride to me in the first instance that we are building a fantastic state-of-the-art primary school in Harrison. I think it is absolutely fantastic that, in the last two years, we have invested an additional \$350 million in public education, and the fact that we can now add to that an additional \$1.4 million for this particular purpose through this second appropriation bill is excellent.

The approved budget for Harrison primary school was \$22,950,000. We have agreed to provide this additional funding, and we are doing it through a second appropriation, to allow for a number of tenders which came in over budget, most notably the landscaping tender. Through this we are ensuring that we have constructed what I am sure every parent and every visitor to Harrison primary school would regard as perhaps the primary school par excellence in the ACT and Australia. You can go out and talk to the parents about it, and discuss with the department of education the waiting list and the number of parents who desperately want their children to go to this school. There has been a commitment by us to expend additional funds to ensure that the landscaping, the appearance and the amenity of this school match the excellence of the infrastructure and the educational fit out that is part and parcel of this wonderful school that the government is building at Harrison.

So, yes, in the tight market that we have, in an environment where unemployment is 2.5 per cent, where we see at every turn instances of the fact that we have the strongest and fastest growing economy in Australia, there is enormous competition for resources, including labour. Construction prices have gone through the roof, as has every other aspect of trying to construct or run a project. We see it in the construction of the Alexander Maconochie Centre; we see it in the construction of our schools, just as the private sector does in all the work that needs doing. (*Time expired.*)

MR SPEAKER: Supplementary question, Mrs Dunne?

MRS DUNNE: Treasurer, why has your government been unable to more accurately forecast the cost of capital works projects?

MR STANHOPE: There are a whole range of major capital works projects underway in the ACT. In fact, there is an unprecedented level of capital work. I think we exceeded \$250 million in capital works in the last financial year. That is the highest level of capital works expenditure in the history of self-government—a level of capital expenditure that is possible as a result of the strength of the budget, our balance sheet and the bottom line: the fact that we have just returned our sixth consecutive surplus.

This is a level of capital expenditure that could not have been undertaken by the Liberal Party. They delivered four consecutive deficits, to the tune of around \$800 million. They could not possibly have sponsored a capital works program or budget of this order.

We need to take these things into account. One of the reasons that there are so many capital projects in the first instance—consuming somewhere in the order of \$250 million over the last year—is the strength of our balance sheet, our bottom line, our budget: the fact that it is sustainable into the future, that we have done the hard work, we have taken the hard decisions, we have got a budget that is now truly sustainable. So we are able to invest in the infrastructure that has been ignored and neglected.

It has to be said that one of the reasons we are investing \$350 million in public education is that we are taking up some of the slack of the shortfall which occurred as

a result of a non-investment in infrastructure in previous years, particularly under the previous government.

You suggest that an additional \$2 million in the \$128 million Alexander Maconochie prison project is a blow-out in costs—\$2 million on a \$128 million project. You refer to the fact that we are investing an additional \$1 million or \$1.4 million in Harrison primary school, a \$22 million project, to ensure excellence across the board—not just in the school itself and its educational fit-out. Perhaps you would need to refer the question to the issue around the standard of fit-out—in the context of what the classrooms offer, what the teaching facility and support offers and what the IT that has been incorporated in the school might be—to have some idea of the standard that we are delivering in our school construction program.

We are also conscious of the continuing drift away from the public sector. We have taken a conscious decision that issues around appearance, maintenance and aspect in every aspect inside the school walls and external to the school walls are fundamentally important. We are prepared to invest in public education at every level within the school walls and within the school grounds.

In the second appropriation bill there are a number of investments in education of which we are enormously proud, whether it be curriculum support for expertise in physical education, languages and the arts, whether it be in relation to the additional \$3.3 million for Indigenous education or whether it is our support for the national assessment program. There are significant additional funds for student welfare and pastoral care. And there is support for the non-government sector.

There is record expenditure on education under this government: an additional \$1.4 million to ensure that there is a really great new primary school—it is more than great; it is absolutely fantastic. It is begrudged by the Liberal Party because, as we all know, it is “good money after bad”. If there is an opportunity to condemn any aspect of public education and its delivery, Mrs Dunne will be there in a flash—you can barely see her move—to deliver the criticism. Whether it be in relation to principals, the management of schools or their infrastructure, Mrs Dunne will be there heading the queue to criticise, damn and condemn—to damn, to condemn, to criticise, to put down, to drag down public education.

We all know that Mrs Dunne has no philosophical or other interest in or support for public education. We all know that. She displays it and illustrates it particularly with that catchcry which she now proudly owns, which she has never apologised for, and which her leader supports through his silence and his complicity—that any funding for public education is throwing good money after bad. It is a matter of shame that this is the formal view of the education spokesperson. And her leader, Bill Stefaniak, endorses it through his silence.

MR SPEAKER: Order! The semaphore between members and visitors in the gallery should stop.

Occupational Health and Safety Council

MR SMYTH: My question is to the Treasurer and acting Attorney-General. Minister, the second appropriation bill provides funding of nearly \$2 million over four years for

the retention of the OHS commissioner after the restructuring of the Office of Regulatory Services. An initiative from the 2006-07 budget was—and I quote from the explanatory statement to the Occupational Health and Safety (Regulatory Services) Legislation Amendment Bill 2007—to consolidate “various ACT regulatory agencies into a single, coordinated ORS agency to achieve economies of scale and to remove unnecessary duplication of regulatory costs across government”.

Minister, why is additional funding needed merely to retain the OHS commissioner? Why was this cost not mentioned in the explanatory statement or in the briefings on the Occupational Health and Safety (Regulatory Services) Legislation Amendment Bill 2007?

MR STANHOPE: Thank you, Mr Speaker. This is an issue that actually at one level has bedevilled the management of the commission—the Office of Regulatory Services, as it now is—for some years. I think the genesis of the decision that was taken to incorporate additional funding within the second appropriation was as a result of a decision, I admit, that was taken between the finalisation of last year’s budget and the settlement of the second appropriation. That was a decision that was taken around appropriate levels of funding for the commissioner in relation to those statutory obligations which the commissioner has. They are obligations which I do not think had ever been recognised through discrete funding.

There were a number of issues in relation to the management, the structure and the reporting arrangements and, specifically, issues around an appropriate level of funding for the carrying out of the statutory responsibilities of the commissioner. This additional funding recognises that. You could say this in relation to any second appropriation bill, and the issue was touched on yesterday in a question—“If there are additional priorities that you wish to fund between budgets, use the Treasurer’s advance.” As I explained yesterday, we took the decision in relation to this. There are items in here that could certainly have been funded through a Treasurer’s advance, but to the extent that we had decided to introduce a second appropriation, why would you not include any additional item of intended expenditure in an appropriation bill for the purpose of transparency and accountability and to allow an estimates process to proceed?

Of course, to the extent that question time today is really just a quasi estimates hearing—indeed, I am appearing before the PAC for the purposes of estimates in relation to the second appropriation bill at 9.30 next Monday—

Ms MacDonald: You won’t need to after today.

MR STANHOPE: I presume I can cancel my appearance before the public accounts committee next Monday in which, of course—

Opposition members interjecting—

MR SPEAKER: Order!

MR STANHOPE: It is a fair point. Every one of the questions that was asked today is an estimates committee question on the detail of the second appropriation bill. To

the extent that the opposition is beating away from its doors the political geniuses that determine its political strategy, I presume the questions were designed to actually demonstrate the fact that I have got no idea what is in the second appropriation bill because I do not have my estimates committee papers with me—which, in fact, I do not—in which far more helpful material in relation to the questions that you ask could have been obtained. I think it is interesting and illustrative of the attitude of the opposition to question time. The fact that you ask these questions today, when I do not have a set of papers on the second appropriation bill with me and I am going on—

Opposition members interjecting—

MR SPEAKER: Order!

MR STANHOPE: These are the papers that I would normally bring to question time. It actually suggests, of course, that the Liberal Party are not interested in the answers to any of these questions. You are not interested in the answers at all. You simply ask them for the purpose of making some obscure political point.

Mr Seselja: It is because he does not know the answer.

MR STANHOPE: I do know the answer. I have just given the answer. The answer is that we do not stand still. We do not actually put a budget to bed, as we did for the 2007-08 budget some months ago, in April-May, and say, “Well, that’s it. We won’t think about the Occupational Health and Safety Commissioner for another year until we develop next year’s budget.” We continue. It is a process that is very active, which we maintain.

During the period that the budget was finalised and now, a period of some six months later, we, across offices and within cabinet, held a number of discussions around appropriate levels of support for the Occupational Health and Safety Commission and the Office of Regulatory Services. We arrived at a new policy position in relation to the range of functions that we believe it will be appropriate to fund. This appropriation of an additional \$425,000 in the coming financial year reflects those decisions of the government.

Occupational Health and Safety Council

MR MULCAHY: My question is to the Minister for Industrial Relations. Minister, you recently announced the appointment of the deputy chief executive of the Chief Minister’s Department to the ACT Occupational Health and Safety Council as a “member representing employers”. I understand that this person was chosen as a representative of the ACT public service in its capacity as an employer. At the same time there are already representatives of the ACT government on this council. Minister, why have you appointed a public servant to this council rather than a person who works in the private sector in the ACT as is custom and practice?

MR BARR: My understanding is that this is a continuation of an appointment of a representative from within the ACT public service on the council. In fact, there are other employer representatives on the council that do represent employers in the

private sector. So this is not a change in practice. In fact, a representative from the ACT government, as a significant employer in the territory, has been on this council for some time. So there is no change in policy here, Mr Mulcahy; it is simply a continuation of a previous arrangement and, of course, there is more than one employer representative on the council.

MR SPEAKER: Supplementary question, Mr Mulcahy?

MR MULCAHY: Yes, thank you, Mr Speaker. Minister, did you consult any employer or industry organisations about this appointment, and what were their responses?

MR BARR: Yes, there was broad consultation around the appointment of the council—in fact with all of the stakeholder groups—and there are representatives, I understand, from the chamber of commerce and a number of other employer organisations on the council. It is a broadly representative body that contains representatives of both employers and employees. It has operated very effectively over a number of years and continues to operate very effectively, providing sound advice to government. I look forward to working with the new council. We have a couple of major areas that we need to consider in relation to the new OH&S act and of course the review of workers compensation in the territory. This council is getting on with the important business of government and we look forward to working with it.

Arts—funding

MR PRATT: My question is to the Treasurer. The second appropriation bill shows an increase of \$114,000 for the per cent for arts scheme, the majority of it coming as a capital injection. This is on top of \$2.3 million committed in the 2007-08 budget. In dismissing tax relief for the people of Canberra, you compared the \$17 million cost of scrapping the utilities tax to treating 3,500 patients in the ACT health system. Using your own formula, why has your government made the decision to sacrifice the treatment of 497 patients to enable the construction of artwork?

MR STANHOPE: The point that needs to be made is that I am not proposing to abolish the utilities tax and I am not proposing, as the shadow minister for the arts is, to defund the arts. It has to be said that the shadow minister for the arts, Mr Mulcahy, must be the only shadow minister for arts in the world who constantly advocates for less money for the arts.

It is an absolutely remarkable position: the shadow minister for the arts in the ACT actively campaigns against arts funding. It is a unique position, even in the context of the election which will come to a conclusion, mercifully, on Saturday. I cannot recall, in the thousands of hours of television advertising, a single member of the opposition, in their area of particular policy responsibility, campaigning by saying, “If you elect me, I will spend less money on the environment,” or “If you elect me, I will spend less money on the arts,” or “If you elect me, I will spend less money on health.” In the ACT, the philistine is afoot and is campaigning relentlessly for less money for the arts. Of course, the arts do suffer in politics from a want of advocates and champions.

Mr Pratt: How many mausoleums do we need?

MR SPEAKER: Order, Mr Pratt!

MR STANHOPE: There are not many champions in politics or the arts. Just as we discover in relation to the backflip by the Liberal Party in this place, for instance, on the construction of a prison for the ACT, there are no champions for prisoners or for corrections reform. These are not political bestsellers; they are not designed that way.

There is a whole range of issues. It is one of the sad aspects of politics: politicians run a mile from those issues of real significance to the wellbeing of a community, for a well-constructed community, so as not to be associated with them. You can name them. You see them today in this amazing revelation of the Jackie Kelly Liberal Party lies in relation to—

Mr Mulcahy: On a point of order, Mr Speaker: this is not at all relevant to the question.

Mr Hargreaves interjecting—

Mr Mulcahy: Mr Hargreaves, pull your head in for a minute. This is not relevant to the question. I ask that you call him to order.

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

MR STANHOPE: We as a government are prepared to stand by and for the arts. It is an area of legitimate government expenditure. There is a broad constituency. And over and above the broad constituency that have an expectation that a government will nurture the cultural health, welfare and wellbeing of a community, there is an obligation, I believe, on any government to stand up for the arts, to seek to support cultural expression and cultural life, because of its inherent importance.

I believe strongly in the importance and power of the arts as a factor within society; as a reflection of the strength, health and wellbeing of society. It is always the way that, if you think there is an economic issue, you can address it by picking off the soft points. People do not rush out to defend the arts, just as they do not rush out to defend prisoners, prison welfare or corrections. They do not rush out, in John Howard's Australia, to defend Muslims, refugees, migrants, Indigenous people or single mothers. There are a whole range of individuals, issues and policy positions that most politicians, those without moral fibre, and those without the capacity to lead—

Mr Pratt: Don't you know Mal Brough?

MR SPEAKER: Order! Mr Pratt. That is the last time.

MR STANHOPE: There are genuine philistines—those that would, for the sake of a cheap political point, stand up, as a shadow minister for the arts and advocate, “If we come to government, we will cut funding for the arts; we won't have any of this nonsense, hocus pocus public art that is a reflection of the spirit of the city and of who we are,” but which is a fantastic thing to do. We could devote all of our budget to

health. We could do that. These are balancing acts—the decisions, the priority setting that any government does.

Mr Pratt: What did you make Clare Martin do, mate?

MR SPEAKER: Mr Pratt, I warn you. Cease interjecting.

MR STANHOPE: There is a lot of ground to make up as a result of the neglect of the arts over decades. We are attempting to do some small thing to make up some of the gap in support for the arts. It has been a feature of government within the territory for years.

MR PRATT: Mr Speaker, I have a supplementary question. Treasurer, what is the total cost of recently completed work under construction or planned artwork in the ACT, including artwork next to roads such as the GDE?

MR STANHOPE: I do not have those figures with me. To the extent that arts or culture encompasses things such as libraries and the new arts centre at Belconnen, as well as our public arts support for all the infrastructure and the programs of the Cultural Facilities Corporation and the Cultural Council, I do not have a generic or a broad number for all of the arts and cultural activity that the ACT government supports.

But I believe that we are currently responding to a request—it may even be from the Australian Bureau of Statistics; it is a national body that is collecting advice just now. I will take it on notice with the proviso that we are currently doing some work for an external source in relation to expenditure, commitment or support by this government to culture and the arts. When that work is concluded, I will be more than happy to make it available.

It might be some months away. We are doing the work. I am not going to replicate it. When it is concluded I will be more than happy to provide it to you. In doing that, I will provide it with pride. In the context of this government's commitment to the arts and culture, I will proudly stand by the level of support that we provide, including for public art and public street art—the sort of art that you vandalised when you illegally removed them. That was paid for by the ACT government. I will include the cost of that in the advice I provide Mr Pratt, the art that you illegally vandalised—

Mr Pratt: The police investigation didn't go too far, did it?

MR STANHOPE: Has that police investigation concluded? I do not have a clue. I will take advice. It is hard to keep up with all the police investigations that are on the way.

Mr Pratt: You failed Jon, you failed.

MR SPEAKER: You are on a warning Mr Pratt.

Tourism

MR GENTLEMAN: My question is to the minister for tourism. Could the minister provide the Assembly with an update on new tourism investments and incentives for the ACT?

MR BARR: I thank Mr Gentleman for his question and for his longstanding support for the tourism industry in the ACT. I say from the outset that it has been a very good year for tourism in the ACT. We have had a \$108 million increase in domestic overnight visitor expenditure in the territory—up to \$930 million in the 2006-07 financial year. Hotel occupancy rates have risen by three percentage points, to 73 per cent. I am very pleased to advise that takings from accommodation increased from \$159 million to \$185 million in the 2006-07 financial year. Visitors are staying longer: the average length of stay has increased to 3.2 nights, compared to 2.8 in the previous financial year.

Mr Mulcahy: Is it in your briefing notes—what your source of data is?

MR SPEAKER: Order, Mr Mulcahy!

MR BARR: This year we have seen the best ever Floriade. The theme “Aussie icons, myths and legends” resulted in the largest ever number of visitors through the turnstiles at Floriade. When the final figures are released, we are expecting that in the order of 395,000 visitors will have enjoyed what was the best ever Floriade. With the strong growth that we are seeing in this event, the next step is to find a permanent home. The government is currently investigating a range of sites. We hope to be able to announce a new, permanent site for Floriade next year.

On 9 November, I had the great pleasure of attending the Canberra and capital region tourism awards in our new, beautifully renovated National Convention Centre. That was \$30 million very well spent and is a great asset for the territory in attracting business tourism to Canberra. To build on this \$30 million, the government has provided additional funding for the Canberra Convention Bureau. This financial year the government is investing \$800,000 in the bureau; the investment will rise to \$1 million per year in 2009-10.

We need to constantly find new ways to better market ourselves and to stimulate demand for tourism in the region. The revitalisation of the “See yourself” brand creative is an example of this. This reinforces our branding position. It demonstrates the breadth of tourism experiences that we have to offer and also takes the opportunity to challenge some of the negative perceptions and stereotypes of our city.

The government is committed to enhancing the range of tourism experiences on offer in Canberra and the region. Through significant funding for initiatives such as Tidbinbilla nature park and Stromlo Forest Park, we are building on this diversity of tourism experiences.

Stromlo Forest Park, spread over 400 hectares, includes a purpose-built event pavilion, a criterium cycling circuit, the newly opened Rob de Castella cross-country

running track and a range of mountain bike tracks. Stromlo Forest Park is the first of its type in Australia—possibly in the world. It has the capacity to host a range of major national and international events. We look forward to being able to host the world mountain bike and trials championships as well as the mountain bike world cup and a range of other major events at Stromlo Forest Park.

Looking ahead to 2008, in the world of sport we will see an influx of cricket-mad Indians and Sri Lankans for Canberra's biggest ever summer of international cricket. The 2008 AFL draw sees Manuka Oval hosting four matches involving the Sydney Swans, the Western Bulldogs and the Melbourne Demons, amongst others, in February, March, June and August next year. We are also hosting a Rugby League World Cup team in October. We will be seeing France and Scotland go head to head at Canberra Stadium. In November, we will see the Pacific School Games come to Canberra. I am very pleased to advise the Assembly that, with the addition of basketball to the program, this means that an additional 600 athletes are coming to Canberra, taking the total for the week-long event to 4,100 athletes and more than 600 teachers and officials as well as thousands of families and spectators.

Even with these significant events, it is important that we maintain a vibrant and responsive approach to the changing needs of tourists. That is why the government is investing \$400,000 in upgrading the visitcanberra.com.au website. That site attracted more than 850,000 visits last year, up 26 per cent.

We are also investing \$320,000 in a package to enhance cooperative marketing activity with the airlines. I would like to particularly put on the record our welcoming of the additional flights that Qantas is putting on to the city; Virgin Blue back on the Canberra-Sydney route; and the addition of Tiger Airways flying into the ACT—all great news for our tourism industry.

We need to continue to build on this. We need to diversify our events calendar. That is why the government is investing \$225,000 in the development of a five-year event attraction strategy.

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

Personal explanation

MR PRATT (Brindabella): Mr Speaker, I want to make a clarifying explanation under standing order 46.

MR SPEAKER: Have you been misrepresented, Mr Pratt?

MR PRATT: Very clearly so, Mr Speaker.

MR SPEAKER: Please proceed.

MR PRATT: I refer to the Chief Minister's comments in question time today, firstly in relation to the statement made about the family and community day holiday. For the record, my car was in the car park that day.

Mr Barr: But were you in it?

MR PRATT: I was in my office. I understand a car or two of other staff members working in the office were there as well.

I go to the second issue, Mr Speaker. Today Mr Stanhope said words to the effect that you would never find the Liberal Party supporting a Muslim religious day. On 10 September, the opposition ran a function celebrating Ramadan in support of the ACT Muslim community, at which were present most of the leaders of the Muslim community, not to mention six Muslim country ambassadors. Every Labor Party MLA was invited—

MR SPEAKER: Order! Just keep it personal; otherwise you can sit down.

MR PRATT: Every Labor Party MLA was invited—

MR SPEAKER: Order!

MR PRATT: I am just saying it to clarify it.

MR SPEAKER: I am not going to allow you to attack other members of this place by way of a personal explanation, Mr Pratt.

MR PRATT: The personal explanation is that everybody was informed and invited, and the matter was recorded in *Hansard*; therefore the Chief Minister was aware—

MR SPEAKER: Order! Resume your seat. You will not get my leave to start a debate by way of a personal explanation. You have made your personal explanation—

MR PRATT: Mr Speaker, the Chief Minister has lied about this.

MR SPEAKER: Sit down. Withdraw that. Just withdraw it.

MR PRATT: Mr Speaker, Jon Stanhope is a bloody liar.

MR SPEAKER: I name you, Mr Pratt.

Motion (by **Mr Gentleman**) put:

That Mr Pratt be suspended from the service of the Assembly.

The Assembly voted—

Ayes 8

Noes 5

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

Question so resolved in the affirmative.

Mr Pratt was therefore suspended at 3.35 pm for three sitting hours in accordance with standing order 204, and he accordingly withdrew from the chamber.

Paper

MR STANHOPE (Ginninderra): Mr Speaker, I would like to table a false and defamatory leaflet issued by the Liberal Party defaming the Islamic people of Australia, supported by the Liberal Party and distributed by the Liberal Party. I table the following paper:

Islamic Australia Federation—Purported flyer for the 2007 Federal election.

Personal explanation

MRS DUNNE (Ginninderra): Mr Speaker, I want to make a statement under standing order 46.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Mr Speaker, I have three points to make in relation to standing order 46 about issues that arose in question time today.

The Chief Minister said in answering one of the questions that I never come out in support of government initiatives in relation to education. I refer members to the Chief Minister's press release of 14 November 2007 where he noted my support for measures in the appropriation bill. So the Chief Minister was making that one up.

The Chief Minister on regular occasions says that I said that spending on government schools was putting good money up after bad. Under standing order 46, I think on two separate occasions, I have put that quote in context. I will do so again today. What I have said on a number of occasions is this. I draw members' attention to page 3,567 of *Hansard* of 15 November last year. I said:

Mr Barr has said that the \$90 million of capital injection is to address the drift to the non-government school system. I do not know whether, by building a new assembly hall at Chapman primary school, the children in Weston Creek are going to be more likely to attend a government school over a non-government school ...

I went on to say:

That is why I say they run the risk of putting good money after bad. We do not say, "Do not spend the money." We say, "Inform yourself first."

On a number of occasions, including today, the Chief Minister has said that I have no ideological or any other commitment to the government school system. I again put on

the record that at the current moment all of the Dunne children who are attending school in the ACT are attending government schools, and I am very pleased with it.

Mr Stanhope: Good money after bad.

MRS DUNNE: You can lie and twist all you like, but it is on the record.

MR SPEAKER: Order! Withdraw that, Mrs Dunne.

MRS DUNNE: Mr Speaker, I will withdraw it, but I would like to seek your guidance as to what you will do about the Chief Minister, who consistently misrepresents what people say in this Assembly, in and out of season.

MR SPEAKER: Just resume your seat. Chief Minister, cease interjecting.

Papers

Mr Speaker presented the following papers:

Australian Electoral system—Impact of changes on the ACT—Resolution of the Assembly of 17 October 2007—Letters from the Chief Minister to—

The Speaker, dated 15 November 2007.

Mr Alan Griffin MP, Shadow Special Minister of State, dated 15 November 2007.

The Hon. Gary Nairn MP, Special Minister of State, dated 15 November 2007.

Ms Gallagher presented the following paper:

Gene Technology Act, pursuant to subsection 136(2)—Operations of the Gene Technology Regulator—Annual Report 2006-07, dated 12 September 2007.

Roads and Public Places (Fees) Determination 2007 (No 2) Paper and statement by minister

MR HARGREAVES (Brindabella—Minister for Territory and Municipal Services, Minister for Housing, Minister for Multicultural Affairs) (3.39): For the information of members, I present the following paper:

Disallowable Instrument DI 2007-290 being the Roads and Public Places (Fees) Determination 2007 (No 2).

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

Leave granted.

MR HARGREAVES: On 13 November 2007, I made a statement to the Assembly concerning licence fees for outdoor cafes in public places. I indicated that it was my

intention to table a revised disallowable instrument which would reduce fees to the level they should have been under the government's 2005 cafe licence fee policy. I also indicated that businesses which paid higher than intended fees in 2006-07 and in this financial year would be refunded the full amount of the overpayment and that fees for the use of road verges for vehicle displays would be reduced to maintain parity with the outdoor cafe fees.

This fee determination, which was made under the Roads and Public Places Act 1937, fulfils my commitment to the Assembly. The determination reduces the licence fees for the balance of the financial year 2007-08 for outdoor cafes and for the use of road verges for commercial vehicle displays. The determination also provides for the refunding of overpayments to business owners who paid higher than intended fees in 2006-07 and in this financial year.

It is worth pointing out that, when my department miscalculated fees in previous years, there were some instances where the fees set were lower than the government's policy intended. Where this has occurred, the instrument does not retrospectively increase those fees; nor is it intended that such shortfalls will be deducted from refunds. As I indicated to the Assembly on 13 November, this determination will take effect from the date of its notification, which was yesterday, 21 November 2007.

The determination does not change other fees made under the Roads and Public Places Act. The revised annual fees for 2007-08 are \$67.35 per square metre in busier areas of Civic, Manuka and Kingston; \$56.25 per square metre in quieter areas of Civic as well as the town centres and some of the busier suburban shopping areas such as Dickson and Braddon; and \$45 per square metre elsewhere.

Canberra's outdoor cafe fees compare very favourably with fees in other cities. I am advised, for example, that Wollongong City Council charges \$45 per square metre in the suburbs and up to \$165 per square metre in its Crown Street Mall. Charges in Newcastle range from \$75 a square metre in the inner city to \$40 a square metre in other areas, although the Newcastle City Council also charges an outdoor dining marker fee of \$140 per dining area.

Outdoor cafe fees in Brisbane range from \$90 a square metre in the suburbs to \$314 a square metre in the Brisbane CBD. The Brisbane City Council also charges an initial application fee of \$494 and a renewal fee of \$145. The Gold Coast City Council's pavement rental fees range from \$168 per square metre to \$263 per square metre. Sydney city council's fees for pavement use range from \$215.80 per square metre in Glebe to \$577.20 a square metre in Circular Quay. Manly Council's fees range from \$135 a square metre in Beatrice Street to \$600 a square metre along the Corso.

In the coming weeks, I will be meeting with industry representatives to discuss the finer details of the refund arrangements for these fees.

Housing

Ministerial statement

MR HARGREAVES (Brindabella—Minister for Territory and Municipal Services, Minister for Housing, Minister for Multicultural Affairs) (3.43): I seek leave to make a ministerial statement concerning housing.

Leave granted.

MR HARGREAVES: I thank the other three members of the house who are in the chamber; I know they all have an abiding interest in issues to do with housing. I was a bit disappointed—oh, hello, Mrs Burke.

Mrs Burke: Sorry.

MR HARGREAVES: Apologies accepted, Madam Temporary Deputy Speaker.

MADAM TEMPORARY DEPUTY SPEAKER (Mrs Dunne): Mr Hargreaves, can you get on and make your statement and not make disorderly comments across the chamber.

MR HARGREAVES: I certainly will; I know you are anxious to hear it so I will get on with it.

This government recognises that it has a critical duty to target social housing to those members of the community who are most in need. Housing ACT has recently introduced a new initiative known as “housing now” to allocate low-demand dwellings to willing applicants on the housing register. Today I would like to outline the development of this strategy and inform the Assembly about its progress. On a serious note, I know that Mrs Burke has been critical of the government in terms of the turnover rate of vacant properties.

Mrs Burke: Lack of, yes.

MR HARGREAVES: Yes. She has been concerned about the turnover rate and has been critical of the government in relation to that. She will be very interested in the strategy that we are now using to address that turnover rate.

Mrs Burke: My pressure has worked then. I am doing my job; that is good.

MADAM TEMPORARY DEPUTY SPEAKER: Mrs Burke, order, please!

MR HARGREAVES: I said quite sincerely that you will be very interested in hearing this.

MADAM TEMPORARY DEPUTY SPEAKER: Mr Hargreaves, can you address the issue—

MR HARGREAVES: I was telling you that she was interested.

MADAM TEMPORARY DEPUTY SPEAKER: rather than run a narrative like this?

MR HARGREAVES: I was telling you, Madam Temporary Deputy Speaker, how interested Mrs Burke was going to be.

Our dilemma—the dilemma for governments and housing authorities across Australia—is how to manage the competing priorities for housing assistance in an extremely tight housing market. There are many groups in our community requiring social housing; and they have very diverse needs. These groups include, for example, young people who are at risk of becoming homeless or are experiencing various forms of discrimination in the private housing market. They also include older people whose housing needs may have changed; women and children experiencing domestic violence; people with disabilities and mental illness—we talked about that today—and Aboriginal and Torres Strait Islander people who may be experiencing discrimination in the private rental market.

As we all know, some people have more choices in life than others. In the matter of housing, this government is particularly concerned about the choices. In June 2006, Housing ACT implemented a new priority allocation system with a stronger focus on those most in need, by replacing the previous four waiting list categories with three need categories: priority housing, high-need housing and standard housing.

Notwithstanding the demand for suitable dwellings for public housing applicants, there are some properties that do not meet the specific needs of high-need applicants and are therefore hard to let. In the interests of full utilisation and effective management of public housing stock, we need to find strategies to allocate all available properties. The housing now initiative, implemented as a pilot program in August 2007, provides another avenue for this to occur.

Let me describe in some further detail how this initiative has been implemented. Registered applicants are contacted by Housing ACT about the availability of the scheme. Available dwellings are advertised at the applicant services centre at Belconnen, on the Department of Disability, Housing and Community Services internet site and through relevant community services.

Interested applicants are invited to inspect a number of vacant dwellings with a view to lodging an expression of interest. In best-practice housing, this is known as choice-based letting. It offers applicants the choice of available properties and the opportunity to register their interest in a property similar to the way it is done in the private rental market. In the event that more than one applicant expresses an interest in a particular property, the property is offered firstly to applicants in the highest need category and then by date of application.

Hard-to-let dwellings are also utilised for the transitional housing program, which provides housing options for clients exiting supported accommodation assistance programs, SAAP programs. Since the commencement of the pilot in August 2007, 63 hard-to-let properties have been allocated to applicants. Forty-five of those properties were in multi-unit complexes that were difficult to let. A further 18 properties have been allocated to eligible applicants where a property had previously been refused three or more times. These hard-to-let properties are located at Oaks Estate, Kanangra Court, Stuart Flats and Gowrie Court.

The benefit of this approach is obvious. It will offer improved stock utilisation, which will mean that we can house more people within our existing stock numbers. It also

reduces vandalism caused by long-term vacant properties and ultimately benefits applicants for public housing who may otherwise be waiting for a property for some time.

To give a more complete picture of how we are improving access to housing assistance within our available resources, I would like to take this opportunity to inform the Assembly about the positive impact of the changes to eligibility criteria for public housing announced in June 2006. Under the new system, priority applicants are currently being housed, on average, within 73 days, compared with an average waiting time of nine months under the previous system. In June this year, there were just 1,213 people waiting for public housing, compared with more than 2,400 in June 2006 and 3,000 in June 2005. Housing ACT expects to allocate 900 properties this financial year; that is 900 families and singles who will have a new home. I think that is really something; it is why I am in this game.

In conclusion, I would like to emphasise that these initiatives, which are targeted to the high-need end of housing assistance, form part of the government's overall approach to addressing the crucial issue of housing affordability. As members are well aware, in April 2007 the ACT government announced the affordable housing action plan. Under the action plan we announced a range of important measures around land release, low-cost blocks, and low-cost private rental.

At the higher-need end of the spectrum, the plan includes an expansion of community housing in the territory to increase the supply of affordable rental properties and dwellings in the ACT. Community housing is a small but important element of the social housing mix, meeting important social needs and providing critical support to people experiencing housing stress. The expansion of community housing will see Community Housing Canberra become a major provider of affordable housing in the ACT. This is a not-for-profit company that operates both as a community housing asset manager and a provider of affordable housing.

The ACT government is providing Community Housing Canberra with an injection of equity of \$40 million through the final transfer of title of 135 properties under Community Housing Canberra's control. The company will leverage that to increase the amount of available affordable housing. The ACT government will also provide Community Housing Canberra with land at market prices and with a revolving \$50 million loan facility at government borrowing rates, \$3.2 million capital and a \$250,000 annual capital subsidy for three years.

In return, Community Housing Canberra will develop an additional 500 affordable dwellings over the next five years, increasing to more than 1,100 over the next 10 years. Finally—as we will do for public housing tenants—Community Housing Canberra will offer a shared equity program to eligible tenants to enable them to buy their homes. The reforms I have outlined today will greatly assist the Canberrans who are most in need of housing support. I commend the reforms to the Assembly.

Water—Canberra supply

Discussion of matter of public importance

MADAM TEMPORARY DEPUTY SPEAKER (Mrs Dunne): Mr Speaker has received letters from Mrs Burke, Dr Foskey, Mr Gentleman, Ms MacDonald,

Mr Mulcahy, Mr Seselja, Mr Smyth and Mr Stefaniak proposing that matters of public importance be submitted to the assembly. In accordance with standing order 79, he has determined that the matter proposed by Mr Gentleman be submitted to the Assembly, namely:

The importance of securing Canberra's water supply and the ACT Government's record in effective water demand management.

MR GENTLEMAN (Brindabella) (3.53): Today, as you have outlined, Madam Temporary Deputy Speaker, I would like to speak about the importance of securing the ACT water supply and, more specifically, the ACT government's excellent record in delivering a suite of successful water demand management programs and initiatives.

The ongoing work of the ACT government to further assist Canberrans to reduce their water use and therefore decrease the demand on water from our dams has been and remains one of our highest priorities. Water security planning and management have entailed substantial investigation into the ACT's water supply and demand requirements. The dominant issue is the provision of an adequate water supply for both the short term and the long term—to ensure an adequate future water supply for the ACT.

Water security planning entails effective demand management. Water demand management refers to the implementation of policies or measures that control or influence the amount of water used. It is achieved through increasing the efficiency of water use by discouraging the wasteful use of water.

Demand management can be achieved by changes to devices or appliances to use less water in our buildings and gardens, for example through rebate and incentive programs, regulations and water efficiency labelling and standards; utilising different sources of water, such as recycled water; water-sensitive urban design; and changes in behaviour through education, permanent water conservation measures, temporary water restrictions and the price we pay for our water.

The ACT government has adopted an effective demand management policy and incentive program for some years. The journey began with think water, act water, the ACT strategy for sustainable water resource management. The aim has been to use water efficiently and reduce dependence on potable water, therefore decreasing demand for water from our dams. A range of measures have been implemented to assist Canberrans to meet these objectives.

Think water, act water includes a range of demand management actions. The strategy sets a target of decreasing per capita mains water use by 12 per cent of 71.60 gegalitres by 2013 and by 25 per cent of 77.44 gegalitres by 2023. These targets are to be met through water efficiency measures to reduce required use and through mains water source substitution such as water recycling, the use of stormwater and rainwater and recharging aquifers. For members' interest, let me say that I have been looking at rainwater harvesting at my place and am in the process of installing a water tank there.

Think water, act water includes a second target focused on increasing the use of water sources other than the main storages. The target is to increase the use of treated

wastewater, reclaimed water, from five per cent to 20 per cent by 2013. The intention is for this target to be met by source substitution as part of the potable water reduction target.

The ACT government's water efficiency incentives program, an initiative to move towards meeting potable water targets, commenced in 2004. The program is administered by Sustainable Policy and Programs, Territory and Municipal Services, and targets the residential, commercial, government and school sectors, to encourage water savings through incentive rebates, audit recommendations and educational information and advice. It includes the implementation of water-sensitive urban design principles.

Specific program achievements include the following. More than 2,331 GardenSmart tune-ups and more than 7,260 WaterSmart homes tune-ups have been completed since the government's garden and home water tune-up program commenced in December 2004. Some 589 single-flush toilets have been replaced with dual-flush toilets, thanks to a \$100 per toilet rebate program. And 10,953 shower head rebates have been provided under the think water, act water program. The rainwater tank rebate program has resulted in 1,216 rainwater tank rebates and 52 internal connection rebates being issued. Assistance has been provided to the commercial and institutional sectors through the provision of data logging of water consumption and walk-through water audits. To date 79 commercial audits have been conducted.

WaterSmart homes registrations closed on 27 July 2007. Several companies accredited in the ACT under the ACT-NSW greenhouse gas abatement scheme are now providing services to supply and install water-efficient shower heads and energy-efficient light bulbs at no cost to ACT residents. I have taken up the scheme with the light bulbs: we had an audit at home, and all of my original incandescent light bulbs have been replaced with neon units; it makes a huge difference to one's electricity bill.

These programs allows the ACT government to redirect WaterSmart homes funding into other programs like the GardenSmart service and to look at developing new programs to assist households to be more water efficient. The ACT government is working with government and non-government schools to improve water efficiency through its sustainable schools program. Twenty-two audits have been completed; a further 20 schools will receive water audits to identify water savings in their school grounds and buildings in this financial year.

The planning and environment committee has visited a couple of schools and had a look at their water and sprinkler systems. We went to the boys grammar school and looked at the new system there, called KISSS, which installs dripper systems in place of overhead sprinkler systems. That is a very efficient program.

As the effects of climate change become clear, we must ensure that we are all prepared. The government's water efficiency initiatives will help Canberrans to help introduce water-saving measures to their homes, business and schools. Since think water, act water commenced, \$6,109,000 has been spent on the water efficiency incentives program from 2003-04 to 2006-07. Indications to date are that the programs administered under think water, act water have reduced the use of drinking

water by approximately 13 per cent, which is already in excess of the strategy's target of 12 per cent by 2013. Indeed, estimates indicate that the continuation of the existing and recently funded programs should meet the target of 25 per cent by 2023. The ACT program of incentives is evaluated over time and new measures are put in place to ensure that the most effective measures are implemented.

In April this year, the Chief Minister appointed a water security task force in order to investigate and report on water security measures, including Actew's proposal to build a water purification plant. The task force delivered its report to government in October. The Chief Minister released this report and announced that the task force's recommendations were to be fully adopted by government. These recommendations included substantial long-term investment in water security infrastructure and effectively laid out a plan to secure Canberra's water supply into the future, as well as addressing demand management.

In relation to demand management, the task force recommended that demand management incentive programs be continued to achieve the think water, act water targets of a reduction in per person consumption of mains water by 12 per cent by 2013, as I have said, and 25 per cent by 2023, and an increase in the use of reclaimed water from five per cent to 20 per cent by 2013. It also recommended that the relevant government departments and Actew investigate and report to the government on the most effective mechanism for delivering demand management programs with a focus on achieving the targets efficiently, and accelerating and expanding existing programs, particularly for the commercial sector and those activities that re-use water. It also recommended that the extension of permanent water conservation measures be investigated by the relevant government departments and Actew and that there be a trial of the revised arrangements.

Importantly, this plan included increasing the funding for demand reduction measures by \$2 million. On 13 November, the ACT government announced the breakdown of the additional \$2 million, with schools, businesses and tenants set to directly benefit. The announcement of the additional funding will see half a million dollars spent on retro-fitting ACT Housing properties with a range of water-saving features. Work on these initiatives will begin next month. Almost a million dollars will be spent on installing water-saving Control irrigation system controllers in another 15 schools and upgrading and repairing another 30 existing school irrigation systems. The measures will assist tenants, businesses and our schools to conserve water and will help the government to achieve its daily water-saving targets.

The additional \$2 million will take the government's investment in demand measures this financial year to \$3.68 million, with close to another \$3 million already earmarked for the next financial year. Specifically, those funds will be spent as follows. Half a million dollars will be spent over the next two years to retro-fit ACT Housing properties with dual-flush toilets, water-saving shower heads and flow regulators in taps. About 800 houses will be retro-fitted, at a cost of about \$600 per house. This duplicates some of the money we have spent before.

Some \$300,000 will be invested in a commercial building retro-fit program. Fifteen buildings will be retro-fitted with fixtures such as low-flow urinals and dual-flush

toilets, on a fifty-fifty funding basis with the building owners. The average cost per building is expected to be in the order of \$20,000. Some \$375,000 will be spent in installing Control irrigation system controllers in another 15 government schools; 17 schools already have the system. The cost will be about \$25,000 per school and will result in up to a 40 per cent reduction in outdoor water use.

Some \$600,000 will be spent in upgrading and repairing another 30 school irrigation systems, to fix leaks and improve the uniformity of water distribution. The program will cost \$20,000 per school. Some \$225,000 will be invested in extra education and awareness initiatives aimed at schools, households and government agencies, to promote existing programs and develop best-practice guides for water use.

New demand efficiency initiatives will be announced for implementation for 2008. The measures being implemented will be beneficial to all sectors and users. They are likely to include a grey water system rebate and a revamped irrigation program for households. These new initiatives will be in addition to the highly successful programs and initiatives that the government has already provided to the ACT community. They will be designed to complement the \$2 million worth of initiatives which I have just spoken about.

Already the commercial sector, our schools and residents have been benefiting from the demand management program. For example, data logging of water consumption and walk-through through water audits have been conducted for the commercial sector. By helping consumers to use water more wisely through better demand management, we have the potential to slow the draw down of water from our dams. These measures have an advantage in that they can be implemented quickly.

Recycled water from some of our water treatment plants is being made available for irrigation purposes. These include the Fyshwick plant and the lower Molonglo water quality control centre. In January this year, the government announced that it is working on an intensive program to encourage the use of this water and lake water for dust suppression and irrigation. These measures will also ensure that ACT government-owned buildings and property use water more efficiently.

Without doubt, the continuing drought has had a significant impact on nearly every aspect of our lives. There is no better example of this than the impact that the drought and subsequent water restrictions have had on our outdoor sports and community facilities. The minister for sport, Andrew Barr, recently announced that the ACT government will invest an additional \$2 million in initiatives aimed at providing more sustainable sports fields and recreation facilities, a first step towards meeting the government's aim to have no ovals solely reliant on potable water by 2013. The funding would be used by government to fund a master plan for all ovals and for diagnostic studies for major sportsgrounds to assess their maintenance needs; the rest would be distributed as capital grants to sporting organisations to assist them to become more water wise. I am sure that Mr Stefaniak will support that.

I recognise that ACT Sport and Recreation has played a vital role in consulting and engaging with our local sporting community in dealing with the challenges presented by the drought conditions. I am sure that Mr Barr will be pleased to thoroughly

outline these challenges and the ACT government's response to these issues during the debate. The ACT government has recognised the value of demand management programs, and in this financial year the government has significantly increased demand management spending across all sectors of water use.

MR STEFANIAK (Ginninderra—Leader of the Opposition) (4.08): Mr Speaker, I thank Mr Gentleman for raising this matter of public importance. It is somewhat surprising that he should raise the question of the ACT's water security given that the ACT government has failed so monumentally over six years to take this seriously and to take action to ensure that we have a water supply that will sustain the city into the future. Indeed, the government's inaction has been very, very concerning over a number of years. Whilst there are now some initiatives on the table, it has dallied for well over six years before even taking these steps, and that is a very, very significant problem.

We have maintained consistently over a number of years that the Chief Minister has dallied so long that he has actually put the water security of the ACT in jeopardy and that we are, in fact, in dire straits now. A lot of the reason for that is because the government has taken no action or because when it took some action it took the wrong action. That is quite shameful. I will come to some of those points in a minute.

We went to the last election proposing to build the Tennant Dam, which at the time, according to Actew's own website, until recently, was the best long-term option for Canberra's future water needs, as well as a number of other water saving initiatives. It is really quite interesting to look at the government's attitude to water. On 17 August 2005, Mr Stanhope affected to believe that "the Liberals are so hopelessly marooned on the question of a dam" and argued that there was no need for extra water storage. He said:

We will not do what the Liberal Party said it would do without any study, without any investigation, without any scientific background or knowledge ... We have seen that, through just a bit of simple scientific considered work, we can avoid the need for a dam for at least 20 years and perhaps forever.

I want to repeat that. Mr Stanhope said:

We have seen that, through just a bit of simple scientific considered work, we can avoid the need for a dam for at least 20 years and perhaps forever.

That appears in the *Hansard* of 17 August 2005. To put those comments in context, he was talking about a new scheme to pump water from the Murrumbidgee River to Googong. I welcome that. I think that is essential, and I suspect that that is why our dam levels are still at 41 per cent and not dropping further because we have had precious little rain over the last few weeks.

But, quite clearly, even only two years ago, Mr Stanhope, with his head in the sand, felt that there was no need for a dam. What absolute nonsense that proved to be! This incredible neglect of our water storage by this government has put the ACT in a position today which is really quite precarious. The fact is that in this prolonged drought from 2007 and continuing, we are far less secure than even a place like

Sydney, which now has about 60 per cent in its dams. The government has done very, very little—Mr Gentleman is reading out a series of programs now—until recently to make any attempt to ensure that we actually save water as a result of conservation measures.

I am pleased that they are actually starting to do something with the government office blocks and departments. A number of months ago I raised with the government that we were getting complaints—we still do—about flushing toilets overnight in schools and government buildings where the toilets are old, single-flush toilets. The fact is that in the non-government sector in Canberra, most of the hotels have single-flush toilets. Indeed, in many of our older homes that is still the case. That is not the case in other areas and in other cities in Australia now where I think many more steps have been taken than are occurring here.

Mr Gentleman talks of targets. Initially, he had a target of 13 per cent by 2012. We are achieving that now, and that is good. I commend everyone involved in that. But across the border they are saving 18 per cent through their waterwise program. I think that some of the money spent by this government could be far better spent retrofitting those 30,000 to 40,000 Canberra homes, especially in suburbs built between 1965 and 1985, that still have the single-flush toilet—one of the greatest users of excess water.

I recently put out a media release which contained some startling figures in relation to our daily consumption and Queanbeyan's. We are both on the same water supply. Queanbeyan does need to get its sewerage system act together, but their waterwise program, which many of ACT plumbers are installing, does seem to have made a significant difference.

It is quite worrying to see figures that show that Queanbeyan, per head of population, is using from 70 per cent down to 50 per cent of what we are using. In fact, Actew figures for 16 November show that we used 143.4 megalitres compared with 8.7 megalitres for Queanbeyan. If you extrapolate our population of 338,000 and theirs of 37,000, if we were using the same amount of water per person or per household as Queanbeyan, we would be using only about 75 megalitres instead of 143.4. That is virtually 50 per cent less.

A lot of that obviously is due to the waterwise program, and there may well be some other things that they are doing which we are not. I think they may have a few more bores to water their ovals, but one of the main reasons obviously has to be that very successful waterwise program. It is certainly something the ACT master plumbers have been on about for some time because it is very much a scheme that they developed.

If we introduced the waterwise program I think that would certainly take us up from the 12 or 13 per cent capacity figure that we now have to about 18 per cent. That would make a very significant difference because, unfortunately, it is not going to rain much in the future. We do have climate change. The water inflows into our dams are so much more restrictive than they were in the past and that is a huge problem for us all. We need to take as many steps as we possibly can to save water.

Mr Gentleman mentioned sports grounds. That is a start, but I am concerned because I have heard that only \$300,000 of that funding is actually going to be utilised for the ovals. Since 2003, ever since we have had those restrictions which have affected so many of our sports grounds, the solution has been quite obvious. Even then I was saying that we should plant drought tolerant grasses such as couch on our ovals and parks. I know that Actew has a program—I saw it a year or more ago; I think it was at the Catholic school at Watson—where they have got about eight different types of grasses on an oval. It is a well-known fact, and I have seen government reports which actually indicate that if you use couch grass you are only using 20 to 30 per cent of the water you would use on Kentucky grass.

One of the major sources of water usage in the territory, apart from homes and buildings, is outdoor water usage. The various restrictions on outdoor water usage certainly bring water usage down. It is essential in ensuring that we can survive the drought. We used to have about 300 hectares of ovals. I am not sure how many we are watering now; it is well under 200, and dropping. But if we had those drought tolerant grasses, that would make a huge difference. Water usage could be reduced by 20 or 30 per cent. We could keep most of those ovals, if not all of them, and probably save half as much water as we used to in the good old days when we did not have to worry too much about these things.

Mr Gentleman mentioned the Southwell Park recycling plant which covers Fyshwick and Molonglo. There was one at Banks, too, which I think got hit by lightning a few times. You might like to reactivate that because, quite clearly, it is now a lot more viable to use recycled water on ovals than it was 10 or 15 years ago. You have few improvements there. The use of stormwater runoff is in its infancy. A number of golf clubs very effectively use stormwater runoff. It is not all that difficult. I am starting to see a few projects. I note one which Malcolm Turnbull opened not all that long ago, using about \$10 million's worth of commonwealth money, near the O'Connor shops. I think Senator Humphries announced some money for a program at Giralang which actually helps the local soccer club there. Mary Porter and I made representations to government about that.

Those are the sorts of things you need to be doing, and you need to be doing them a lot more than you have to date. The fact that you are only just starting to do those things is of concern because those are the obvious things to do in terms of saving water. We simply are not doing enough. When we get shown up by struggle town, it is a bit of a worry. Some of the things that we could be doing, and should have been doing for a fair amount of time, simply have not been done because the government has not been serious about conserving water.

I hope they are now. I welcome the debate and I welcome the statements you make, Mr Gentleman. They might be late, but it is always better to have something now, rather than never. But it is very, very late. Let us hope that you are now serious about conserving water because it is crucial and all the signs show that it is going to be a real problem for us into the future. We have climate change. It absolutely terrifies me. Today I walked out thinking, "Fantastic. We might get some rain." But I doubt very much that that rain has made a drop in the catchment unless there has been more rain there than in town. We get a little bit of rain, and then it suddenly stops.

We really are facing some significant issues. The rain we get seems to be with very strong storms which might last for 30 minutes and bring down a lot of hail. It is a very different scenario now from what we had. It is crucially important to have that extra storage. Thank god now that you have realised that. You have picked the Cotter option rather than Tennant, but at least you have picked a storage option. You had to be dragged kicking and screaming. It goes completely counter to the idiotic statements made by the Chief Minister on 17 August 2005, but at least we actually have that occurring now. That, at least, is something.

Over the last six years there have been some rather serious problems which I do not want to see repeated again. The restrictions have not been handled well. On 28 October 2005, Mr Stanhope, the environment minister, declared, "The ACT's three-year drought is officially over." Storage levels were then close to 70 per cent; I think they were 67 per cent and the Cotter catchment dams were overflowing. Stage 2 water restrictions, which people were used to and were doing well under, were then wound back to stage 1 and the Chief Minister declared, "This new system is not about restriction so much as conservation—a way of being which respects our environment and protects our way of life."

This lack of foresight has done Canberrans no favours. While Australians overall consumed six per cent less water last year, Canberra residents used about 10 per cent more in 2005 and 2006 than a year earlier. Clearly, we should have stayed on stage 2 until our dams were up to 100 per cent, if they were ever going to get that far. Had we done so, instead of being on 41 per cent capacity now, we might be at 50 per cent or 55 per cent because clearly we were not out of the woods. Certainly I hope that if we ever have a normal rain season again we do not ease off too much on the restrictions. People are used to it. People appreciate the need to conserve water. They certainly need more encouragement, but certainly I think it is essential that the government actually get it right, and it did not.

Water is about storage, storage and more storage. It is sad to see that no dams actually were built in Australia anywhere in the 1980s and the 1990s so at least we welcome your decision to expand the Cotter Dam. Thank you for providing departmental officers—at least the Actew staff came along—in mid-June. Experts like Mr Paul Perkins indicated that he felt the ACT was likely to need both an expanded Cotter as well as the Tennant Dam at some stage in the future to provide our long-term water needs. Again, it gets back to the question of a real need for storage.

Of course there are some real issues in relation to the government's recycling proposal, which they seem to have put on the backburner, and some issues raised by eminent people like Peter Collignon in terms of whether that is, indeed, a real option. Issues in relation not only to costs but also to public health I think are of concern, and that is something that we simply have to get right.

But we can do a lot more. Mr Gentleman did mention—I will finish on this point—greater use of non-potable water for things like industrial use. Yes, that is great, and I am delighted to hear that you can actually get water down at the lower Molonglo treatment works.

Mr Seselja: They have not been doing it all the time though, have they, Bill?

MR STEFANIAK: They have not been doing it. You are right, Mr Seselja. Someone complained to me in early October. They also complained to Ms Porter, and she took it up with the government. Then Mr Reynolds took a photo and the *Chronicle* ran an article the other week about a government building project where potable water is being used when the lower Molonglo treatment works is only a couple of clicks down the road and you can get water there for free. So that one is a bit of a no-brainer.

I heard today that something similar has been happening at a site out at Harrison. Again, it seems that potable water is being used on a government site, and I am awaiting more information about that. It will be disturbing as well if that turns out to be correct. It is absolutely essential that the government practice what it preaches. It is absolutely essential that you do ensure that there is non-potable water available. It can be available. You can get it by the tanker load down at lower Molonglo. We should not be using this most valuable resource on such things as building sites and just hosing down roads.

We certainly have to be a lot more water wise than we are. The government is only starting to take steps, many of which should have been taken years ago and many of which could have been taken years ago because people were doing it elsewhere. I think it is an absolute shame that you are only now coming to the realisation that we do need this water security and that these steps need to be taken.

DR FOSKEY (Molonglo) (4.23): Before I begin my remarks, I seek leave to table a revised explanatory statement for the residential tenancies amendment bill.

Leave granted.

DR FOSKEY: I table the following paper:

Residential Tenancies (Energy Efficiency Rating) Amendment Bill 2007—
Explanatory statement.

I thank Mr Gentleman for raising this matter of public importance. I think we could safely say that there is no longer a lot of difference between the parties in the Assembly on this topic. I have not heard any mention today of the Tennant Dam. I would say that the Liberals have certainly learnt a lot since they assembled their platform for the last election. It was very much focused around the new dam in the Tennant Valley.

Mr Stefaniak: Providing a dam, which we do need. Someone has finally realised that is essential.

MR SPEAKER: Order! Mr Stefaniak.

DR FOSKEY: I have not heard a dissenting voice to the latest Actew plans and I think that is a really good thing. Water is one of those issues that we do need to agree

on because it is one of those things where we can be led by the science and the experience, and I think that that would all bring us to the one conclusion. It is absolutely essential that we need to secure our water supply, but it does raise a lot of other issues.

Mr Seselja: Are you for or against dams, Deb?

DR FOSKEY: We now know that the current climatic conditions—

Mr Seselja: Don't know?

DR FOSKEY: This is a matter of public importance, not a motion. The fourth IPCC report highlights the predicted weather changes that we can expect over the next century. Most pertinent to this debate, the report predicts that it will consistently rain less than we have come to expect as our annual average. We can no longer talk about a normal year because we do not know what that is.

I am looking forward to the report of the planning and environment committee. It is conducting an inquiry into alternatives to the recycling scheme. I put those terms of reference to the Assembly at a time when that was very, very high on the government's agenda. I think that we can be a little reassured that we are going to be brought to that issue gradually. I believe that the population in Canberra has not gone along with the recycling to the extent that the government has.

I want to thank the Commissioner for the Environment, who was formerly in charge of the Water2WATER process or the water security group, or whatever it was called, who suggested that Professor Ian Falconer come and talk to me. He was able to explain the issue and answer my concerns about water recycling in terms of health, energy use and whether or not the scheme that we were looking at was the most appropriate and the best one in a way that many of the other people I had spoken to had not been able to.

Because he is a person who comes at these issues from a health perspective, it allayed, to some extent, the concerns that I think that Professor Collignon put into the community—correctly, no doubt—but it also does indicate that if we are going to recycle our water we will need to consider what we put into our waste water. To some extent that concerns what we put into our bodies because it all comes through and we do not necessarily have the technologies to deal with the hormones, pathogens and so on. One little mistake—unlikely, but possible, but not really allowable—can be catastrophic. So there are a lot of implications that require us, as humans, to take some action.

We take unlimited water for granted here in the ACT. I do not think any of us consider that we should not have our daily showers. I suppose most of us do. We sluice our shampoos and our conditioners down the drain without giving a thought to what happens to them afterwards. Water being what it is, a closed loop system, all those things have to be dealt with. Whether we recycle or not, we rely upon the ground to purify the water so that, by the time it gets into the river and by the time it goes through the Molonglo scheme, it is safe enough to put on our ovals and elsewhere.

It is not just as simple as doing it; we have to be sure that we do it in a safe way. That means human responsibility and not just expecting the government to do everything for us. There will always be tension between supply and demand. Indeed, it does pose difficult policy decisions about which, where and how much ought to be spent. I certainly agree that actions need to be taken to ensure supply as well as reduce demand. However—and perhaps I am agreeing with Mr Stefaniak when I say this—I do not believe we necessarily have the balance right yet. In the government's recent water announcements, \$253 million was committed to increasing supply, yet only \$2 million is set to be spent on demand management. I believe that, whilst expansion of the Cotter Dam is the best option for increasing Canberra's water storage capacity, we do need to make sure that there are mitigation measures to ensure the continued survival of those species that may be threatened by the changes the dam will make to the ecosystems they rely upon.

Reducing demand has a more immediate impact, and we should have more focus on that. For instance, the ACT's rebate for water tanks at the moment is mediocre in comparison with other states. After a phone call to Bunnings, one of my staff members found out that it would cost about \$3,000 for a 10,000 litre tank to be installed and plumbed into the toilet and laundry. No doubt Mr Gentleman is discovering all this. The current rebate in the ACT is \$800. In South Australia it is also \$800, which is rather odd considering their water urgency there. In Queensland and Victoria it is \$1,000 and in Sydney it is \$1,500.

Given that we know how effective tanks are not just in providing storage, but also in increasing people's understanding of water as a finite resource and not just something that comes endlessly out of a tap, we should be doing our utmost to encourage residents to install tanks in their homes. This would be a first step in the better use of territory resources. A recycling scheme, however effective it is, will have quite strong energy implications for the ACT. At the end of the day we only have so much water. Building dams and transferring water will not make it rain. The factor most under our control is how we use the water. Actew is in the business of selling water and, as a territory-owned corporation, returning a level of revenue to the ACT. While this is the case I suspect that there will always be less effort put into reducing demand rather than increasing supply.

Let us remember, too, that under the Canberra plan Actew is charged with providing water for 500,000 people by 2030. I believe that we need to rethink that target. I am not sure we are going to get there. Even if we did, is that the right approach? Every time we add a new development, a new suburb or a new town, in the case of Molonglo, we have to make sure that we have a commensurate decrease in the use of water. There is a level at which Canberra will become unsustainable as an inland city, and I think that we have got to start factoring that into the way we talk and plan.

Highlighted in the estimates report was that going to stage 4 water restrictions would result in a loss of approximately \$40 million. Unfortunately, I can imagine that this potential loss could have influenced Actew's decision not to go to stage 4 water restrictions more than the government's concern about people's gardens. But we now have a permanent water conservation regime, and I applaud that. On the other hand, I

do not think that a blanket ban on outdoor water use is the answer. I think that should be a last resort. I think gardens are really important to our physical environment, not just as a climate change mitigation factor. In the future we may actually have policies that encourage the production of food in our backyards because, as some people have said, climate change should be tackled on a wartime basis.

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts) (4.33): I am very pleased to contribute to this matter of public importance—Canberra's water supply management. As previous speakers have indicated, it is one of the most significant issues facing Canberra, the region, the basin, indeed Australia, and if one wants to extend beyond that, the rest of the world.

We have, over the last five to six years, done a significant amount of work in relation to water and water security. We developed a package, a policy in think water, act water, as well as targets and the underlying philosophy in relation to water usage—a recognition of the scarcity of the resource and of its value and the need for us to respond as a community in respect of our water usage.

We have pursued a number of initiatives in that regard. We have set targets for the recycling of water and targets for a reduction in the use of potable water. As the drought has bitten over the last three to four years, the government, particularly through Actew, in addition to its strategy of Think water, act water, has responded with some significant upgrades of the supply infrastructure. I think that has slipped through the public consciousness and the consciousness of many.

It has not been mentioned today, but in the last three or four years Actew has invested somewhere in the order of \$100 million across the board in water and sewerage infrastructure. That is a very significant investment in our infrastructure. That has been done through the development of a water treatment plant in the first instance at Mount Stromlo—which I think cost somewhere in the order of \$50 million—to ensure that all water within the Cotter catchment could be treated to Australian drinking standards.

Until the fire, which resulted in the destruction of this water treatment work, we did not have the capacity to treat our daily water needs or requirements to Australian drinking standards. We now do through the construction at Mount Stromlo of a treatment plant costing somewhere in the order of \$55 million or \$56 million. We have upgraded the water treatment plant at Googong to ensure that we can provide a similar level of treatment to Googong water. Actew have constructed a new pumping arrangement utilising submersible pumps—a significant exercise—on the Murrumbidgee River at the Cotter. Without those submersible pumps and without our capacity to take water directly from the Murrumbidgee River our situation would be more dire, particularly this year, than otherwise.

We have invested significantly, at a cost of between \$16 million and \$20 million, in ensuring the capacity to transfer water from the Cotter catchment to the Googong dam by reversing existing pipes, as well as providing significant additional piping,

pumping capacity and water treatment at Googong. This suite of measures that have been undertaken over the last three to three and a half years have cost somewhere in the order of a \$100 million. That is the level of expenditure on securing our water supply.

Mr Stefaniak has mentioned the water restriction regime and the fact that it was eased at a time when, yes, we did think the worst was over and the drought was breaking. Our dams did go to 60 something or other per cent. Then the drought, against predictions, came screaming back and produced the worst ever year of rainfall and inflow in the history of the ACT. It amounted to 20 gigalitres. That was a 90 per cent reduction in inflows, something that we had not anticipated and that none of our advisers or experts or the weather bureau had anticipated. It was unprecedented in the history of the ACT. Inflows into our dams or through our system have never been lower than in 2006. Again, this year it has been poor. It is better than last year, but still poor.

In the context of that changing situation we did have advice as recently as three to three and a half years ago, essentially sourced from CSIRO, that we would not need to consider a new dam for another 15 years. That was the best scientific and technical advice available for government and Actew at the time. The worst case scenarios painted in that advice, sourced from the CSIRO, in fact were exceeded by almost 30 or 40 per cent in last year's rainfall and inflow. It was as a consequence of that that I directed Actew to facilitate a major reconsideration of what we needed to do to secure our water supply. That has led to the announcements that were made on 23 October this year following the delivery of a report for government in July by Actew.

It was a rigorous, scientific assessment of all that we could do to secure our future. As members know, there are four major initiatives to be pursued: construction of a new dam at the Cotter; construction of a new pipeline from the Murrumbidgee to Googong; development of the legal and administrative frameworks necessary to engage in water trading from within the system; and the launch of a pilot water treatment plan to demonstrate that the purification of water is a possibility, particularly for a large land bound city such as Canberra.

Our strategies have worked. There were a couple of furphies in relation to a non-attention to reduction in water consumption within the territory over the last five years. The overall reduction in potable water consumption in the ACT has been 22 per cent. In one of those coincidences of life, exactly the same level of reduction has been achieved in Queanbeyan. Despite the off the top of the head prognostications of the Leader of the Opposition and others that Queanbeyan, or struggle town, as the Leader of the Opposition refers to it now—I will have to take that up with Frank when I see him tomorrow—the level of reduction in consumption between the ACT and Queanbeyan coincidentally is precisely the same at 22 per cent. That is the figure supplied by Actew. They have got the figures because they actually measure the supply.

Mr Stefaniak: So are these.

MR STANHOPE: No, that is the reduction. The reduction in consumption in Queanbeyan was exactly the same as the reduction in consumption in the ACT. We

use different methodologies. We have not funded, to the apparent extent of Queanbeyan, dual-flush toilets. We have achieved a reduction of the same order in the same time over the last five years of over 100 gigalitres. That is a great effort by both Queanbeyan and Canberra. One and a half year's supply of water has been saved in the last five years by our two cities working diligently to achieve it.

I will conclude on this point because I know that the minister for education wants to say something about other issues the Leader of the Opposition raised in relation to schools. It also needs to be said in relation to this ongoing debate or dispute about our lack of attention to water education vis-a-vis Queanbeyan that we have achieved exactly the same reduction but we have not done it with the same level of impost on Canberrans. Another piece of information—and this is very relevant to Mr Stefaniak's stewardship of Queanbeyan in this regard—reveals that, on average, Queanbeyan residents pay \$130 more a year for water than ACT residents. For 250 kilolitres of water in the ACT, the average annual consumption of a household, the ACT charges \$563. Queanbeyan City Council charges \$695—\$130 more.

MR SESELJA (Molonglo) (4.41): I would like first to take the opportunity to tackle Dr Foskey about some of what she had to say. She did not say this in her speech but she did by way of an aside, so I will respond to it because it has been said by the Greens around the country. I refer to the comment that “dams don't make it rain”. Of course, we know that dams do not make it rain, but when it does rain it is good if you can actually catch some of that water for when it does not rain. I think that aspect has been lost by the Greens in the hysteria that they have been creating around climate change issues and other things.

In particular, if we accept that we are faced with more difficulties, with lower rainfall in the coming years—perhaps the next 10, 20, 50 or 100 years—surely it is incumbent upon us to be storing more water in those circumstances. Along with demand reduction measures, surely it is incumbent upon us, if it is going to be drier, to actually catch as much of the water, when it does rain, as we possibly can, so that we do have a security of supply.

In all of the arguments that are put forward by the Greens, both locally and nationally, that seems to have been neglected. We saw Bob Brown's recent comments. He is opposed to dams; he says dams are “so last century” but he is also opposed to desalination plants in places like Victoria and Queensland. So all that you are left with, in the Greens' view of the world, is demand reduction and, with a growing population, an ever reducing amount of water. We do want to be using less water per person, but that is not the total answer. We do need to be catching more water; we do need to be storing more water; we do need to be increasing supply. I think some of the Greens' statements on this have been quite ridiculous.

Mr Gentleman talked personally about getting a water tank, and I think that is commendable. There have been articles in the past about how Mr Stanhope has moved from having a big lawn to now having little or no lawn. That is wonderful; that is what happens, I guess, when kids grow up. But what struck me, when I saw that article in the *Canberra Times* about Mr Stanhope, was that, through his government's failures in supplying water infrastructure, those families who perhaps are not in the

same position as his, who do want to have a bit of lawn in their backyard and who feel that it is reasonable to water their garden and their lawn so that their young kids can run around on it, have not been given that option under pretty severe water restrictions through much of the past few years. Because of the government's inaction, the complete delay in action, we will see those kinds of restrictions potentially for many more years than perhaps needed to be the case if the government had acted when it should have.

I want to refer to what Mr Costello, the head of Actew, said some time ago on 2CC. He was asked whether environmental flows had affected storage. His answer, which I think was quite extraordinary, was to this effect: "I've checked with the experts and they've said if we had not had the level of environmental flows that we did, more severe water restrictions wouldn't have kicked in as soon, and therefore we would have about the same water storage." So his argument was, "People's gardens wouldn't have died as much, but we would've been left with around the same water storage," which is quite an extraordinary defence of the over-allocation of environmental flows that we have seen in recent years.

Mr Gentleman must have brought forward this MPI with a sense of embarrassment. He portrayed this government as having achieved significant things in the area of water management. If we go back to the 2004 election, it was the Canberra Liberals who took to the electorate a plan to secure the region's water supply through the construction of a dam. And what was the government's response? Mr Stanhope mocked the plan for a dam. He said:

What the innovation, the lateral thinking, the engineering skill of ACTEW confirm ...the Liberals are so hopelessly marooned on the question of a dam.

He must have been quite embarrassed, which is perhaps why he did not speak about these issues very much. He said:

We have seen that, through just a bit of simple scientific, considered work, we can avoid the need for a dam for at least 20 years and perhaps forever.

Mr Mulcahy: How long?

MR SESELJA: Perhaps forever. This is the complete lack of vision we have seen from the Stanhope government on this issue. They have had their head in the sand on the issue of water management, on the issue of water storage. They have refused to act in the way that the Canberra Liberals committed to do. We would have secured our storage much earlier than this government, who have belatedly come on board, after several years, only about 12 to 18 months after Jon Stanhope uttered those words. I will repeat what he said:

... through just a bit of simple scientific, considered work, we can avoid the need for a dam for at least 20 years and perhaps forever.

That attitude shows a complete lack of foresight and a complete lack of vision by the Chief Minister, who seems to pride himself on his forward thinking, on his visionary approach to issues. He has absolutely been caught short on this. As a result,

Canberrans not only have had to suffer through severe water restrictions over the past few years, but we will continue to suffer through those. Unless we get a lot of rain in the next couple of years, we are likely to see, on and off, water restrictions for many years to come because this government has delayed action on this crucial issue. It has been caught completely short. It is embarrassing that Mr Gentleman has brought this MPI forward, given his government's complete failure in this area. Mr Stanhope went on to say:

We might legislate for rain! We will legislate for rain! I would welcome any other suggestion on how we might induce more rain to fall into the catchment.

Of course, Mr Stanhope could have taken on the plan to build a dam well before he actually did, and when it does rain, actually catch some of that water so that we do have some in storage. He has failed to do that, but now, belatedly, he has decided that a dam is a good idea. Whereas a year or two ago it was a terrible idea; a year or two ago we would not need it for 20 years, or forever, now it is a good idea—belatedly spending this money, belatedly acting to try and secure our water supplies.

We have seen the effects of this delay and we will see them for some time. We have seen people's lawns dying, ovals have been allowed to die and we have seen trees dying. We have seen summer water sports affected, as well as the effect on families, and businesses have suffered as a result. There has been a stifling of growth and residents having to fork out thousands for tanks.

There is absolutely nothing wrong with a water tank. For people who really value their gardens, many of them are left with no choice. At the moment, if they want to avoid their gardens dying, they do have to go out and get a rainwater tank because of the restrictions they have been faced with in recent years and that they are likely to see continue for some time. But they are not the overall answer to our water storage issues. They are a very small part of the answer. They are really a personal decision. People make the economic decision to spend thousands of dollars so that they can have some certainty that they can maintain their garden when there are severe water restrictions.

They are being forced into that position by this government's complete failure. Canberrans have suffered as a result. Quite simply, there has been a lack of vision. And in terms of land release, we are now seeing them desperately playing catch-up because of a complete lack of vision. Sometimes you have to plan for worst-case scenarios. Future planning is not about the best-case scenario; it is about the worst-case scenario. They did not do it in the case of land release; they did not do it in the case of water. It is a government that has lacked vision. I will sit down now and give Mr Barr an extra minute in which to respond. This is an embarrassing MPI given this government's complete failure in this area.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (4.50): In the three minutes remaining for the discussion, I take the opportunity to thank Mr Gentleman for raising the issue and also to pay tribute to the sport and recreation industry for their response to the changing circumstances that we face and to say how

appreciative the government has been of the cooperation that we have received across the entire industry, from private venue managers and all of the people involved in the sport and recreation industry.

We have made a series of investments in government-owned facilities to reduce our reliance on potable water. I refer to the hundreds of thousands of dollars invested in the Comtrol irrigation system, the installation of backwash recycling facilities at Manuka pool—and we are looking as well to bring it in at Dickson pool at the end of this summer—and the development of the Point Hut irrigation system for the Conder and Gordon playing fields. We are in the middle of a feasibility study with the commonwealth in relation to stormwater harvesting. It is an important opportunity to capture up to three gegalitres of stormwater, so that is a very important project.

The government has announced, through the second appropriation bill, a record amount of funding for sports to partner with government to address water usage issues within the sport and recreation industry. A \$2 million additional grants round available in 2008 will take the sports grants for 2008 to \$4 million—a new record in sport and recreation. We look forward to seeing some innovative proposals around synthetic surfaces and around a range of responses to reduce water usage in the sport and recreation industry.

I am very pleased with the cooperative nature of the industry and very excited by some of the proposals that have been brought forward by the range of sports. We look forward to a continuing strong relationship and the delivery of some fantastic outcomes in terms of reduced water usage.

MR SPEAKER: The time for the discussion has concluded.

Impact of federal election on intergovernmental relations

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts) (4.53): I move:

That, given the stark choice before the Australian people on Saturday next, 24 November 2007, this Assembly:

- (1) welcomes the prospect of the election of a Rudd Labor Federal Government;
- (2) notes the consequent benefit to the ACT in critical policy and administrative areas such as Commonwealth-State relations, health, and education, and the importance of a genuine education revolution to the ACT, and Australia's, social and economic wellbeing; and
- (3) notes that the abolition of Work Choices would remove the threat to the livelihoods of working Canberrans and their families.

The prospect of the election of a Rudd Labor federal government on Saturday is one that should lift the spirits of all Canberrans. It is a prospect that could herald a great new period of cooperative federalism, particularly in such crucial areas as health and education.

The Howard government's approach to commonwealth-state relations has been adversary, paternalistic and at times uncooperative. Opportunistic blame shifting, ad hoc interventions and coercive funding arrangements have resulted in a dysfunctional federation. In short, the conservative Howard regime has, over time, morphed into the most centrist and most controlling commonwealth government in the history of our federal system. Moreover, it is a form of centrism that is random, populist and based on nothing more than the whim of the moment, or the temperature of a marginal seat.

Look at the attempted, and as yet unachieved, takeover of the Mersey hospital in Tasmania—a move that has cut across that state's attempts to plan for the provision of health services rationally and based on evidence and need. Look at the emergency response to child abuse in the Northern Territory, which has reportedly, after some months, failed to result in the charging of a single offender. Federal Labor, by contrast, is committed to a much-needed reform of federal-state relations, and a model of cooperative federalism. If Labor is elected this weekend, we will see the beginning of the end of the blame game in vital areas of service delivery, enabling the states and territories to get on with delivering better services to their citizens rather than fending off repeated attacks and threats to funding.

Improvements to commonwealth-state relations are a crucial element in federal Labor's election platform. Labor's 10-point federation reform program is aimed squarely at delivering better services and enhanced economic performance through improving the way our federation works. Through a partnership approach with states and territories, a Rudd Labor government will seek consensus on national goals and establish consistent forward planning in areas such as infrastructure, housing, education and training, water and hospitals.

For the ACT, the election of a Rudd Labor federal government will signal the commencement of a new era of cooperation and collaboration. The opportunity to engage collectively and collaboratively with Aboriginal and Torres Strait Islander communities will enable Australian governments at all levels to work together to address the problems of child and substance abuse and to improve health and education outcomes.

The states and territories have shown a great willingness to work together on key areas of national reform through the Council of Australian Governments, and some progress has been made. However, we welcome the prospect of putting an end to the years of direct conflict, stalled negotiations and blame shifting over housing affordability, mental health, disability services and public housing.

Federal Labor has indicated its support for implementing recommendations contained in the federal parliament's report on the role of the National Capital Authority, which could see a refocusing of the NCA on key areas of national significance, such as the parliamentary triangle. While on most matters the NCA and ACT planning authorities work cordially and productively, the current overlap between the NCA and the ACT Planning and Land Authority sometimes results in confusion and conflict, to the detriment of integrated and consistent planning outcomes for the territory.

I anticipate that a Rudd Labor government will work constructively with the territory to address this untenable overlap in planning functions, and engage in collaborative dialogue rather than unproductive interference in matters that should be the prerogative of the Canberra community, such as the development of Pierces Creek. What possible interest could the commonwealth have in the ACT government's desire to build a sustainable community to replace the one destroyed by the fire? None that is obvious, yet NCA interference saw to it that the rebuilding of a sustainable settlement was doomed.

The ACT government also looks forward to greater engagement on the issue of airport development, which currently sits outside state and territory planning regimes. There is no greater need for a collaborative and coordinated national approach than in the area of health services. Federal Labor will help end the destructive pattern of blame, cost shifting and opportunistic intervention in health and hospitals by establishing a \$2 billion national health reform plan in cooperation with the states and territories to reverse the commonwealth underfunding of public hospitals and deliver improved health outcomes for patients in Australia's healthcare system.

Federal Labor proposes to work with the Council of Australian Governments to establish a national health and hospitals reform commission, which will form the framework for developing Australian health care agreements. As part of its \$2 billion national health and hospitals reform plan, federal Labor will invest \$220 million in the establishment of GP superclinics. This investment will ensure that more Australian families have access to doctors, nurses, specialists and allied health professionals, such as physiotherapists, podiatrists, dieticians and psychologists, all in one centre, in their local community, where they need them. The ACT is well placed to work with federal Labor and the other states and territories in designing the shape and scope of GP superclinics as they evolve.

Of great benefit to many Canberrans will be the reintroduction of a commonwealth dental program under a federal Labor government. Since this program was scrapped by the Howard government in 1996, the states and territories have been left to carry the burden, dramatically increasing their own financial contributions to dental care. The ACT government, for instance, has increased funding for our dental program by 41 per cent over the past four years. But the haemorrhage of federal funding has been beyond the capacity of the states and territories to completely stem, with the result that even preventable dental conditions among the poor and the disadvantaged progress to the stage that sufferers end up presenting for treatment at our public hospitals. Federal Labor has committed \$290 million to fund up to one million dental consultations through a new commonwealth dental health program. It has pledged to work with the states and territories to fix the system, ensuring that all Australians get the dental care they deserve.

This cooperative, consultative approach contrasts sharply with the Howard government's intentions under its aspirational nationalism approach. In relation to health, this would mean the forced adoption by state and territory governments of local management boards for public hospitals—boards that, incidentally, would reportedly have to be paid for by the states and territories themselves, not by

Mr Howard or Mr Costello. The establishment of boards of management would be a retrograde step for the ACT, and would have the potential to hamper current clinical streaming arrangements and future planning.

There are also indications that a returned coalition government would look at creating a separate funding pool for specific purposes or targets and that it would deal directly with hospital chief executives, answerable to boards of management, rather than working with the states and territories, who alone have a jurisdiction-wide picture of where services should be located and where the gaps exist. The last thing the health system needs is another half-a-dozen Mersey takeovers, or more pork-barrelling and cherry-picking. Yet that seems to be the preferred vision that the coalition would encourage. Such an approach would seriously undermine the planning and management of state and territory health systems because every hospital is part of an integrated system of care.

The federal Labor opposition has placed education at the core of our long-term strategy for our national security and our national prosperity. A Rudd Labor government has promised an education revolution—a revolution in commonwealth investment and a revolution in the quality of our education outcomes. Commencing with the earliest years of education, federal Labor has committed to providing all four-year-old children with access to 15 hours of preschool, delivered by a qualified early childhood teacher in preschools, kindergartens and childcare centres. This recognition of the early years of schooling fits well with the ACT government's continued commitment to and investment in the early years.

In the 2005-06 budget, Labor here in the ACT allocated \$8 million over four years to honour its election commitment to increase the provision of preschool education for eligible four-year-olds in the ACT from 10.5 hours per week to 12 hours per week. Families in the ACT have welcomed this initiative, and our commitment continues to ensure that all young children have access to high-quality preschool programs. We are also in the process of creating four new early-childhood schools to cater for children from preschool through to year 2. These specialist schools will focus on early childhood education and early intervention, giving Canberra families the option of a different style of early schooling for their children, and establishing a solid foundation for learning in the future.

Under its education revolution, the federal Labor Party has promised greater investment in school education, and these new initiatives will add lustre to our existing, world-class education system. The federal Labor Party has also announced a trades training centres in schools initiative, which will provide grants of up to \$1.5 million for new or upgraded ICT labs, trade workshops, commercial kitchens, hairdressing facilities, graphic design labs and plumbing workshops.

This new funding will help to support the huge investment that the ACT government is making through its massive \$90 million program of capital upgrades across our public schools. As part of this investment, we are funding upgrades to all schools more than 12 years old not yet upgraded; upgrades of all preschools; the construction of gymnasiums at Belconnen and Stromlo high schools, thereby providing a gym at every public high school in the ACT; and the construction of a new performing arts

complex at Lyneham high school to support the thriving performing arts program at that school.

The federal Labor Party has promised a solar schools plan which will allow schools to apply for grants of up to \$20,000 for solar panels on schools, and a further \$30,000 to install water efficiency programs. This investment will complement the ACT government's own sustainable schools program. Already, the ACT government has funded water audits in 24 schools to help them identify water savings in their school grounds and buildings. Of course, under our climate change strategy, we have embarked on a major retrofit of our public schools. With money from the second appropriation bill, we will install Control irrigation systems in another 15 schools, taking the total to 32, while \$600,000 has been earmarked for wholesale repairs and upgrades to irrigation systems at other schools.

The schools of the 21st century are very different from those of the last century. The tools and techniques used to teach children are different from what they were 30 years ago. Information technology is utilised now more than ever in workplaces and in our schools, both as a subject to be studied and as a teaching and learning tool. The Stanhope government has continued its commitment to provide and maintain state-of-the-art information technology in ACT schools with a \$20 million investment over the next four years for IT in schools.

The smart schools smart students initiative being rolled out in the ACT is already providing ACT students with access to broadband internet, electronic whiteboards and the latest in computers. The federal Labor Party's promise is to allow schools to apply for grants of up to \$1 million out of a national secondary schools computer fund for information and communication technology upgrades. Again, ACT schools will be in a good position to utilise this extra funding from a federal Labor government, to build on the record funding that my government is providing for IT in education.

The federal Labor Party has also promised to invest strongly in the area of vocational education and training through initiatives including capital upgrades to vocational education and training in schools, or through the Skilling Australia initiative, which promises an additional 450,000 skilled training places over four years. This would support the work that the ACT has been doing to satisfy the demand for vocational education and training. In the 2007-08 budget, we committed an additional \$6 million over four years to meet emerging needs.

A national comparison of apprenticeship and trainee activity for the year ending 30 September 2006 showed that the ACT has increased the number of commencements in apprenticeships and traineeships by 10 per cent. The ACT leads the country in the percentage increase for commencements at certificate IV level. Our young people are completing their apprenticeships and traineeships at a higher rate than elsewhere in Australia. We welcome the prospect of real investment in this area from a future federal Labor government.

If there is one area of policy and philosophy that truly and starkly distinguishes the parties that will ask for the support of voters on Saturday, it is industrial relations. The election of a Rudd Labor government will be welcomed by Australia's working

families. A Rudd Labor government will abolish the most draconian and economically unwarranted piece of industrial relations legislation that this country has ever seen. I refer, of course, to the Work Choices legislation. And why will its own architects not refer to it by its name? Because even they can see the irony in the use of the word “choice”. The choice offered to workers is between a job on the boss’s terms or no job at all. The choice offered is illusory. And the Prime Minister is right: with another three years of the Liberals federally, the changes that have been imposed will become so deeply entrenched that reversing their worst effects will take a herculean effort.

What is mind-boggling is that the Prime Minister seems to think that that promise of entrenchment—a promise that sends a shiver up the spine of every working man and woman—is a reason to vote Liberal. Australian voters were not taken into the confidence of Mr Howard in the lead-up to the last federal election. His intentions in the sphere of industrial relations were secret. Where was the policy on the table, for all to see? Where was the opportunity for Australian workers to evaluate and understand the impact of the Work Choices package?

The impacts include the sidelining of the Australian Industrial Relations Commission—the independent umpire; the removal of unfair dismissal provisions for a majority of Australian workers; the abolition of the no-disadvantage test; the move to push workers off collective agreements and awards and onto individual agreements; and the loss of award conditions and entitlements. In other words, it is about the removal of basic protections built up over 100 years, fought for by the parents and grandparents of today’s workers. Under Work Choices, many workers had to trade away conditions that even a few years ago would have been regarded as basic to a life of dignity and respect: rest breaks, holidays, sick leave entitlements. That is before we even get down to such extravagances as penalty rates.

We all remember the Spotlight fiasco, and those AWAs that took away countless conditions and replaced them with a two-cent-an-hour pay increase. Is that what John Howard meant by fairness and flexibility? Is that what he meant by choice? Australia’s working families want a better deal, and under a Rudd federal Labor government they will get it. Australia deserves a Labor government at the federal level, and I am certainly amongst those that hope dearly and sincerely that on Saturday they will get it.

MR STEFANIAK (Ginninderra—Leader of the Opposition) (5.07): The opposition certainly does not welcome the prospect of the election of a Labor government and we hope it does not happen. For the sake of Australia we certainly hope it does not come to pass—and it certainly will not do much for the ACT if it happens.

I will make a football analogy in relation to this election. Why on earth would anyone want to get rid of a successful coach and a first grade team that have won five premierships on the trot and show no inclination of not doing so again and replace them with an unproven coach and a team in which very few players have had experience in first grade and a lot show that they may well not be up to it? Why on earth would you change such a successful winning combination that has served this country and this territory so well?

Mr Stanhope notes in paragraph (2) of his motion the consequent benefits that he says will flow to us in critical policy and administrative areas such as commonwealth-state relations, health, education and several other things. That worries me a bit. Does Mr Stanhope actually see Mr Rudd as some great white knight that is going to come in here and help Mr Stanhope with some of the things that have gone wrong in the territory? Is it his fervent hope that Mr Rudd is some great white knight that will come in and save his stressed education system, health system and transport system, will save his failed economic management and will save his failed territory-commonwealth relations?

It is interesting that Mr Stanhope mentions that it will benefit the ACT in the critical area of commonwealth-state relations, because Mr Stanhope has had a fair bit to do himself in making sure that those are not as good as they should be. Let us have a look at that point, because I think that is clearly at the centre of Mr Stanhope's motion. Indeed, I think the Stanhope government itself has considered itself as some sort of white knight off on a crusade to slay the dreadful fire-breathing dragon that it sees as the federal government, all in some self-contrived belief that the people of Canberra needed to be protected from that dragon.

The reality is that the current Stanhope government here, quite contrary to protecting the people, wanted to somehow muddy the waters of the commonwealth's contribution to the ACT, its people and its economy. Indeed, it wanted to make the commonwealth look as bad as it could so as to make itself look somehow noble. It was a case of refusing to cooperate for the sake of refusing to cooperate or, even worse, perhaps a self-centred party political reason for not cooperating with the other states and with the commonwealth as it should.

Some examples spring to mind. To start with, there was the stunt that Mr Stanhope pulled when he published the commonwealth's draft anti-terrorist legislation. No other state or territory did that. And why would he want to put at risk the safety and the security of the people of Canberra, not to mention the people of Australia, by doing that? And that action certainly did that. What government would also put up legislation, in this case the same-sex marriage legislation, knowing it would be rejected and overturned by the commonwealth? Clearly, that would seem to be a callous intent to raise the ire of the commonwealth in an effort to, again, paint it as the bully.

Then, of course, we had this government's constant refusal to acknowledge the contribution the commonwealth makes to the ACT economy. The truth of the matter is that the Howard Liberal government in its past 11 years in office has made a very significant contribution to the ACT, to its people and to its economy. It has provided public sector employment—I mentioned the figure yesterday of some 52,000 federal public servants employed in the ACT—and it has made significant investments in infrastructure and national buildings. It has also supported sport and the arts, and its Work Choices initiatives have yielded higher productivity and the lowest unemployment figures in more than 33 years. In fact, you have got to go back 33 years to see similar unemployment figures. The Prime Minister has a target of three per cent unemployment right across the country. I note Mr Rudd is not particularly talking about targets for unemployment.

Really importantly, real wages under the Howard Liberal government have increased by more than 20 per cent over the last 11 years. By contrast, real wages fell nearly two per cent over the 13 years of the previous Hawke-Keating Labor governments. The sad thing here is that Mr Rudd is banking on a lot of young people who have grown up with the prosperity caused by the Howard-Costello team, never having experienced the troughs we saw under Hawke and Keating, let alone the absolute troughs we saw under the economic mismanagement of Gough Whitlam, which I think the country only stopped paying for in about the year 2000.

The Howard Liberal government, unlike the current government here in the ACT, is willing to put some of its gains back into the pockets of Australians through lower taxes as well, enabling Australians to actually spend some of their hard-earned gains. The Howard Liberal government, unlike the current government here in the ACT, has made improvements to our health system. It introduced the Medicare safety net. It gave people more choice through rebates for private health insurance and it has increased to the highest ever level GP bulk-billing rates.

The Howard Liberal government has made significant improvements to our education system, unlike the government here that has cut 23 schools—and we are going to see a raft of some of those schools again cut at the end of this year, to the chagrin of those school communities. Last year the federal government increased commonwealth funding of schools by 11 per cent and it has improved school infrastructure through the investing in our schools program, a program that certainly assists a large number of ACT schools. That support for our education system extends to universities through initiatives such as the \$6 million education endowment fund.

Quite contrary to the bleatings of the Stanhope Labor government and the Rudd Labor opposition, the Howard Liberal government has had, and continues to have, a long-term commitment to the environment—and this is a commitment that goes back to the Menzies days. In 1960 the Menzies Liberal government recognised the environmental importance of the Antarctic and was one of the 12 original parties to sign the Antarctic treaty. The Howard Liberal government was the first government in the world to recognise the threat of greenhouse gases and climate change when in 1998 it established the Australian Greenhouse Office. Only this week the Howard government has made a commitment worth \$10 million in water conservation initiatives to national institutions in the ACT—institutions that were really doing it tough, especially our iconic botanical gardens.

These are just a few examples. I could go on with many more, such as the initiatives in the area of better roads and rail, encouragement for small business, support for older Australians, supporting families, improving information technology, encouraging exports, encouraging tourism and investing in science and innovation. Every single one of the initiatives and programs of the Howard Liberal government benefits the ACT, its people and its economy—every single one of them. The per capita income in the ACT now is close to \$200 a week higher than the average around Australia.

Do you know how the Howard Liberal government has been able to make those inroads? It is a simple answer. It is because the Howard Liberal government, through

the longest partnership between a Prime Minister and his Treasurer in the history of Australia, has been a successful economic manager. When it came into office the Howard Liberal government was faced with debt of \$96 billion and a budget deficit—something we also faced when we came in. In fact, we had to suffer, too, in relation to Beazley's black hole here in the ACT; it even affected us. The good news is that that debt is now paid off and the government has returned the budget to very healthy levels—in fact, the healthiest levels ever.

We now have an economy that is booming. We now have an economy that lets us do the kinds of things that I mentioned earlier; without a strong economy those things simply cannot be done without huge borrowings and placing the economy at risk of high inflation and interest rates—the kinds of running inflation and interests rates we experienced under Keating. And let us make no mistake: Australia's interest rates have always been lower under a Liberal government than under a Labor government. There is talk about 8.5 per cent now. In 1989 it was 17 per cent under Paul Keating and Bob Hawke. That is what you are going to get if you go back to a Labor government.

These are the things that the Stanhope Labor government tries to hide from the people of Canberra. It tries to hide them by bare-chesting itself every time it disagrees with policy initiatives of the commonwealth government. It tries to hide them by diverting attention away to its own agenda. It tries to hide them too by taking the credit—indeed, all of the credit—for the ACT's economic buoyancy. And it tries to hide them by blaming the commonwealth for its own failings. Make no mistake: we have gone backwards here because of a Labor government. We have a stressed health and education system and the look and the feel of the city is, indeed, very concerning and many people regard it as a disgrace.

We are very much behind in environmental terms. We have just had a motion on water security and one further point on that is that this government has let about 170 gegalitres—1½ years supply over and above what it needed to for environmental flows—go out of our dams. Just think what would have happened if that had not occurred. Just think what benefit the people of the ACT could have got if that had not occurred.

We also have a business community here that is constantly frustrated by the government's basically "don't care" attitude. We have a government that protects its windfall revenues in the face of higher taxes and refuses to give any of it back to the people; a government that is more concerned about iconic monuments than it is about the things that are really important to the people of Canberra. And what would a Rudd regime do to improve any of these things in the ACT? I want to suggest to you that it will do little more than to perpetuate the current ACT government's inaction, wasted money and wrong priorities—and, indeed, it would cement the Stanhope Labor government's consummate arrogance and hypocrisy. It will destroy the checks and balances that we as a community and as a nation expect from our governments.

Make no mistake about it: if a Rudd government gets in we will have for the first time Labor governments right across the country. And, if there are changes in the Senate so that the Senate goes under the control of Labor and the Greens, you will have no

checks and balances there. In fact, there will not be any checks and balances. At least at this stage there is a federal government of a different political persuasion from the state and territory governments. If there is any benefit at all, perhaps it is that the Stanhope Labor government will not need to spend so much energy trying to hide the contribution of the commonwealth to the ACT. Perhaps the government here will feel more relaxed because it will be in the good company of poor economic managers, driven by unions, with no concern for business—and in many instances out to get business—and focused on the wrong priorities.

The current federal government has seen us through some significant tough economic times for the world and for the country. It has got international recognition from financial experts for that. It has enabled Australia to weather the Asian meltdown in 1997 which saw strong economies—the Asian tigers—face all sorts of problems. The federal government got us through that without barely a hiccup. It has not been easy. It had to pay off a huge debt it inherited. It had to go through some pretty tough measures, which we also suffered in Canberra—I make no bones about that. But it has come through with a much stronger and growing Australian economy.

Young people now talk about what they want to do. They have a range of options and are keen to pursue those options, keen to pursue the various jobs that are now available to them, which they never ever would have had in 1989 or 1990 and which they did not have. As I referred to in another debate in 1992-93 when I was a candidate for Canberra during that federal election, we had 27 to 50 per cent, depending on which month it was, youth unemployment. Those things have become a thing of the past because of the competence of the federal government and what has been a very effective team of Howard and Costello in terms of economic management.

We have benefited in Canberra from extra public servants, from things like HQ defence coming here. On a national level, too, we have international standing; we punch above our weight. We have always punched above our weight in the world in most endeavours we go into, but as a nation now we are a very strong middle-ranking power, a strong nation respected throughout the world. The Howard government has certainly ensured that the country is more secure.

Defence has had about a 46 per cent increase in real terms, and with some of the equipment coming on stream it has never been in a better state for over 30 years. We have a significant defence population here in Canberra and we see the benefit that flows through from that. That is crucially important, too, because the first duty of any government is the security of its citizens and that is clearly something the Howard government has done particularly well, as well as the excellent economic management.

I dread the election of a Rudd Labor government. I fear for what will happen to the ACT and indeed to Australia. Having lived through the Whitlam years and the Paul Keating years, I cannot see it creating huge benefits for the ACT. Things will certainly not improve; things will go backwards.

I close on the point I raised to start with: why on earth when you have had such a successful, competent team running the country would you now change the coach, and indeed the composition of that team, for a team that is untried, for a coach that is untried and for a leader that is untried? Why on earth would you not tick off—

Mr Barr: It's time for a change, Bill.

MR STEFANIAK: "Time for a change," Mr Barr states. What an idiotic mantra when things have been going so well. Change for change's sake is no excuse and we will be the losers, because if he gets in on Saturday it will be an electorate that has voted for change for change's sake—nothing else. (*Time expired.*)

DR FOSKEY (Molonglo) (5.23): I am very happy to speak to this motion today and to support it at least in its broad intent, though I might differ with the government on the detail. It certainly makes a break from having to endure the lies and the smears that seem to be being put out by an increasingly desperate Liberal Party as they realise that their tax and spending bribes are not changing minds; that people are looking for something a little bit more and a little bit better at this election. The ham-fisted pork-barrelling and deceptive scare campaigns are not gaining traction against the Labor Party, so now it is time for the illegal and the outright dishonest flyers and media grabs to be unleashed. Although it worked for them at the last election, it might be wrong for them to think that it will work this time.

I look forward to what I believe or am led to expect will be a higher standard of probity and transparency that a Rudd Labor government promises. That, of course, needs to be backed up by an effective Senate. The government's scare campaign has been very successful if even a silver lion like Mr Mulcahy is scared. I look forward to seeing the fruits of federal Labor's stated support for greater transparency, independent review of government decision making and freedom of information laws. I wonder if it is possible that the threat of the expanded corporations power could be used to implement a uniform freedom of information bill which abolishes conclusive certificates and removes the growing shroud of secrecy that we have seen thrown over the actions of this government since it gained a majority in the Assembly.

Perhaps the prospect that pleases me most about this is that I will not have to listen to Ministers Corbell and Hargreaves justifying their misdeeds on the basis of "the Howard government does it that way too". I look forward to a return to the future under Rudd Labor, as we hopefully see the restoration of the many programs and policies that used to contribute to a robust democracy and the ethos of a fair go that have been destroyed and run down under the Howard government.

Many people have forgotten the vigour with which the Howard government from the first day it took over, went about defunding, disbanding and attacking any group which dared to criticise Liberal policy or ideology—everything from peak youth bodies, uppity churches and environmental groups to Labor, student unions and the ABC. Charitable tax status was wielded as an ideological weapon as the culture wars raged on and ideological warriors were appointed to positions of power in boards, organisations and agencies as diverse as the national museum, CSIRO and the ABC.

But the Telstra appointments backfired on the federal government. Doesn't Geoffrey Cousins like to feast on the hand that fed him? Bon appetit, Mr Cousins. My colleague Greens Senator Rachel Siewert recently announced a plan to restore the vital role of the community in Australia's democracy titled "Beyond silencing dissent". I commend it to the government and the opposition.

We have not heard much about nuclear power from Mr Howard lately, but aren't nuclear power and carbon sequestration the answer to climate change? I thought that anyone who was truly green and cared about the environment had to adopt a nuclear power plant in their neighbourhood. It scares me that it seems the Prime Minister has taken his eye off the ball here. What about making Australians relaxed and comfortable? Doesn't that cliché still apply?

Only earlier this year Mr Howard was on the record as stating that if temperatures around the world rose by four to six degrees celsius: "Well, it would be less comfortable for some than it is now." Six degrees: less comfortable? What breathtaking ignorance from a man who has access to the very best scientific advice in Australia. He has no excuse and finally it looks like he is going to be called to account.

Hopefully, under Rudd, Australia will no longer hold refugees as hostages to serve as an example to deter others who might think about fleeing persecution, war and despair in their home countries. And what about the AWB scandal? I have not heard much about that lately either—over \$300 million in bribes used by people to buy weapons to kill our own troops. But Alexander Downer was happy with the performance of his staff who signed off on the arrangements, and no-one to the best of my knowledge has been as much as reprimanded.

It is a bit like the public servants who took the heat for the Howard government over Tampa, told lies and were rewarded with deputy secretary and agency CEO positions and ambassadorships. I hope the government will push its federal counterpart, in the event of an ALP victory, to investigate some of these scandals, to act as our own truth and reconciliation commission process.

I have a long list of issues here that are of relevance and concern. I certainly could speak for a very long time. I am assuming that someone else will list these, but I just thought I would get onto the issue of federalism—the idea that it is going to be a lot different with a Labor government at the federal level. Elections are not decided in vacuums. Electors must navigate through public relations and advertising messages, as well as an expensively designed marketing image, to try and get to the heart of the policies.

I think it was Peter Martin who wrote an article in the *Canberra Times* recently indicating how it was that we do not really need to expect things to change, especially at the economic level, because, let us face it, for all Howard would like to spruik his success when interest rates are low and deny his role when interest rates are high, it is the Reserve Bank and economically trained bureaucrats who make decisions on these matters.

It is unfortunately the case that the political party that would be truly preferred if electors had access to complete and objective information, the economists' laudable but sadly predominantly fictitious assumption of "perfect information" in this best of all possible worlds, more accurately representing the interests and views of a majority of electors, loses the election because it is not as adept or as underhanded and dishonest as its rivals in marketing their focus-group-fashioned image, running

effective scare campaigns or distributing misleading, defamatory, inflammatory and dishonest leafleting campaigns, such as the Liberal Party.

Whatever the outcome of this election, I doubt that relations between the ACT and the federal government will become that much better when it comes to funding. I hope that is not the case, by the way; I am talking about history. We may, however, finally get to see some policies, such as civil unions, introduced in the ACT and not kyboshed by the federal government and we might see a few dollars attached. We might see sustainability as a theme and the federal government assisting the ACT in, for instance, developing our public transport system, introducing light rail and many other issues that we think would take us to a much more sustainable status.

If anyone would be aware of the damage wrought by the Howard government on the role of the Senate, it would well be the Clerk of the Senate, Harry Evans. This is what he said about majority governments:

However cogent the argument, there will remain a hard core of the hard-nosed who only want governments to get on and govern, and who require only the ability at regular intervals to remove them if they do not. Such people will continue to scorn all safeguards as wasteful and inefficient, a drag on the market”.

The real realists, however, are those who know that, while their wallets may be intact for the time being, their pockets will not remain unpicked and their rights untrampled if their chosen representatives are given a free rein between elections indefinitely. Such people are properly sceptical of the claim that “strong government equals economic growth”. They will welcome the timely installation of safeguards to curb malfeasance at an early stage. Australia is now undersupplied with safeguards, and oversupplied with public scandals, not counting the misdeeds we do not get to hear about. We should preserve the safeguards that exist and think very carefully about new ones.

Whilst I am not as optimistic about the election of a Rudd government as the ACT ALP government is, I do believe that the 11 years of Howard government have seen a sort of souring of politics at the federal level. I believe it has been a grey cloud over Canberra, one that has been palpably felt here more than anywhere else, and I very much look forward to waking up on Sunday and seeing that that grey cloud of the dampening of human optimism and hope is lifted. Of course, I would like the grey clouds that are working at the moment to be there, however.

MR GENTLEMAN (Brindabella) (5.33): Paragraph (3) of the Chief Minister’s motion “notes that the abolition of Work Choices would remove the threat to the livelihoods of working Canberrans and their families”. Why was it necessary for the Liberal government to inflict such dreadful legislation on an unsuspecting Australian workforce?

I do not believe it could have been due to the state of the economy, as the Liberal government’s own claim is that the Australian economy has been going gangbusters for the past few years. Company profits have never been higher, as proved by the amounts paid to some CEOs. Australia is in the middle of a resources boom, as

witnessed by the Western Australian mines making extraordinary profits. Interest rates have gone up six times in the past three years to counteract the spending currently happening in this country.

So what was it that prompted John Howard to introduce such radical change to the lives of working families not just here in Canberra but across the country? Perhaps the unexpected windfall of control of both houses of parliament played a role. Maybe it was to realise the long-held dream of a conservative and narrow-minded politician, suddenly confronted by the once-in-a-lifetime chance to fulfil a wish of some 30 years standing.

Certainly those who in good faith voted Liberal at the last election had no idea that by doing so they were inflicting such draconian legislation on an unsuspecting Australia, as this legislation was not mentioned before the last election. Where was the mandate for that—or are we now to believe that just having control of both houses of parliament was a substitute for a genuine mandate? What has Work Choices really achieved, apart from helping to fulfil John Howard's dream of a union-free, totally unregulated workforce at the mercy of the powerful bosses?

All this legislation has done is to instil uncertainty and doubt about job security in the minds of thousands of workers and their families. For what purpose? Wages breakouts and industrial disputations have not been a significant problem in Australia for years. The accord in the 1980s and then the introduction of enterprise bargaining in the 1990s have ensured that workers in this country have been able to achieve reasonable wage increases consistent with both CPI and inflation—"reasonable" being the operative word here. No ordinary worker in this country, whether in the private or public sectors, has the ability to organise huge wage increases for themselves. At the most the average pay increase over time has been in the vicinity of three to four per cent.

All Work Choices has done is to create an atmosphere of fear amongst those workers, particularly in the private sector, where this legislation has had the most impact— young people and women the most impacted. Young people generally do not have either the knowledge or the ability to negotiate their own AWA which, together with the threat of not having a job if they do challenge the conditions contained, is enough to keep them silent. It is a "take it or leave it" situation; hence we see hourly rates, penalty rates and overtime slashed in industries such as hospitality where the greatest concentration of young people is found, mainly doing part-time work to supplement their living standards while studying.

Mr Howard has now said he will not take Work Choices any further. But, if that is so, what happens when Peter Costello takes over? I will quote from Mr Rudd's launch to give you some background:

Federal Labor today launched a time line setting out Peter Costello's 21 year crusade to impose radical industrial relations changes on all Australians.

If John Howard wins the election—and Peter Costello becomes PM without facing the voters—Prime Minister Costello will take Work Choices further.

Prime Minister Costello will take Work Choices further because Peter Costello has spent the last 21 years agitating, advocating and legislating for a more and more extreme American style industrial relations system.

For 21 years, Mr Costello has used all the skills at his disposal, financial, legal, and political to erode the take home pay and conditions of working families.

Now after 21 years—and in the shadow of an election—Mr Costello has spent the last 21 days reluctantly promising he won't take Work Choices further.

To judge the intentions of Prime Minister Peter Costello working families are entitled to look at the last 21 years, not just the last 21 days. Highlights of Mr Costello's extreme industrial relations crusade include.

In 1986 Mr Costello formed the new right organisation called the HR Nicholls Society. You would be familiar with that, Mr Speaker. In March 1986, Mr Costello was one of the four founding new right members of the HR Nicholls Society. The HR Nicholls Society is the most extreme industrial relations think-tank in Australia. Also in 1986 he advocated in the national wage case a 44 per cent cut to the minimum wage. In December 1986 Peter Costello advocated in the national wage case for all award wages to be reduced to the level of \$171.30. This was a 44 per cent reduction from the metal industry award 1984 rate for a tradesperson G10, equal to a C10 classification, of \$305.10 per week. Again in 1986 he attempted to radically change the Liberal Party industrial relations policy from outside parliament.

In 1989, Costello was installed in a safe Liberal seat as part of the new right push. In 1991 he argued to privatise the independent industrial relations umpire. In 1993 he supported a \$3 youth wage under the Liberals' Fightback! policy. As a member of the coalition shadow ministry Peter Costello was a key supporter of the \$3 per hour youth wage, which was a centrepiece of the Liberal Party's infamous Jobsback policy, part of the extreme Fightback! policy rejected by the Australians in the 1993 election. In 1999 he agitated for cutting the wages and working conditions of employees in regional Australia. On 11 December 1999 Mr Costello told the *Age* that he believed that people outside of Sydney and Melbourne did not deserve to be paid the same, saying:

When minimums are set, they are basically set for what is appropriate in big business for somebody in Sydney or Melbourne, and I'm saying that's not necessarily appropriate for regional centres.

In 2004 he agitated for the Howard government to use its Senate majority to introduce the extreme industrial relations laws. In 2005 Costello, Howard and Kevin Andrews drafted the Work Choices legislation plan. Howard was forced to restrain Costello from even greater extremism. Again in 2005 Mr Costello argued to scrap all protections except the minimum wage and to put more workers onto unfair AWAs, he agitated for the removal of all protections from unfair dismissal and then he voted to introduce Work Choices. In 2006 he received economic modelling from his own department to take Work Choices even further. In 2007, after a lifetime crusade, in the shadow of an election he began denying that he wanted to take Work Choices even further. And in 2009 Prime Minister Peter Costello will take Work Choices further if elected this weekend.

If John Howard wins the election, Peter Costello will become Prime Minister, and without having to face the voters. Peter Costello has spent a lifetime agitating, advocating and legislating for a more extreme American style industrial relations system. If John Howard hands the keys of the Lodge to Peter Costello it is not believable that, after 21 years of extreme industrial relations crusading, Prime Minister Costello will not take Work Choices further—and John Howard will not be there to restrain him.

As you have heard, Work Choices has affected Australians badly, and of course studies have shown that women have been left with little choice when negotiating work contracts, with sometimes uncaring bosses. Family friendly Work Choices is not. So it comes to light that yet another round of Work Choices legislation was mooted by the Liberal government. Are we surprised? But of course they were never going to implement it; or were they? And of course we believe them: their history on being upfront and honest is just so transparent. We all know that if re-elected this dreadful government would seek to further reform the workforce.

I will call on Mr Howard and Mr Costello for the first time in their political life to be honest with the electorate. Tell us your plans that you have for workers in this country if you are re-elected. Let us know before this election.

MRS BURKE (Molonglo) (5.43): For one moment I thought the Chief Minister was really serious about this, but it is disappointing that he is not here this afternoon. Really and clearly, it shows that this is no more than a sop for the federal opposition at the moment. Mr Stanhope refers in the second paragraph of his motion to “the consequent benefit to the ACT”. He has not really thought about this, because I think Mr Rudd has already indicated his dissatisfaction with the states and territories when it comes to the running of things like our public hospitals. He is not just going to alleviate the pressure; he is going to take them over. So it will be interesting to see how Mr Stanhope copes with that. I think that, far from it being good news, Mr Rudd will be quite shocked about what exactly is going on around the states and territories, and not just in health. It will be interesting to see whether Mr Stanhope will have the same view if—and I doubt that it will happen—Mr Rudd gets in.

I will say something about what Mr Gentleman said. It was interesting that he was all over the place in terms of the relationship between Peter Costello and the Prime Minister. With respect to what has been the longest-serving partnership in political history between a Prime Minister and a Treasurer, for over 11 years, it is ridiculous for people to say they do not know what Peter Costello stands for. The policies that have been released by the federal government have absolutely and very clearly been worked out with the Treasurer—unlike the 100 or so policies that have only recently been presented for costing by the Rudd opposition. That is a case of shutting the stable door after the horse has bolted, isn't it? They put out the policy without it being costed.

Mr Gentleman: Good policies, too.

MRS BURKE: No, it is an absolutely ridiculous way of doing it. How much good financial management does that show? Not much. I would be very concerned if I were a voter, and hopefully people will hear all about that in the next day or so.

If Mr Rudd is elected on Saturday, guess what he has promised to do? He is going to slash the public service. I will talk more about that later, because he might not do so. He will say that he will, in order to seem to be a tough guy, but then there will be a reason why he cannot, and I will explain that later.

Mr Rudd is a danger to the entire economy of Australia, but particularly to the ACT. He is on record as offering the prospect of 81 new bureaucracies and 119 reviews. What he offers the ACT is an expensive nightmare. So to come back to where I started, we will see either empty, shallow words from Mr Rudd that never come to pass or he will carry out his threat, only to then re-recruit the public servants to head up the new bureaucracies. Essentially, the federal public service is Canberra's lifeblood. Canberra is the home of the federal public service. Whilst there has been something of a balance between public servants as an industry and the business sector, we still know Canberra to be the home of the federal public service. What will his enthusiasm for cutting the public service mean to Canberra? Let us have a look.

Currently, the ACT receives considerable funds for health under the commonwealth-state health agreement. What will a significantly reduced population, due to a Labor policy of transferring public servants away from Canberra, do to our hospital funding? What will this do to commonwealth funding for our entire health system? This is on top of cuts to health funding for two programs worth almost \$200 million. That is right: it has been revealed that the Australian Labor Party would cut two important health programs worth almost \$200 million if it is elected on the weekend. In submitting costings to the department of finance, Labor has revealed it will cut Medicare eligibility for 13 MRI units and a program to train 500 extra enrolled nurses a year. How sneaky is that?

On the other hand, the Liberal federal government has recently extended eligibility for the health care card for former carer allowance (child) recipients. Twenty-five thousand students are now able to access a health care card due to changes that came into effect from October. The move will help full-time students with a disability or medical condition and their families to manage their ongoing medical costs. Previously, many of these students were not eligible for health care cards. The initiative is worth \$19.3 million over four years and provides pharmaceutical benefits scheme prescription items and certain Medicare services at a cheaper rate.

Despite billions being provided by the federal government to the states for housing, there were fewer public houses available in 2004-05 than in 1996-97. I have a chart here which clearly shows this, and it refutes the argument that the housing minister, Mr Hargreaves, and the Chief Minister keep putting up here. Let us read through it. In 1996-97 in the ACT there were 12,052 properties. In 1997-98 there were 11,947 properties, in 1998-99 there were 11,959 properties and in 1999-2000 there were 12,070.

Here comes the downfall; here comes the mis-spending of federal government funds: what did we get? Not better service but less. What happened? In 2000-01 there were 11,913 properties, in 2001-02 it went down to 11,588, in 2002-03 it went down to

11,467, and in 2003-04, because they had been pressured and pushed along, it actually went up a little bit, to 11,548. Sadly, in 2004-05 it went down again, to 11,415. Overall, that means there are now 600 fewer properties than there were when the Liberals left office. We left them in good shape and they have simply abused the money that has been coming to them from the commonwealth. The commonwealth quite clearly state that that is a concern.

During the period that we have talked about, the federal government has provided the states with \$9.6 billion in funds for housing. The current five-year commonwealth-state housing agreement until 2008 provides states and territories with \$4.75 billion for public and community housing. As I have said, what have we seen the Stanhope government do with its share of the money? We have seen stock reduced by some 600. Have we seen effective and targeted use of these funds and some significant improvements to the public housing sector? No, absolutely not—a sheer disappointment.

We also receive significant funding from the commonwealth for organisations to provide residential care for the elderly. What impact will a reduced population have? With the demographic of Canberra changing, it will be the elderly who are left behind—those who are retired now and those who will retire in the near future. Now we have specific programs designed to help people move into more independent living arrangements or to provide for their ongoing support needs, such as the supported accommodation assistance program, home and community care program and the commonwealth-state disability agreement.

We are looking at the impacts of a Rudd-led government, having regard to the changing demographics that we will see over the next little while. What impact will cutting the public service have? Those opposite are really looking at this through rose-coloured spectacles. They have no idea of what the true impact will be. When Kevin Rudd says he is going to slash the public service, it will affect every one of us in this place.

In the ACT the Stanhope government have already failed to increase the supply of public housing stock, as I said. I could go on and on. It will be an absolute tragedy, an absolute mess and an absolute debacle if a Rudd Labor government is elected. If they are elected, heaven help Australia. There are no plans there; the costings are still all over the place, as we have just heard. As late as today, they still have no proper, definite costings for the policies they have put out. That is dreadful news. I am sure the shadow Treasurer, Mr Mulcahy, will have something to say about this.

Mr Barr: We await with bated breath the Mulcahy verdict!

MRS BURKE: Even if you are not worried, Mr Barr, I think the rest of Australia should be extremely worried that policies are being released without being costed. We do not really know the full impact of those policies. We do not know the full impact of what is going to happen in the ACT. We will see Mr Rudd—

Mr Barr: I don't think costings would be the biggest issue.

MRS BURKE: Mr Temporary Deputy Speaker, I have put up with Mr Barr's constant interjections. I am nearly finished.

Mr Barr: I have been reasonably restrained, Mr Temporary Deputy Speaker.

Mr TEMPORARY DEPUTY SPEAKER (Mr Gentleman): Order! Members, please cease interjecting.

MRS BURKE: I think it is going to be an absolute nightmare when a Rudd Labor government cannot even get their costings in and cannot get themselves organised. They throw things out to the community—100 policies. I am just amazed that we can sit here and think this is wonderful, particularly those in the Stanhope government. It is very sad; we bang on about Work Choices. The reality is that the federal government have not caused a scare campaign about that; it has been solely down to the unions.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (5.53): Mr Temporary Deputy Speaker, if there is one thing that you can be assured of with the ACT Liberal opposition, it is that they have no shame whatsoever. The Liberal Party talks about the effects on this city of a massive slashing of the public sector. What about the record of the Howard government between 1996 and 1998? Those muppets opposite have the hide to come in here and accuse an incoming Labor government of having the potential to devastate this city. One only needs to go back to 1996 to look at the experience of the Howard Liberal government.

I will move on from that issue to the more important one—that is, the need for a federal government that is interested in investing in education, in increasing the quantum of the Australian federal government's investment in education. We need an education revolution in this country; we need an investment in education and we need it to come from all levels of government. If we are going to build and sustain our economy into the future, we need to be investing in education and training now. We need a partnership between the federal government and the territory government to provide record levels of funding for education. That is why it is important that we see the election of a Rudd Labor government on Saturday.

Under the Howard government, Australia has fallen considerably behind most other OECD nations in terms of investment in education. On the early childhood front, the Australian government's investment is at just 0.1 per cent of GDP, compared to an average of 0.5 per cent in OECD countries. We need significant further investment in early childhood education. The ACT government, through the range of initiatives that we have announced, will be investing in and establishing new early childhood schools. We have lifted the number of government-funded preschool hours in the ACT to 12 per week. With the addition of a \$450 million investment from a Rudd Labor government in early childhood education, partnering with the ACT government, we will be able to further lift that to 15 hours per week.

The election of a Rudd Labor government will result in considerable investment in Australian schools. We will see investment in information technology. Again, it is an

area where the ACT government has invested, with \$20 million in information technology and for the establishment of a broadband network, so that every ACT public school has optic fibre access across a network in the ACT. This is backed by the Rudd government agenda in relation to provision of computers for all senior secondary school students. That is an important investment that is also in line with the direction the ACT government is taking in terms of investment in information and communication technology in our schools.

The provision of additional support for Australia's universities is another important investment from a Rudd Labor government. Support for those who are studying maths and science, by way of relief from HECS, particularly for those who want to enter into the teaching profession, is another important initiative to assist in addressing the shortage of teachers in those areas. All of these investments, in collaboration with the states and territories, will see the level of investment that this country needs in education and training. This will include an investment of \$45 million that will be available for ACT schools for trades training centres, on top of the money that the ACT government is investing—more than \$350 million in our public education system. This is money that the shadow minister refers to as throwing good after bad. We know the attitude of the Liberal opposition to investment in public education.

What we need is a federal government that is prepared to invest money. We will have that with the election of Kevin Rudd. We will have the education revolution that this country needs. We will have a cooperative working relationship between the states and territories and the federal government. However, what we will not have is the imposition of the HSC onto the ACT. We will not have the threats and the bullying from Julie Bishop to withdraw Commonwealth funding for ACT government schools. That is the threat, and that is the fundamental choice that voters will face, including voters in the ACT. It is about whether they are prepared to support a federal government that is prepared to rip funding out of the ACT—

Mrs Dunne: Schools that you closed after you lied to the electorate.

Mr TEMPORARY DEPUTY SPEAKER: Mrs Dunne!

MR BARR: education system in pursuit of an ideological agenda around external exams.

Ms MacDonald: On a point of order, Mr Temporary Deputy Speaker: Mrs Dunne just accused the minister of lying. I ask that she withdraw that.

MR TEMPORARY DEPUTY SPEAKER: Mrs Dunne, could you withdraw that, please.

Mrs Dunne: I presume I have to withdraw the word “lie”, but the Labor Party did speak untruths to the electorate in relation to school closures.

MR TEMPORARY DEPUTY SPEAKER: Thank you, Mrs Dunne.

MR BARR: In the little time I have left, I would also like to highlight the investment that a federal Labor government will put into languages, particularly Asian languages,

in our schools, backed again by an ACT government initiative. We continue to extend our language programs and our commitment by 2010 that every ACT school will offer a language other than English. We will continue to invest, in partnership with a federal government that actually cares about education and about education in the ACT, which has something more to offer than the withdrawal of \$40 million of funding because we will not agree with its outrageous ideological agenda. That is the stark choice: a federal Liberal Party and a local Liberal Party which support the removal of \$40 million from ACT public education—

At 6.00 pm, in accordance with standing order 34, the debate was interrupted and the resumption of the debate made an order of the day for the next sitting. The motion for the adjournment of the Assembly was put.

Adjournment

The Jammed

Senator Gary Humphries

MRS DUNNE (Ginninderra) (6.00): Today I had the opportunity to catch up briefly with the award-winning filmmaker and scriptwriter who last weekend was announced as the winner of best picture and best script at the IF Awards for the movie *The Jammed*. As members would know, *The Jammed* was screened in Canberra. I hosted a very successful and well-attended screening to bring to the community's attention the heinous practice of trafficking of women for sexual purposes and for prostitution into Australia and elsewhere.

I am really pleased with the support that I have received from my colleagues both here and up on the hill. I refer to my colleagues in the Assembly who supported me, and also to the strong support I have been given over the years by Senator Gary Humphries, who has taken up the cause that I have started here up on the hill with his colleagues there. I think it is a great shame that, on a day when we look at the great work that Senator Humphries has done in this area, we had the outrageous slur made about him by Senator Kate Lundy on the radio this morning, when she said that he was "anti working mothers".

I would like to put on the record that nothing could be further from the truth. I speak from my own experience as a former staffer of Gary Humphries. I know how committed he is to family-friendly workplaces. When I worked for Gary Humphries when he was the Attorney-General, he allowed me to bring my infant son into the office for a number of months so that I could continue to feed him while I was working as a staffer. He allowed me to adjust my working hours so that I could work from home on one day a week.

Further, as the ACT Attorney-General, Gary Humphries pioneered changes to the Discrimination Act to protect breastfeeding mothers from discrimination. As a father and a husband, Senator Humphries is fully aware of the strains on working mothers, and it is my experience that he has always helped the women around him to balance their many work pressures. I know that in his current employ he has two women working for him who have under-school-age children, and I know that Senator Humphries accommodates their needs and allows them to work as flexibly as

possible. What Senator Lundy said on the radio this morning was a disgusting slur and she should apologise.

I turn to the subject of the federal election and some of the slurs that have been made in this place in the last little while. The Chief Minister yesterday bemoaned the rise in interest rate repayments and how an average loan would increase by around \$50 a month. He failed to take into account the fact that, as a result of Australian government cuts to income taxes, this would be offset by an average cut in taxes of around \$80 a month since July this year. He also failed to mention that, as a result of promised tax cuts after Saturday's election, by next year there would be a cut to the average tax burden on Australians of \$120 a month. These are commitments that we know will be kept, unlike the "l-a-w law" tax cuts that we saw from Paul Keating back in 1993.

We also have to remember the level to which interest rates rose under the Keating government. It is unfortunate that most of the people who may change their votes in the 18 to 30 age bracket were not really conscious of what was going on in the economy at that time; they were probably in their late teens or had not even reached their teens the last time we saw a Labor government. They do not realise and do not remember the "l-a-w law" tax cuts. They do not realise just how hopeless it can be under a Labor government. They will not remember the "recession we had to have", which we will have to have again if we have the profligacy and bad management that we come to expect from Labor governments.

This is what happens across the country; you see it in and out of season. We have good economic times and people think, "Perhaps we can get rid of the people who are concerned about the economy and bring in the people who say they are touchy-feely about other issues." They forget that they run down the budget and they run up the deficit. We will have a Beazley black hole revisited. What you then have to do is bring in a Liberal government to put the economy back on track again. This is the pattern we have seen in and out of season, and if there is a change of government we will see it again, to the detriment of the Australian people.

Federal electorate of Lindsay

MS MacDONALD (Brindabella) (6.05): I was going to speak about this on the earlier motion, but time ran out; so I thought I would talk about it now in the adjournment debate. I want to talk about the events that have occurred in the last couple of days in the seat of Lindsay, to say how sad those events are and to draw a parallel between what has happened in the last couple of days, with the distribution of a pamphlet which, according to Jackie Kelly, the retiring member for Lindsay, was just a joke à la Chaser style—a very sad joke I would have to say that really lowers the tone of the campaign, which is very unfortunate—and what happened at the election in 2004 when a few days before that election a similar situation occurred in the seat of Greenway.

At the 2004 election the Liberal candidate in Greenway was Louise Markus and the Labor Party candidate was Eddie Husic. I have always known him as Eddie Husic—I went through Young Labor with Eddie and am still good friends with Eddie—but

some call him Ed Husic. For those who do not know, what happened in that election was that a pamphlet, purporting to come from Eddie Husic, was distributed around the electorate by the Hillsong Church members. Eddie is a Muslim, a Bosnian Muslim, and the pamphlet was basically playing the race card, with misinformation about him.

We have in this country a history of tolerance towards all religions and I think it is a very sad situation when this is occurring during an election campaign.

Members interjecting—

MS MacDONALD: Madam Temporary Deputy Speaker, could you please ask that Mrs Burke stop interjecting. I did not interject on her.

MADAM TEMPORARY DEPUTY SPEAKER (Mrs Dunne): Order! Members.

MS MacDONALD: I am talking about what I consider to be an incredibly serious situation here—

Mr Seselja: Yes, you made a serious allegation and you should back it up.

MS MacDONALD: and there is plenty of backup on that, Mr Seselja. You can go and look at the records that are out there; there is plenty of information out there. I am saying to this place and in this place that as the daughter and granddaughter of Jews who escaped Nazi Germany, I think this behaviour is despicable. It is despicable to put out information intended to draw out racist hatred amongst Australian people. That is what went on in the 2004 election and it was tried again at this election—only it has backfired this time. I would urge all of us in this place to remember at all times, whether it be an election campaign or any other time, that we do not need to draw out that nastiness that sometimes occurs within human behaviour.

Greens—election policies

MR SESELJA (Molonglo) (6.10): I want to say a few words about the Greens and their policies—in particular, their drugs policies and their tax policies, which have been drawn out in the last little while. We heard Kerrie Tucker on the radio today squirming when the ACT Greens drug policies were put out there on the public record. The Greens do not like their policies being put out there for public consumption. Kerrie Tucker certainly did not like it today given her reaction to Senator Humphries on the radio this morning.

We have heard the Greens cast the most disgraceful and outrageous slurs on everyone in political life at various stages. They have no qualms about going after anyone and everyone and in quite harsh terms, taking the moral high ground on everything. But it seems that when the attention is turned onto the Greens and their policies they do tend to get a bit defensive. We saw that not just today from Ms Tucker; we also saw it from, apparently, one of her senior campaign managers, hurling abuse at Liberal Party members at a pre-polling booth.

The abuse was based on the fact that the Greens policies on drugs, in particular, but also on tax, were out there for public consumption. These were policies that are on the

Greens website and that the Greens should be standing behind. If they believe them they should have no concern with them being in the public arena. But it seems that when they get called on their policies, on their extreme policies, they do not like it. We saw Ms Tucker eventually admit that the Greens want to support not only the decriminalisation of personal cannabis use but also the decriminalisation of heroin use, of cocaine use and the use of amphetamines.

I think the reason they have reacted as violently as they have to this revelation is that they know that there will be thousands of Canberrans who would be very concerned about these policies. There are thousands of Canberrans who would be very concerned about the Greens having the balance of power in the federal Senate and espousing these kind of policies, pushing these kind of policies. And we know that the Labor Party are expecting to form a virtual coalition with the Greens if they are to come into power. We have Lindsay Tanner on the record saying:

We might have the Greens with the balance of power ... and in order to form government Labor might have to do some of the mad things they want.

What are some of the mad things that Labor are going to be doing in order to get the support of the Greens? Are they going to support the decriminalisation of heroin? Are they going to support the decriminalisation of cocaine? Are they going to support the decriminalisation of amphetamines? Are they going to support higher taxes on capital gains? Are they going to support death taxes? The Australian Greens will reintroduce inheritance tax, even applying to some family homes. Are they going to support the abolition of the 30 per cent private health insurance rebate? We know that Kevin Rudd has changed his tune on that; he did describe it in pretty harsh terms not long ago, but he has come around. But of course if he is pushed by the Greens this might be one of the mad policies they adopt.

The Greens have also advocated a company tax rise. Since we have seen a reduction in the company tax rate, coincidentally we have also seen a massive increase in revenue generated by companies. So there may be something in the economic theory that if you get the tax rates right—rather than pushing them up all the time, as the Greens, in particular, would advocate—you get more revenue coming in because of the extra activity that is generated.

So I think there will be thousands of Canberrans who would be concerned about the Greens having the balance of power. There will be thousands of Canberrans who will be very concerned about Kerrie Tucker representing the ACT and taking forward some of the policies that have been highlighted in recent days that the Greens would prefer were not talked about. They would prefer we did not talk about their drugs policy. They would prefer we did not talk about their taxation policy. But Canberrans, when they go to the ballot box on Saturday and consider voting for Kerrie Tucker, should remember that the Greens have extremist policies and that their alliance with Labor has significant dangers. (*Time expired.*)

White Ribbon Day

MR GENTLEMAN (Brindabella) (6.15): There is another event occurring this weekend after the federal election and that is White Ribbon Day. In 1999 the United

Nations designated 25 November as the International Day for the Elimination of Violence Against Women. This day was established to increase global awareness of the unacceptable level of violence that is committed against women and children around the world.

Nowadays 25 November is commonly referred to as White Ribbon Day. Throughout Australia dedicated organisers from the White Ribbon Foundation, as well as many volunteers, are arranging a host of events to support the campaign to end violence against women. This year I had the privilege of hosting the ACT media launch for White Ribbon Day and this year's media campaign uses sport as its key theme. It was great to have representatives from various local sporting groups, such as the Canberra Raiders and Cricket ACT, as White Ribbon Day ambassadors at the launch. I thank the minister for sport for his support of White Ribbon Day through ACT cricket.

The television campaign advertisements which were shown feature former Wallaby Brendan Cannon, former Maroons captain Gordon Tallis and current Essendon player Jason Johnson in an advertising series called "worth the embarrassment". These players are shown wearing a jersey of the team that they were bitter rivals with on the sporting field. Brendan Cannon wears an All Blacks jersey, Gordon Tallis a New South Wales jersey and Jason Johnson a Carlton jersey. This is an embarrassing move these players are willing to take in order to highlight to the community how seriously they take Australia's shocking level of violence against women.

White Ribbon Day is an affirmation of the rights of all women and children to be free from violence. It also provides an opportunity for us men to stand up in opposition to violence against women. The United Nations estimate that globally more than one in three women and girls are sexually abused or beaten in their lifetime. The impact of this violence on our community is immense. The impact of this violence on individual lives is unimaginable. Violence costs women their psychological and physical wellbeing for large parts of their lives. Further, the violence maintains the gender inequalities which prevent women from reaching their potential and from participating freely in our community.

We need to acknowledge that the overwhelming majority of violence against women is inflicted by men. Not all men perpetrate violence, but far too many do. And just as women from all walks of life are subjected to violence, men from all countries, all races, all religions and all socio-economic groups perpetrate violence against women. If this situation is to change, men need to be part of the solution. Men must commit to full equality for women. Respect for women is essential if we are to end violence against women. The culture of silence surrounding violence against women must be broken. We must talk about this violence, we must teach our children never to practise or condone violence and we must re-examine the current conceived connections between masculinity and violence.

As this year's media campaign highlights, we as men need to stand up and say to other men that violence against women is absolutely unacceptable. This is the purpose of White Ribbon Day and it is central to the work of the ACT government in this area. The ACT government are committed to eliminating violence against women in all its manifestations. We are committed to a vision that every woman in the ACT lives free

from violence and the fear of violence. But ending violence against women is no easy task. It requires an end to discrimination against women, a change of social attitudes, law reform and support for women who have suffered violence in all forms.

However, the government is committed to working with all members of the ACT community to ensure that no matter how hard it is we are striving towards elimination of all violence. The ACT women's plan, launched by the government in September last year, specifically identifies safe, inclusive communities as a key objective and guides government and community actions to achieve this. We have also enacted a Human Rights Act which enshrines in legislation equal rights and access to justice for everyone. The act protects the rights of all individuals, including women and girls, to personal security and liberty. But clearly we have much more work to do before that right becomes a reality.

Wearing a white ribbon is a public pledge never to commit, condone or remain silent about violence against women. It is a message to the perpetrators of violence that we are appalled by their actions, and I am proud to be wearing a white ribbon.

Public service—impact of federal election

MRS BURKE (6.20): I want to add a personal side about Mr Rudd's proposal to slash the public service but I really must take Ms MacDonald up on a point she said. She may recall in this place—and I will leave her with this—that Jon Stanhope accused me of upsetting an Aboriginal member of our community. He said that her upset was probably heightened because of the fact—I cannot quote him verbatim—that I was from a foreign land, talked with a foreign accent and travelled on a foreign passport, which is absolutely ridiculous because I would not be in this place if I travelled on a foreign passport. So when Ms MacDonald has the hide to stand in this place and talk about the race card and racial slurs, she needs to look in her own quarter first.

Drop a brick on an ants' nest and see how functional the public service will be if Kevin Rudd is allowed to send the public service to the four corners of Australia. That is what he is promising. Imagine Mr Rudd's opportunity to pork-barrel by taking government departments to distant places. Will we see the department of foreign affairs operating from Ettamogah—or maybe from deep inside the Nullarbor Plain, or any other marginal seat in Australia? It would be amusing if it were not so serious. Not only are there people involved but also millions and millions of dollars—and Australia will lose Canberra as the home of the public service.

What will happen to the leases that are currently running on an enormous amount of office space in Canberra? What disruption will it cause to the families of public servants currently established in Canberra? They would be forced to sell their homes under duress; the market will have the value of their homes over a barrel. They will be forced to sell at fire sale prices. Of course, the other aspect of this is that if those forced to move have children the children will have to adapt to a new school in a new place that was not of their choosing. What will happen to the parents and grandparents they leave behind? Will they have to move as well, to be with the family they always anticipated would be around them to help as they grow old, to give them companionship as they age?

Canberra was built on the public service. If people chose not to transfer, what employment opportunities will they have here when the whole base of the community is uprooted? What will the Rudd government do to assist the ACT government of the day to provide new employment opportunities? Have we thought about that? Or what assistance will Mr Rudd give to those who have to relocate from the ACT to another state? You see, there is no detail in anything that Mr Rudd has put out. We have not got any detail at all—none whatsoever. Scratch the surface and there is nothing there.

As I have said before, if at this late stage he is only just now getting the costings for over a hundred policies, Australia beware—watch out. What will happen to the current personal networks that provide so much wealth to the commonwealth by people being in physical proximity to people in associated areas of interest and responsibility?

This is a cold and calculated move: no more, no less. At best it is giving Mr Rudd and his Labor people the opportunity to pork-barrel ad infinitum; at worst it is just a bunch of empty words to try and flex his political muscle to the Australian public. I am sure you will not be laughing, Mr Barr, when it actually hits home here in the ACT. If Mr Rudd gets in, we will see if you are still laughing in that way. Who will be attracted in the future to work for commonwealth departments and agencies when they have no security of domicile? A Rudd Labor government will treat people like automatons. How can we trust Kevin Rudd? I do not think we can. “Do as I say or go to hell” or, as one of my constituents said to me, “A federal Labor government would mean Australia is run by a bunch of control freaks.”

Greens—election policies

DR FOSKEY (Molonglo) (6.24): Look, I have stood by on the whole while some members of the Liberal opposition have vented this week and last week. I understand that they are difficult times for them, that there will be a lot of adjustment. I guess losing an election is probably maybe third after moving house in terms of trauma. I am prepared to accept that people use this place to vent, but I did not really think people would actually come and promulgate lies, so I feel obliged to stand up to quickly respond to Mr Seselja, the shadow minister for misrepresenting the Greens policy on drugs.

MADAM TEMPORARY DEPUTY SPEAKER (Mrs Dunne): Order! Dr Foskey. There is a proper way of addressing or referring to a member. Can you please do it?

DR FOSKEY: Thanks, and I seek leave to table the Australian Greens policy on drugs.

Leave granted.

DR FOSKEY: I table the following paper:

Australian Greens Policies—
Drugs, Substance Abuse and Addiction, issued September 2007.

I have prepared a speech which refers to Mr Mulcahy's spray last night, which, of course, is encapsulated in his media release today. It is good to know that Senator Humphries has got allies in the ACT Liberals and that they are all pulling out all their stops, because if Mr Humphries loses this election it will be a first in history. It would be like Mr Howard losing his seat—not really nice. But they will get over it. Having read the content of Mr Mulcahy's speech, I incidentally saw ads for Lisa Milat, the ACT Senate candidate for the Liberty and Democracy Party: lower taxes, smaller government. I think they were the themes of Mr Mulcahy's speech last night. I seek leave to table the Australian Greens economic policy.

Leave granted.

DR FOSKEY: I table the following paper:

Australian Greens Policies—
Economics, issued March 2007.

I would just like to remind Mr Mulcahy, after his extraordinarily paranoid outburst in the adjournment debate last night, that while I might feature in his nightmares and daytime hallucinations the Greens will not be taking government on the weekend. I will not waste time debunking the myths that he promulgated—the sort of urban myths that exist about Greens policies and that are propagated in leaflets and so on. I have tabled the policy and if those opposite do not want to read it and tell the truth that is very concerning about the potential future government of the ACT.

The Greens might end up with the balance of power in the Senate, but if we do it will be a reflection of the concern and democratic actions of a large number of Australian people who have watched the erosion of human rights and democracy in Australia since 1996, and most especially since 2005 when the coalition became the majority in the Senate. It will be the result of their desire to restore fairness in the Australian parliament and to take effective action against climate change. But even if five, six, seven senators are elected from the Greens, the ALP and the Liberals together will have the numbers to enforce their own economic agenda that, on the whole—Mr Rudd has made a point of saying this—they both share.

However, the Greens with the balance of power in the Senate will help it to return to its rightful role for which it was established: the house of review of government. In short, Mr Mulcahy—up there in your office watching on TV, or reading this in the transcript tomorrow—if more democratic processes, greater scrutiny of the government of the day, more emphasis on the social and ecological impacts of government policy, and actions and efforts to ensure that a greater number of people benefit from Australia's wealth concern you, be very, very afraid.

Federal election

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (6.28): It is always amusing to watch the family squabble and to see the Liberals and the

Greens engaged in this little exercise of desperately fighting over this last Senate seat. It does give me great heart, though, to see that the opportunity is there on the weekend for the election of a federal Labor government and we look forward to that occurring.

Question resolved in the affirmative.

The Assembly adjourned at 6.30 pm until Tuesday, 4 December 2007, at 10.30 am.

Answers to questions

Nolan Gallery (Question No 1690)

Mr Mulcahy asked the Minister for the Arts, upon notice, on 25 September 2007:

- (1) How many artworks have been moved from the Nolan Gallery to the Canberra Museum and Gallery, or any other place, due to the humidity problem at the Nolan Gallery;
- (2) Did any of the artworks at the Nolan Gallery suffer any damage or any wear (above normal wear) due to the humidity problem at the gallery;
- (3) How many of the artworks moved from the gallery are currently on display to the public;
- (4) Has the conservation expert commissioned to inspect the gallery reported to the Government on the humidity problem; if not, when does the Government anticipate that this report will be received; if so, can the Minister supply a copy of this report;
- (5) If the Minister cannot provide the report as outlined in part (4), when does the Government anticipate that this report will be made available to the public;
- (6) What, if any, other information has currently been received from the conservation expert;
- (7) Will the Minister supply documentation in relation to any information received as outlined in part (6);
- (8) If the conservation expert has reported to the Government what, if any, decision has been made as to the future of the Nolan Gallery and the artworks that were formerly displayed in the gallery;
- (9) If no decision has been made as to the future of the Nolan Gallery, when does the Government anticipate that a decision will be made.

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

- (1) All of the artworks from the Nolan Gallery have been moved to the Canberra Museum and Gallery, with the exception of two works that are currently at the Art Gallery of New South Wales – please refer to answer to part (3). The works moved from the Nolan Gallery comprise 44 paintings and 246 works on paper, including the 24 Foundation Collection works.
- (2) There is no damage due to humidity to any of the artworks.
- (3) Twelve paintings from the Nolan Gallery Foundation Collection, including works from the Ned Kelly series, are currently on display at the Canberra Museum and Gallery. Two further works are currently on display as part of the *Sidney Nolan Retrospective* exhibition at the Art Gallery of New South Wales. A number of other works were recently included in a major exhibition at the Australian National University Drill Hall Gallery.

- (4) The conservation expert has provided a report to the ACT Government through the Cultural Facilities Corporation. A copy of this report is available and will be supplied to the Member.
- (5) Not applicable.
- (6) No other information has been received from the conservation expert.
- (7) Not applicable.
- (8) No decision has yet been made on the future of the Nolan Gallery and the artworks that were formerly displayed in the gallery. Since the artworks are owned by the Commonwealth Government, any decision as to their location needs to be made in consultation with the Commonwealth.
- (9) In view of the forthcoming Federal election, it is anticipated that no significant discussions will now be possible until after the election.

Compensation—accident victims (Question No 1716)

Mrs Burke asked the Minister for Health, upon notice, on 16 October 2007:

- (1) Further to the answer to Question on Notice No. 1659, how much did the ACT Government pay in compensation to victims of accidents or injury within the ACT health care system during (a) 2000-01, (b) 2001-02 and (c) 2002-03;
- (2) Further to the Minister's advice that payments of \$2 163 637 had been made in 2003-04, \$10 006 745 in 2004-05, \$9 801 227 in 2005-06 and \$3 406 568 in 2006-07 to victims of accidents or injury within the ACT health care system, what are the categories of injuries in which compensation payments were made in (a) 2000-01, (b) 2001-02, (c) 2002-03, (d) 2003-04, (e) 2004-05, (f) 2005-06 and (g) 2006-07.

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

- (1) ACT Health paid the following amounts for the years requested:

Year	Costs
(a) 2000-01	\$2,775,000
(b) 2001-02	\$1,690,000
(c) 2002-03	\$1,099,000

- (2) The categories of injuries can be classified into medical indemnity and public liability. Medical Indemnity claims are further classified as per the Australian Institute of Health and Welfare (AIHW) medical indemnity collection report. The categories arise from the clinical specialties of the health care providers who played the most prominent roles in the incident.

**Environment—Solar Cities program
(Question No 1717)**

Mr Stefaniak asked the Minister for the Environment, Water and Climate Change, upon notice, on 16 October 2007:

- (1) Did the ACT make a submission to participate in the Federal Government's Solar Cities program; if not, why not;
- (2) If an expression of interest was made, what were the reasons why it was unsuccessful and what deficiencies were identified that need to be addressed.

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

- (1) The Government did not make a submission to the Federal Government's trial Solar Cities initiative. Our decision in 2005 was based on our assessment that the ACT had little chance of success, as our understanding was that preference would be given to proposals that could serve as a major national showcase. Our assessment was that the ACT, at that time, lacked the secondary industry needed to gain benefit from the trial.
- (2) The ACT Government did not submit an expression of interest.

**Health—Health Direct service
(Question No 1718)**

Mrs Burke asked the Minister for Health, upon notice, on 17 October 2007:

- (1) How many telephone calls has the Health Direct service received in (a) 2001-2002, (b) 2002-2003, (c) 2003-2004, (d) 2004-2005, (e) 2005-2006 and (f) 2006-2007;
- (2) How many calls to the Health Direct service have resulted in a referral to The Canberra Hospital Accident and Emergency Department in (a) 2001-2002, (b) 2002-2003, (c) 2003-2004, (d) 2004-2005, (e) 2005-2006 and (f) 2006-2007;
- (3) Which company is contracted to provide the Health Direct Service;
- (4) How much funding does Health Direct receive from the Commonwealth Government;
- (5) How much funding does ACT Health allocate to the Health Direct service;
- (6) How much funding has been allocated to the promotion of the Health Direct service in (a) 2001-2002, (b) 2002-2003, (c) 2003-2004, (d) 2004-2005, (e) 2005-2006 and (f) 2006-2007;
- (7) How many complaints has the Health Direct service received in (a) 2001-2002, (b) 2002-2003, (c) 2003-2004, (d) 2004-2005, (e) 2005-2006 and (f) 2006-2007;
- (8) How many staff are employed by the Health Direct service in the categories of (a) enrolled nurses, (b) registered nurses, (c) general practitioners and (d) administration.

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

1. The number of calls received by healthdirect Australia (previously Health First) for the ACT is as follows:

2001 – information not available
 2002 – 50,362
 2003 – 48,237
 2004 – 46,800
 2005 – 43,963
 2006 – 48,744
 2007-YTD – 42,627

2. It is not possible to report on the number of calls that resulted in a referral to The Canberra Hospital alone, since referrals are made to “an Emergency Department” rather than to a specific institution.
3. McKesson Asia Pacific Pty Ltd.
4. The Commonwealth Government subsidises the operational costs at the level of 40%. It also provides governance funding and funding for the establishment of the National Health Call Centre Network.
5. ACT Health has allocated approximately \$1.5 million excluding GST to fund healthdirect Australia this year.

6. The following amounts have been allocated for promotion of the service:

2001:	\$260,000
2002:	\$100,000
2004:	\$36,000

Significant promotional activities were undertaken in 2001/2002 at the inception of the service, including print and television advertising and the production of brochures and fridge magnets. These materials lasted until 2004 when another set of brochures was produced. In 2003, 2005, 2006 and 2007) the only expense was a bold listing in the White pages, although other activities such as visits to schools and community organisations were undertaken during those periods.

Health call centres are highly sensitive to advertising. Unexpected or unplanned peaks in demand resulting from publicity can and do adversely affect their capacity to meet agreed service levels, and peaks in one jurisdiction can affect service levels in all jurisdictions. Because of this, the States and Territories participating in the NHCCN and the Commonwealth have agreed that advertising for the service will be co-ordinated by mutual agreement. Further, peaks which drive demand above planned levels can have a significant impacts on cost. Calls above projected levels are charged at a premium in recognition of the need to increase staffing and infrastructure levels to cope with increased demand. It takes some three months on average to recruit and train registered nurses for the call centre environment, so it is essential that demand be appropriately managed to ensure that service levels and costs can be maintained.

7. The number of complaints received by healthdirect for the ACT is:

2001 – nil external complaints (0% of all calls)
 2002 – 5 external complaints (0.001% of all calls)
 2003 – 14 external complaints (0.03% of all calls)
 2004 – 11 external complaints (0.024% of all calls)
 2005 – 9 external complaints (0.02% of all calls)
 2006 – 17 external complaints (0.034% of all calls)
 2007-YTD – 12 external complaints (0.028% of all calls)

8. *healthdirect* staffing levels are set according to predicted/forecast call volumes and seasonal factors. A large number of nurses and supporting staff is employed to work across *healthdirect* for the ACT, WA and NT.

The provision of *healthdirect* Australia services is currently the subject of a major national tender. The information requested is commercially sensitive and the contractor is unable to provide the information.

Housing—conveyancing (Question No 1720)

Mr Smyth asked the Treasurer, upon notice, on 17 October 2007 (*redirected to the Acting Treasurer*):

- (1) How many applications for the provision of concessional duty for conveyancing of residential properties were (a) lodged and (b) rejected in (i) 2002-03, (ii) 2003-04, (iii) 2004-05, (iv) 2005-06 and (v) 2006-07;
- (2) What were the reasons for applications being rejected;
- (3) Were any decisions to reject an application in the first instance reversed after review by the ACT Revenue Office;
- (4) On what basis were the initial decisions made by the Office reversed;
- (5) Were any decisions to reject an application reversed after an appeal to the Administrative Appeals Tribunal;
- (6) On what basis were the decisions made by the Administrative Appeals Tribunal to reverse the earlier decisions.

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

- (1)

Financial Year	No. Approved	No. Rejected	Total
2002-2003	38	2	40
2003-2004	36	3	39
2004-2005	1662	43	1705
2005-2006	1979	48	2027
2006-2007	1483	39	1522

(2)

Financial Years 2002-03 and 2003-04 no reason for rejection recorded	5
Income exceeds threshold	74
Outside time limit	16
Prior land ownership	27
Property value over threshold	13

(3) Yes

(4)

More detailed income information supplied - met income criteria	19
Evidence provided to show that application was lodged within time period	1
Value of property under threshold due to reduction in consideration sect 30 Duties Act.	1

(5) No decisions were reversed on appeal.

(6) Not applicable

Territory and Municipal Services, Department—staff surveillance (Question No 1721)

Mr Pratt asked the Minister for Territory and Municipal Services, upon notice, on 17 October 2007:

- (1) At which Parks Depot was the private investigation and secret surveillance of staff at a Parks Depot within the Department of Territory and Municipal Services undertaken;
- (2) On what date did the surveillance begin and on what date did the surveillance end;
- (3) By what means was the surveillance undertaken and at what cost;
- (4) What allegations were put forward against the Parks Depot staff to incite a private investigation.

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

- (1) The matter is still under investigation. Identification of the location of the investigation may unnecessarily impugn the reputation of those not involved.
- (2) 2nd and 22nd August 2007 respectively.
- (3) Investigators tracked vehicles and observed activities. Some images were collected. The cost was \$5,200.
- (4) The allegations were for serious misconduct.

**Environment—tree replacements
(Question No 1722)**

Mr Pratt asked the Minister for Territory and Municipal Services, upon notice, on 17 October 2007:

- (1) How many trees will be replaced throughout urban areas in Canberra in 2007-08 in response to global warming and at what cost;
- (2) When will the project (a) start and (b) finish;
- (3) What areas will this project encompass;
- (4) In what area will this project (a) start and (b) finish.

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

- (1) In 2007-08 approximately 5,400 trees will be planted within urban areas at a cost of about \$180 each. This includes the cost of supplying, planting and consolidating. The total budget for 2007/2008 is approximately \$300,000. The main aim is to maintain the quality of our urban forest rather than as a response to climate change.
- (2) There is no project as such. Routine planting and capital works planting programs takes place during winter, spring and autumn each year.
- (3) Tree replacement programs in 2007-08 focuses on older parts of the city.
- (4) Planting programs will continue within the limitations imposed by the prevailing drought and any future restrictions that limit access to water.

**Frogs—census
(Question No 1725)**

Dr Foskey asked the Minister for the Environment, Water and Climate Change, upon notice, on 17 October 2007:

- Is there a census of frog numbers and species; if so, (a) where does this census occur and (b) what have been the results for these regions since 2000.

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

- (a) The ACT Government has conducted an extensive frog monitoring program at 80 sites across the ACT since 1997. In addition, for the past 3 years the ACT Government has supported the Gininderra Catchment Group to monitor another 140 sites in the ACT through the community based Frogwatch program.

The ACT Government also conducts an annual monitoring program specifically for corroboree frogs in the sub-alpine bogs in Namadgi National Park.

- (b) The Australian National University has analysed the results of the ACT Government frog monitoring program. A report is being prepared. Data indicates that some frogs are more common and widespread in the ACT than others, and that there has been no significant decline or increase. Frogwatch program data is summarised in the Frogwatch Annual Report produced by the Gininderra Catchment Group.

With regard to the corroboree frog, data indicates that there has been a decline to a few remaining breeding adults with the real threat of extinction in the ACT over the next five to ten years. With this in mind, in 2003 the ACT Government established a captive colony of Corroboree Frogs from eggs collected in the wild. This program now has over 1,000 Corroboree Frogs in captivity. The aim of the program is to eventually release frogs back to the wild.

Kangaroos—cull permits (Question No 1726)

Dr Foskey asked the Minister for the Environment, Water and Climate Change, upon notice, on 17 October 2007:

- (1) How many kangaroo cull permits have been issued in the ACT in the past three years;
- (2) Who have these permits been issued to, and on what terms;
- (3) What are the numbers of kangaroos (a) permitted to be and (b) actually culled within each permit.

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

- (1) Over the past three years, 117 licences were issued to cull Eastern Grey Kangaroos in the ACT. Per year: 2005 - 49; in 2006 - 38; and in 2007 - 30.
- (2) These licences were issued to rural lessees in the ACT and the Department of Defence. In the ACT, unlike all other states and territories in Australia, there is a specified kangaroo shooting season. The kangaroo shooting season is from 1 March to 31 July each year. Licences to cull are issued once the application has been approved by the Australian Federal Police and relevant ACT Government land management officers. Licensees must abide by the code of practice for the humane destruction of kangaroos within the ACT.
- (3) (a) The total number of kangaroos permitted to be culled over the past three years was 16,920. This includes the licence issued to the Department of Defence to cull 3,325 Eastern Grey Kangaroos.

(b) The actual number of kangaroos culled in this period was 9,461.

Environment—energy audits (Question No 1731)

Dr Foskey asked the Minister for the Environment, Water and Climate Change, upon notice, on 17 October 2007 (*redirected to the Minister for Housing*):

- (1) Is there a process for the review of energy audits being undertaken in government houses as part of the Climate Change Strategy;
- (2) Will data on this review be made available; if so, where and when will it be published;
- (3) Will the Government be acting to improve the energy ratings of government houses based on this data.

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

- (1) Housing ACT has already undertaken substantial work in auditing the energy efficiency of its properties. This work will be supplemented by further auditing of the energy features of a representative sample of the main building types represented in its stock as part of the Government's recently announced Climate Change Strategy.
- (2) The work which has already been done is for internal use in the practical, day-to-day management of the energy and water program. It has not been prepared for publication.
- (3) Yes.

**O'Connell Youth Centre
(Question No 1733)**

Dr Foskey asked the Minister for Territory and Municipal Services, upon notice, on 17 October 2007:

- (1) Who manages the O'Connell Youth Centre site in Limestone Avenue, Ainslie;
- (2) What activities take place there;
- (3) Are there any plans for the site; if so, what are they.

Mr Hargreaves: For the member's information, it is the O'Donnell Youth Centre. The answer to the member's question is as follows:

- (1-3) The O'Donnell Youth Centre on Limestone Avenue, Braddon, is on land owned by the Trustees of the Catholic Church for the Archdiocese of Canberra and Goulburn. Therefore Dr Foskey will need to contact the lessee to obtain answers to her questions.

**Environment—recycling bins
(Question No 1734)**

Dr Foskey asked the Minister for Territory and Municipal Services, upon notice, on 17 October 2007:

- (1) What is the result of the trial of recycling bins in Glebe Park;
- (2) Is six months considered adequate time to trial such a scheme;

- (3) When will recycling bins be installed throughout all town centres in Canberra.

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

- (1) Before installation of the recycling bins in Glebe Park, 62% of the waste by volume in rubbish bins was recyclable material. After installation of the recycling bins, this was reduced to 49% recyclable material in waste bins. In addition, 100% of material placed in the recycling bins was recyclable. That is, no contamination. A survey of 92 people using the park indicated that a different design to the bins and minor changes to signage would improve this retrieval result even further. The survey also showed 80% of people used the facilities correctly with 100% support for recycling in public areas.
- (2 & 3) Six months is adequate as it covered a range of seasons and differing usage levels of the park. The analysis of the trial data has provided valuable information which will improve the efficiency of any proposed service in the future.

**Environment—commissioner
(Question No 1736)**

Dr Foskey asked the Minister for the Environment, Water and Climate Change, upon notice, on 17 October 2007:

- (1) Has the new Commissioner for the Environment and Sustainability taken up her position yet;
- (2) Could you please provide a job description for the new position;
- (3) Will there be a strengthened complaints procedure given the enlarged hours and greater scope of the position;
- (4) What measures will be put into place to ensure adequate and independent scrutiny of complaints and issues, given that the new commissioner is a very recent high-level employee of the Government;
- (5) When will the report prepared by the previous Commissioner reviewing the role of the Office and the Commissioner be released;
- (6) What is the timeline for the State of the Environment (SoE) report;
- (7) Will this report also measure sustainability;
- (8) What indicators will be used to measure sustainability, if covered in the report;
- (9) What expert panels have been set up to advise the process for preparing the SoE report and who are the members of the panels;
- (10) What sources of data are being used and will any new data be commissioned for the report;

- (11) Will the report include finer grained information which can be used by the many suburban and regional community organisations that are organising around climate change and sustainability issues.

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

- (1) The Commissioner for Sustainability and the Environment, Dr Maxine Cooper, has taken up her position.
- (2) A detailed assessment of the duties encompassing the expanded role of the Commissioner for Sustainability and the Environment is being developed. The Commissioner—Dr Maxine Cooper—will be finalising the functions of the office shortly. As legislative changes may be required to the *Commissioner for the Environment Act 1993* the current legislative duties of State of the Environment reporting and investigations will continue.
- (3) The expansion of the role does strengthen opportunities for addressing complaints.
- (4) The Commissioner, Dr Maxine Cooper, has been appointed to the enhanced role of Commissioner for Sustainability and Environment with well-established professional credentials. Her previous positions in operational areas of the ACT Government have included roles that required an arm's length decision-making process. For example the Conservator of Flora and Fauna and Animal Welfare Authority roles were undertaken by Dr Cooper. The Commissioner's role under current and future legislation will ensure that independence is maintained for the office and its functions.
- (5) I am happy to provide a copy of the report to members upon request.
- (6) The 2007 ACT State of the Environment (SoE) Report is planned for release by the end of March 2008.
- (7) The 2007 ACT SoE Report will have a chapter on progress towards sustainability.
- (8) Sustainability was assessed in the 2004 SoE Report using the National Headline Indicators. These indicators will be used in the 2007 report, with the addition of ecological footprint measures provided by the Department of Territory and Municipal Services.
- (9) The process for preparing the SoE report is identical to that of the 2003 report. The Commissioner's Office will be using expert reference groups for each of the Themes covered in the report, namely Air, Biodiversity, Human Settlement, Land and Water (Catchments) and Sustainability. For the 2007 report the office will use the services of honorary expert members to work with the Commissioner. The composition of each group is not yet final. It is anticipated this will occur by mid-November 2007.
- (10) Data sources for the ACT 2007 SoE Report are varied. Sources come from within the ACT Government, the Commonwealth Government, universities, non-government organisations and business. The Commissioner for Sustainability and the Environment has not commissioned new data for SoE reports; it has relied on data of others. An update of the ecological footprint for the ACT that was originally reported in the ACT Government's *Measuring Our Progress - Canberra's Journey Towards Sustainability* will be sourced from the Department of Territory and Municipal Services. This update will then be included in the SoE Report.

- (11) The information in the report varies. Without knowing specifics regarding what is meant by “finer grained” it is difficult to answer your question. It is recommended that Dr Foskey contact the Commissioner’s office directly to discuss this issue.

**Planning—Fox Place
(Question No 1737)**

Dr Foskey asked the Minister for Planning, upon notice, on 17 October 2007:

- (1) Further to the redevelopment in blocks 8, 9, and 10 of Section 43 Fox Place, was an agreement reached between the residents of Fox Place and the developers in 2005;
- (2) When the development changed hands was that agreement honoured;
- (3) Does the ACT Planning and Land Authority (ACTPLA) encourage interaction and mediation between developers and neighbours;
- (4) Is such an agreement lodged with ACTPLA;
- (5) What is the status of such agreement;
- (6) Do such agreements have legal status if ownership changes hands;
- (7) Was the amenity of local residents seriously compromised by work during the development.
- (8) Does ACTPLA perform inspections to ensure that residents’ amenity is protected;
- (9) Are there any regulations that require developers to minimise impacts.

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

- (1) The ACT Planning and Land Authority (ACTPLA) has advised that it is only aware of the consent agreement reached through mediation as set out in the Decision of the ACT Administrative Appeals Tribunal (AT04/64 &65) made on 13 July 2004.
- (2) The terms of the supported agreements between the residents of Fox Place and the developers in 2005 (the 2005 agreement) is not known. The Authority does not administer such agreements.
- (3) Yes.
- (4) No. There is no statutory basis to do so.
- (5) As advised, the 2005 agreement has no statutory planning status.
- (6) ACTPLA is not privy to any agreement other than that set out in the AAT decision and so cannot provide comment as to the legal status of any such agreement.
- (7) The Environment Protection Authority has investigated and acted on matters pertaining to noise created by the construction of the development. Territory and

Municipal Services investigated matters concerning parking and traffic in Fox Place and found no departures from the approved Temporary Traffic Management Plan. Apart from these issues, no other impact to the amenity of the area was raised with Government agencies during the construction period.

- (8) Once a development is complete, ACTPLA conducts inspections to determine if the works are carried out in accordance with the approved plans. Other inspections are undertaken in response to complaints from the community or referred to other relevant agencies that may have responsibility for an issue.
- (9) *The Building Act 2004, The Environment Protection Act 1997, The Road Transport (Safety and Traffic Management) Act 1999 and The Roads and Public Places Act 1937* contain provisions that require developers to minimise impact during construction.

Planning—Lyneham (Question No 1738)

Dr Foskey asked the Minister for Planning, upon notice, on 17 October 2007:

Further to the redevelopment in Blocks 8, 9 and 10 of Section 43 Fox Place, what safeguards are there to protect the character of suburbs like Lyneham and O'Connor since the Territory Plan classifies as far west as Lyneham High School as being available for intensive residential development.

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

- (1) The Area B11 Urban Housing (generally three storeys) and Area B12 Increased Density Development (maximum two storeys) Area Specific Land Use Policies of the Territory Plan seeks to provide opportunities for increased dwelling densities in residential areas close to transport corridors, commercial areas and employment centres.

The areas located within the suburbs of O'Connor and Lyneham are subject to the requirements of Section Master Plans. The Lyneham Section Master Plan, Sections 43, 44, 45, 48, 49, 52 (Part), and 55 was amended shortly after the Fox Place redevelopment was approved, in response to the recommendations of the Lyneham Neighbourhood Plan community consultation process. The Section Master Plan acknowledges that the layout and character of Lyneham has been influenced by Garden City design principles and it is important that redevelopment of the B11 and B12 areas responds to the Garden City philosophy.

The Section Master Plan responds to this by requiring:

- Setbacks on new developments to respond to adjoining development;
- The identification of visually important trees on leased land;
- The articulation of the front building line to prevent continuous 'walls of development';
- Rear setback and site coverage limits to accommodate deep root rear garden planting and to ensure privacy; and
- Building envelope limits to allow solar access and privacy to neighbouring dwellings.

The ACT Planning and Land Authority is required to carefully consider any approved Master Plan applying to the land when determining a Development Application.

Health—eating disorders (Question No 1739)

Mrs Burke asked the Minister for Health, upon notice, on 18 October 2007:

- (1) How many patients attended The Eating Disorders Program located in Phillip in (a) 2001-2002, (b) 2002-2003, (c) 2003-2004, (d) 2004-2005, (e) 2005-2006 and (f) 2006-2007;
- (2) How many patients attended the Throsby Place Eating Disorders Program located in Griffith in (a) 2001-2002, (b) 2002-2003, (c) 2003-2004, (d) 2004-2005, (e) 2005-2006 and (f) 2006-2007;
- (3) How many people are on the waiting list for services at The Eating Disorders Program and the Throsby Place Eating Disorders Program, respectively;
- (4) What type of services and support are offered to sufferers of anorexia at The Eating Disorders program;
- (5) What type of services and support are offered to sufferers of bulimia at The Eating Disorders program;
- (6) How many women aged 12-24 were admitted for hospitalisation at The Canberra Hospital due to eating disorders in (a) 2001-2002, (b) 2002-2003, (c) 2003-2004, (d) 2004-2005, (e) 2005-2006 and (f) 2006-2007.

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

Clarification:

There is only one MHACTION Eating Disorders Program.

The Throsby Place Eating Disorders Program was established and located at the Griffith shops in May 2000. In July 2004 the unit changed its name to the Eating Disorders Program and moved to the Phillip Health Centre.

(1)&(2) The number of patients who attended the Eating Disorders Program located in Phillip:

(a)	2001-2002	184
(b)	2002-2003	402
(c)	2003-2004	Unknown *
(d)	2004-2005	157
(e)	2005-2006	122
(f)	2006-2007	112

* incomplete data available.

(3) There are currently two people on the waiting list for treatment at the Eating Disorders Program.

(4) & (5) The types of support and services provided are set out below.

ANOREXIA NERVOSA DAY PROGRAM

This open, ongoing program (for 6 clients at any one time) is based on the Wesley Day Hospital model and is conducted on Mondays, Wednesdays and Fridays from 10am to 4pm. It includes group therapies, supervised meals and is primarily aimed at non-chronic, younger clients who require the following:

- weight restoration and or maintenance;
- normalisation of eating behaviour and attitudes;
- cessation of compensatory or weight losing behaviours and
- normalisation of psychosocial behaviours.

It is expected that clients will initially attend this program for 12 weeks with a progress assessment at four, eight and 12 weeks respectively. This program is suitable for outpatient clients and hospital inpatients. It is also strongly recommended that family members/primary carers attend the individual therapy sessions with the client, particularly if the client is living at home and/or financially dependent.

DIETICIAN ASSESSMENTS

The multidisciplinary approach includes support from a part-time dietician. The dietician provides individual assessments, meal plans and group education sessions to clients once they have been accepted into and while they are participants in the Anorexia Nervosa Day Program

BULIMIA NERVOSA & EDNOS THERAPY

Clients will normally have a diagnosis of Bulimia Nervosa or Eating Disorders Not Specified (EDNOS) with bingeing and weight losing behaviours. Using the evidence based program developed by Professor Fairburn from Oxford University, clients are normally seen individually on a weekly basis for five to 10 sessions and then reviewed.

PSYCHIATRIC & MEDICAL ASSESSMENTS

A psychiatrist attends the EDP a half day per fortnight and provides individual psychiatric and somatic assessments, and medication advice to GPs. The EDP aims to have all clients, accepted into its programs, comprehensively assessed by the psychiatrist at least once.

RELATIONSHIP WITH THE GENERAL PRACTITIONER

The EDP works closely with GPs in the management of eating disorders clients. It is a requirement for participation in our program that a client have an identified GP with whom they maintain regular contact. The GP provides on-going medical management including medication, scripts and referrals to specialists.

(6) Eating Disorders - discharges from TCH (aged 12 - 24)

Number of discharges for the financial year

01/02	6
02/03	17
03/04	10
04/05	21
05/06	19
06/07	21

**ACT Housing—removal costs
(Question No 1741)**

Mrs Burke asked the Minister for Housing, upon notice, on 18 October 2007:

- (1) How much has ACT Housing spent on furniture removal for ACT Housing tenants for (a) 2001-2002, (b) 2002-2003, (c) 2003-2004, (d) 2004-2005, (e) 2005-2006 and (f) 2006-2007;
- (2) How much has ACT Housing spent on furniture storage for ACT Housing tenants in the years (a) 2001-2002, (b) 2002-2003, (c) 2003-2004, (d) 2004-2005, (e) 2005-2006 and (f) 2006-2007.

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

- (1) The costs of furniture removal and storage costs of tenant belongings, at least for contract costs exceeding \$15,000 are reported in the Annual Report, please refer to:
 - (a) 2001-02 Nil reported;
 - (b) 2002-03 page 107 of Volume I;
 - (c) 2003-04 page 150 of Volume I;
 - (d) 2004-05 pages 195 and 196 of Volume I;
 - (e) 2005-06 pages 279 and 281 of Volume II;
 - (f) 2006-07 page 226 and 227 of Volume II
 - (2) The cost of furniture storage is not separately identified from the cost of furniture removal, except in 2004-05, refer to page 196 of Volume I of the 2004-05 Annual Report.
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**Aboriginals and Torres Strait Islanders—cultural centre
(Question No 1742)**

Dr Foskey asked the Minister for Indigenous Affairs, upon notice, on 18 October 2007:

- (1) Will the Aboriginal and Torres Strait Islander (ATSI) cultural centre on Lake Burley Griffin continue to be a cultural centre or will it become an arts centre;
- (2) Does the Government have plans or a process for extending the use of the Centre and involving other Aboriginal people;
- (3) Does the Government intend to continue funding the Centre in the medium to long term;
- (4) How is the Burringiri board of management constituted;
- (5) Is he able to say whether the current constitution gives veto power to the board over any applications for membership; if so, how can effective, democratic renewal of the governing structure be ensured;
- (6) How many members does the board actually have;

(7) Has the Government considered ways of broadening ATSI presentation on the Board.

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

1. It will remain a Cultural Centre that will include:
 1. a Keeping Place;
 2. a cultural Exhibition space; and
 3. a cultural performance area.
 2. Yes
 3. Yes
 4. The Association is constituted under the Associations Incorporations Act 1991.
 5. The enquiry should be directed to the Burringiri Association.
 6. The enquiry should be directed to the Burringiri Association.
 7. ACT Government does not plan to influence the Burringiri Board which is a community Organisation.
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**Territory and Municipal Services, Department—staff surveillance
(Question No 1743)**

Mr Pratt asked the Chief Minister, upon notice, on 18 October 2007:

- (1) Further to the private investigation and secret surveillance of staff at a Parks Depot within the Department of Territory and Municipal Services (TAMS), did the Chief Minister, or anyone in his department, give approval either written or verbal, for secret surveillance to be carried on TAMS staff;
- (2) Did the Chief Minister, or anyone in his department, receive indications from anyone outside the Chief Minister's Department that secret surveillance was going to be conducted on TAMS staff prior to 3 October 2007;
- (3) Has the Chief Minister given approval for or had knowledge of secret surveillance on ACT Government employees sanctioned by an ACT Government Department in response to allegations of misconduct or insubordination;
- (4) Does the Chief Minister condone the use of secret surveillance to investigate unconfirmed allegations of misconduct amongst ACT Government employees;
- (5) Will the Chief Minister sanction the use of secret surveillance in the future.

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

- (1) No.
- (2) No.

- (3) I have had knowledge of the surveillance of staff at a Parks Depot since 3 October 2007, but did not approve the surveillance and had no knowledge of it prior to 3 October 2007.
 - (4) In accordance with the Public Sector Management Act, the Chief Executive is responsible for the administration and business of the agency. This includes matters such as misconduct, integrity, fraud and corruption. It is the responsibility of the Chief Executive to determine the way in which such matters are dealt with having regard to all the circumstances. The Chief Executive of TAMS has advised that he considered it appropriate and necessary to conduct surveillance in relation to recent allegations of inappropriate behaviour in his agency.
 - (5) Chief Executives will continue to have responsibility for the administration and business of an agency including dealing appropriately with matters such as misconduct, integrity, fraud and corruption.
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Territory and Municipal Services, Department—staff surveillance (Question No 1744)

Mr Pratt asked the Minister for Territory and Municipal Services, upon notice, on 18 October 2007:

- (1) Further to the private investigation and secret surveillance of staff at a Parks Depot within the Department of Territory and Municipal Services (TAMS), have any charges of a criminal nature been laid;
- (2) Are the police investigating any matters arising from the surveillance;
- (3) What departmental disciplinary action has been taken as a consequence of the investigation;
- (4) How many TAMS staff are under departmental investigation and what is the nature of the alleged departmental or criminal offence?

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

- (1) No
 - (2) No
 - (3) The investigation is still ongoing and in accordance with the TAMS Certified Agreement.
 - (4) The investigation is still ongoing.
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Public service—motor vehicles (Question No 1746)

Dr Foskey asked the Chief Minister, upon notice, on 13 November 2007 (*redirected to the Treasurer*):

How many ACT Government staff are driving vehicles purchased or leased as part of a salary package or salary sacrifice which includes fringe benefit tax rate reductions based on annual vehicle mileages.

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

As of 15 November 2007, there were 691 ACT public servants leasing a vehicle through a salary packaging arrangement administered by the Shared Services Centre. There are also a small number of ACT public servants who utilise an external provider for salary packaging and these arrangements may include a car. The fringe benefits tax liability for these vehicles is deducted fortnightly from the individuals' salary.
